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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4598

03/07/2024 Authored by Long, Greenman, Freiberg, Pursell, Agbaje and others
The bill was read for the first time and referred to the Committee on Elections Finance and Policy

1.1 A bill for an act
1.2 relating to the legislature; proposing an amendment to the Minnesota Constitution,
1.3 article IV, sections 3, 5, and 12; by adding an article XV; establishing an
1.4 Independent Redistricting Commission; establishing a Redistricting Commission
1.5 Applicant Review Panel; establishing principles to be used in adopting legislative
1.6 and congressional districts; prohibiting members of the legislature from being
1.7 employed or engaged for compensation as a lobbyist for a period of one year
1.8 following the end of their legislative service; amending requirements related to
1.9 the convening and conduct of regular legislative sessions; amending Minnesota
1.10 Statutes 2022, sections 2.031, by adding a subdivision; 2.731; 10A.01, subdivision
1.11 35; proposing coding for new law in Minnesota Statutes, chapter 2; repealing
1.12 Minnesota Statutes 2022, section 2.91.

1.13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.14 ARTICLE 1
1.15 CONSTITUTIONAL AMENDMENTS; INDEPENDENT REDISTRICTING
1.16 COMMISSION

1.17 Section 1. CONSTITUTIONAL AMENDMENTS PROPOSED.

1.18 An amendment to the Minnesota Constitution is proposed to the people. If the amendment
1.19 is adopted, article IV, section 3, will read:

1.20 Sec. 3. ~~At its first session after each enumeration of the inhabitants of this state made~~
1.21 ~~by the authority of the United States, the legislature shall have the power to prescribe the~~
1.22 ~~bounds of congressional and legislative districts. Senators shall be chosen by single districts~~
1.23 ~~of convenient contiguous territory. No representative district shall be divided in the formation~~
1.24 of a senate district. The senate districts shall be numbered in a regular series. A senate
1.25 district must consist of two whole representative districts, labeled "A" and "B," respectively.

1.26 Article IV, section 5, will read:

2.1 Sec. 5. No senator or representative shall hold any other office under the authority of
 2.2 the United States or the state of Minnesota, except that of postmaster or of notary public.
 2.3 If elected or appointed to another office, a legislator may resign from the legislature by
 2.4 tendering his resignation to the governor.

2.5 No senator or representative may be employed as a lobbyist, or otherwise receive
 2.6 compensation for services as a lobbyist, while seated in the legislature and for a period of
 2.7 one year following the end of the senator or representative's legislative service. "Lobbyist"
 2.8 shall be defined by law.

2.9 Article IV, section 12, will read:

2.10 Sec. 12. The legislature shall meet at the seat of government in regular session in each
 2.11 biennium at the times prescribed by law ~~for not exceeding a total of 120 legislative days.~~
 2.12 ~~The legislature shall not meet in regular session, nor in any adjournment thereof, after the~~
 2.13 ~~first Monday following the third Saturday in May of any year.~~ After meeting at a time
 2.14 prescribed by law, the legislature may adjourn to another time. "Legislative day" shall be
 2.15 defined by law. A special session of the legislature may be called by the governor on
 2.16 extraordinary occasions.

2.17 Neither house during a session of the legislature shall adjourn for more than three days
 2.18 (Sundays excepted) nor to any other place than that in which the two houses shall be
 2.19 assembled ~~without the consent of the other house~~ except upon notice by message to the
 2.20 other house.

2.21 Article XV shall be added to read:

2.22 ARTICLE XV

2.23 INDEPENDENT REDISTRICTING COMMISSION

2.24 Section 1. By December 31 of the year following a federal decennial census, an
 2.25 Independent Redistricting Commission shall adopt boundaries of congressional and legislative
 2.26 districts. The commission is established within the legislative department and consists of
 2.27 the following members:

2.28 (1) five members who support the first political party;

2.29 (2) five members who support the second political party; and

2.30 (3) five members who do not affiliate with either the first political party or the second
 2.31 political party.

3.1 For purposes of this constitution and any subsequent enabling law, the "first political
3.2 party" means the political party receiving the highest number of combined votes for state
3.3 constitutional offices and United States Senate during the period since a statewide legislative
3.4 district plan was last ordered or adopted, aggregated across all elections conducted during
3.5 that period; and the "second political party" means the political party receiving the
3.6 second-highest number of combined votes for state constitutional offices and United States
3.7 Senate during the period since a statewide legislative district plan was last ordered or adopted,
3.8 aggregated across all elections conducted during that period.

3.9 Sec. 2. A commission member must be a resident of Minnesota, have continuously
3.10 resided in Minnesota during the current year and the immediately preceding six years, and
3.11 be eligible to vote in Minnesota.

3.12 The following individuals are ineligible to serve on the Independent Redistricting
3.13 Commission, on the Redistricting Commission Applicant Screening Panel, or as
3.14 administrative, professional, or technical staff or consultants to either the commission or
3.15 screening panel:

3.16 (1) current federal, state, or local elected officials, and their immediate family members;

3.17 (2) current appointed officials who are defined by law as public officials, and their
3.18 immediate family members;

3.19 (3) individuals who have served in any federal, state, or local elected office or appointed
3.20 position defined by law as a public official in Minnesota during the current year and
3.21 immediately preceding six years, and their immediate family members;

3.22 (4) individuals who have been a candidate for any federal, state, or local elective office
3.23 in Minnesota during the current year and the immediately preceding six years, and their
3.24 immediate family members;

3.25 (5) individuals who have served as an officer, paid consultant, or contractor to any
3.26 political party, political action committee, or campaign committee at the federal, state, or
3.27 local level for any period during the current year or the immediately preceding six years,
3.28 and their immediate family members;

3.29 (6) individuals who have served as a staff member, paid consultant, or contractor for
3.30 any elected official or candidate for any federal, state, or local office for any period during
3.31 the current year and the immediately preceding six years, and their immediate family
3.32 members; and

4.1 (7) individuals who have been a lobbyist registered with the state of Minnesota or the
4.2 federal government for any period during the current year and the immediately preceding
4.3 six years, and their immediate family members.

4.4 Sec. 3. No later than January 1 of the year of a decennial census, the chief justice of the
4.5 supreme court must appoint two retired judges who served a federal, state, or Tribal court
4.6 of jurisdiction in Minnesota to a Redistricting Commission Applicant Screening Panel. One
4.7 of these appointees must support the first political party, and one of these appointees must
4.8 support the second political party. The two appointees of the chief justice must mutually
4.9 agree on one additional retired federal, state, or Tribal court judge who is not affiliated with
4.10 either the first political party or the second political party, to serve as the third member of
4.11 the panel and as its chair. Each member of the panel must commit to conduct the work of
4.12 the panel in a fair and impartial manner, and must not attempt to create an advantage in the
4.13 applicant screening process for any political party. The purpose of the Redistricting
4.14 Commission Applicant Screening Panel is to solicit applications from members of the public
4.15 for service on the Independent Redistricting Commission, to review applications to determine
4.16 each applicant's qualifications, conflicts of interest, party affiliation, relevant experiences
4.17 and skills, community ties, and commitment to impartiality, compromise, and fairness, and
4.18 to establish pools of well-qualified candidates to be used in selecting commission members
4.19 by random lot.

4.20 No later than July 1 of the year of a decennial census, the screening panel must close
4.21 the application period and select, by majority vote of the panel, a pool of 30 qualified
4.22 applicants to serve in the role of a commission member supporting the first political party;
4.23 a pool of 30 qualified applicants to serve in the role of a commission member supporting
4.24 the second political party; and a pool of 30 qualified applicants to serve in the role of a
4.25 commission member who does not affiliate with either the first political party or the second
4.26 political party. To the extent practicable, the screening panel must ensure that each applicant
4.27 pool consists of well-qualified applicants and reflects a geographically and demographically
4.28 representative cross section of the state. The panel must make public the name, the current
4.29 place of residence, and the partisan affiliation, if any, of each person selected for an applicant
4.30 pool. The panel must make this information available on its website and provide a portal
4.31 for the submission of public comments on each applicant. Submitted comments may only
4.32 be viewed by the panel's members. The panel must itself, or by contract with a professional
4.33 search firm, conduct and publicly broadcast individual screening interviews with the
4.34 applicants identified in each pool. The purpose of the screening interview must be to examine

5.1 the applicant's qualifications, conflicts of interest, party affiliation, relevant experiences and
5.2 skills, community ties, and commitment to impartiality, compromise, and fairness.

5.3 After reviewing the public comments and conducting interviews, but no later than
5.4 September 15 of the year of a decennial census, the screening panel must select and publish
5.5 a list of finalists who are well-qualified and collectively reflect a geographically and
5.6 demographically representative cross section of the state. The list of finalists must include
5.7 15 applicants who support the first political party, 15 applicants who support the second
5.8 political party, and 15 applicants who do not affiliate with either the first or second political
5.9 party.

5.10 No later than October 15 of the year of a decennial census, the chair of the screening
5.11 panel must choose, by random lot in a public meeting, three applicants from the pool of 15
5.12 finalists supporting the first political party, three applicants from the pool of 15 finalists
5.13 supporting the second political party, and three applicants from the pool of 15 finalists that
5.14 do not affiliate with either the first political party or the second political party. The chosen
5.15 applicants shall be seated as members of the Independent Redistricting Commission. The
5.16 chair of the screening panel must convene the first meeting of the commission no later than
5.17 30 days after the members chosen by random lot have been selected. No later than 60 days
5.18 following its first meeting, the seated Independent Redistricting Commission members must
5.19 select, by majority vote, an additional two members from each of the pools of applicants
5.20 selected by the Redistricting Commission Applicant Screening Panel to be seated. At least
5.21 one member of the commission supporting the first party and one member for the commission
5.22 supporting the second party must vote in favor of each member seated from the pool of
5.23 applicants that do not affiliate with either the first political party or the second political
5.24 party. In the event of an impasse, the chair of the Redistricting Commission Applicant
5.25 Screening Panel must choose any remaining members by lot from among the applicable
5.26 pool of applicants established by the panel. The Independent Redistricting Commission
5.27 may not conduct further business until all commission members have been chosen and
5.28 seated.

5.29 A member of the commission may be removed, for cause, by a vote of 12 members,
5.30 including the affirmative vote of at least one member supporting the first political party,
5.31 one member supporting the second political party, and one member that is not affiliated
5.32 with either the first or second political party. Standards for removal and the ethical conduct
5.33 of commission members may be further provided by law. The chief justice of the supreme
5.34 court must fill a vacancy on the commission by random lot, from among the pool of

6.1 applicants selected by the screening panel that corresponds to the party affiliation of the
6.2 vacating member. The selection process must be open for public viewing.

6.3 A commission member may not be seated as a member of the house of representatives
6.4 or the senate during any year in which a district map adopted by the commission on which
6.5 the member served is in effect.

6.6 Sec. 4. The commission must elect a chair, vice-chair, and other officers from among
6.7 its members. A quorum of the commission is nine members.

6.8 The commission must adopt a schedule of public hearings and other hearing and
6.9 administrative procedures to guide the conduct of its work. The schedule and procedures
6.10 must be designed in favor of transparency, and to maximize opportunities for public
6.11 participation and public comment on the commission's work. The commission must solicit
6.12 public comment on the locations to be used for public hearings before a schedule is adopted.

6.13 The commission must solicit public comment on its map drawing process, its methods
6.14 of applying the required principles, and on the maps proposed by commission members. It
6.15 must also provide opportunities for members of the public to submit proposed maps and
6.16 proposed methods of applying the required principles and allow opportunities in a public
6.17 meeting for other members of the public to review and comment on those proposed maps
6.18 and methods of applying the required principles.

6.19 Consistent with available technology, the commission must provide opportunities for
6.20 the public to view and participate in commission meetings by electronic means, and to
6.21 access the work of the commission in multiple languages.

6.22 A redistricting plan must not be adopted unless the commission has conducted at least
6.23 two public hearings in each congressional district at which an opportunity for public comment
6.24 is provided, including one public hearing before any map is drawn, and one public hearing
6.25 after a proposed map is made public. To be adopted, a redistricting plan must be approved
6.26 in a public meeting by at least nine members, including at least two who support the first
6.27 political party, two who support the second political party, and one who does not affiliate
6.28 with either the first or second political parties. A vote on a final redistricting plan may not
6.29 occur unless the final plan has been publicly posted for at least 14 days. At a meeting where
6.30 a redistricting plan is proposed for final adoption, the commission may only amend the plan
6.31 for the purpose of making technical corrections. The meaning of a technical correction, and
6.32 procedures for adopting technical corrections after the commission has expired, may be
6.33 provided by law.

7.1 The commission must adopt a final redistricting plan no later than December 31 of the
7.2 year following a decennial census. Each adopted plan, along with a report summarizing the
7.3 commission's work on the plan, how it responds to public input received by the commission,
7.4 and how it adheres to the requirements of this constitution and other applicable law, must
7.5 be filed with the secretary of state no later than seven days following its adoption.

7.6 The commission must hire necessary administrative, professional, and technical staff to
7.7 assist the commission in its work. Any staff employed by the commission must report to
7.8 the commission and owe a duty of care and duty of loyalty to the commission as a whole.
7.9 Staff must be screened for potential biases or conflicts of interest and must demonstrate the
7.10 necessary experience, expertise, and skills in the conduct of redistricting.

7.11 A redistricting plan adopted by the commission is effective beginning at the state general
7.12 election held the second year following the federal decennial census and thereafter, until
7.13 new district plans are adopted. The commission expires when both legislative and
7.14 congressional redistricting plans have been adopted and filed with the secretary of state,
7.15 but may be reconstituted as required by this constitution.

7.16 Sec. 5. Congressional and legislative districts must be drawn in accordance with the
7.17 principles listed in this section. If districts cannot be drawn fully in accordance with all
7.18 principles, priority must be given to the principles in the order in which they are listed,
7.19 except when doing so would violate federal law, including requirements of the United States
7.20 Constitution and the federal Voting Rights Act of 1965, as amended.

7.21 Each congressional district must be as nearly equal in total population as practicable.
7.22 Each legislative district must be substantially equal in total population. The maximum
7.23 permissible deviation for a legislative district is three percent, plus or minus, from the total
7.24 population of the ideal district. The population counts used for purposes of drawing district
7.25 maps must be the block population counts provided to the state under Public Law 94-171,
7.26 or a successor law, after each decennial census, subject to the correction of any errors
7.27 acknowledged by the United States Census Bureau, and as adjusted to allocate each person
7.28 incarcerated in a state or federal correctional facility to the census block of the person's last
7.29 known address, if the person has a last known address in Minnesota, and to exclude
7.30 incarcerated persons whose last known address is not located in Minnesota or who do not
7.31 have a last known address. The legislature may provide procedures by law for the conduct
7.32 of these allocations and exclusions.

7.33 Districts must provide, at a minimum:

8.1 (1) the equal opportunity of racial, ethnic, and language minorities to participate in the
8.2 political process and to elect candidates of their choice, whether alone or in coalition with
8.3 others; and

8.4 (2) sizable racial, ethnic, and language minorities who constitute less than a voting-age
8.5 majority of a district with an opportunity to substantially influence the outcome of an election.

8.6 Federally recognized American Indian Tribal reservations may only be divided if:

8.7 (1) the division occurs because a portion of the reservation is not contiguous with another
8.8 portion of the reservation; or

8.9 (2) despite the division, the known population of the reservation remains wholly located
8.10 within a single district.

8.11 Districts must minimize the division of identifiable communities of interest. A community
8.12 of interest may include a racial, ethnic, or linguistic group or any group with shared
8.13 experiences or concerns, including but not limited to geographic, regional, social, cultural,
8.14 historic, socioeconomic, occupational, trade, or transportation interests. Communities of
8.15 interest do not include relationships with political parties, incumbents, or candidates. A
8.16 political subdivision is not, by itself, a community of interest. Where communities of interest
8.17 overlap, greater consideration must be given to those communities of interest whose
8.18 representational needs would be most benefited from the community's inclusion in a single
8.19 district.

8.20 Each district must be contiguous. Contiguity by water is sufficient if the water is not a
8.21 serious obstacle to travel within the district. A district with areas that touch only at a point
8.22 is not contiguous.

8.23 Districts must minimize the division of counties, cities, school districts, and towns to
8.24 the extent practicable.

8.25 Sec. 6. A redistricting plan must not purposely favor or disfavor a candidate or
8.26 incumbent. The statewide proportion of districts in each redistricting plan that favor a
8.27 political party must correspond closely to the statewide partisan preferences for the voters
8.28 of Minnesota for that party.

8.29 The statewide proportion of districts in each redistricting plan that favor a political party
8.30 must be determined by:

8.31 (1) calculating the number of districts in the redistricting plan that would have been won
8.32 by the candidates representing the first political party and the second political party using

9.1 the two-party vote in each statewide partisan general election held in the preceding six years
 9.2 for which precinct-level data is available;

9.3 (2) dividing each of these numbers by the total number of districts in the redistricting
 9.4 plan to obtain the proportion of districts in the redistricting plan that would have been won
 9.5 by candidates representing the first political party and the second political party in each
 9.6 general election; and

9.7 (3) calculating the median of these proportions for each political party.

9.8 The statewide partisan preferences of the voters of Minnesota must be determined by:

9.9 (1) calculating the proportion of the statewide two-party vote received by the candidates
 9.10 representing the first political party and the second political party in each statewide partisan
 9.11 general election held in the preceding six years for which precinct-level data is available;
 9.12 and

9.13 (2) calculating the median of these proportions for each political party.

9.14 To "correspond closely" means that the statewide proportion of districts in each
 9.15 redistricting plan that favor each political party deviates by no more than three percentage
 9.16 points in either direction, or if this is arithmetically impossible, by the smallest possible
 9.17 proportion that is larger than three percentage points, from the statewide partisan preferences
 9.18 of the voters of Minnesota.

9.19 Sec. 7. If the Independent Redistricting Commission fails to adopt a final redistricting
 9.20 plan by December 31 of the year following a decennial census, each member of the
 9.21 commission may submit, within five business days, no more than one proposed redistricting
 9.22 plan for each redistricting plan that is the subject of impasse for a total vote runoff process.
 9.23 Each commissioner must rank all submitted redistricting plans in decreasing order of
 9.24 preference. The submitted redistricting plan that wins a total vote runoff shall be the final
 9.25 adopted redistricting plan. The chair of the commission must conduct the total vote runoff
 9.26 process and select the final redistricting plan in a public meeting. In the event of a tie, the
 9.27 chair must select, by lot, the final redistricting plan from among the tied plans, in the same
 9.28 public meeting.

9.29 Sec. 8. The supreme court shall have exclusive, original jurisdiction in all cases alleging
 9.30 that a redistricting plan adopted by the commission fails to comply with this article or other
 9.31 applicable law. The commission shall have exclusive standing to defend any action
 9.32 challenging the adoption of a redistricting plan, and notwithstanding its expiration, may
 9.33 reconstitute itself under its own authority for this purpose.

10.1 If the supreme court or other court of jurisdiction determines that an adopted redistricting
 10.2 plan does not comply with the requirements of this article or other applicable law, the
 10.3 commission may be reconstituted by court order, or may reconstitute itself under its own
 10.4 authority, for the purpose of adopting a compliant plan. The membership of the reconstituted
 10.5 commission must be the same membership that adopted the noncompliant plan, subject to
 10.6 the filling of vacancies as provided in this article. If, after the commission has been
 10.7 reconstituted, the court finds that a newly adopted redistricting plan does not comply with
 10.8 the requirements of this article, the court may order other appropriate relief, including
 10.9 drawing and ordering new districts under its own authority. A redistricting plan ordered by
 10.10 the supreme court must conform to the requirements of sections 5 and 6.

10.11 Sec. 9. The legislature must provide appropriations by law to sufficiently fund the work
 10.12 of the Independent Redistricting Commission and the Redistricting Commission Applicant
 10.13 Screening Panel, including necessary amounts for administrative, professional, and technical
 10.14 services; litigation costs; and other reasonable expenses. Notwithstanding article XI, if
 10.15 sufficient funds are not appropriated by law, the supreme court may order that money be
 10.16 paid out of the state treasury for this purpose.

10.17 Sec. 10. If any provision of this article, or a subsequent enabling law, is found to be
 10.18 unconstitutional and void, the remaining provisions of this article or the subsequent enabling
 10.19 law remain valid, unless the court finds the valid provisions are so essentially and inseparably
 10.20 connected with, and dependent upon, the void provisions that the court cannot presume the
 10.21 remaining valid provisions would have been enacted without the void one, or unless the
 10.22 court finds that the remaining valid provisions, standing alone, are incomplete and incapable
 10.23 of being executed in accordance with their intent.

10.24 **Sec. 2. SUBMISSION TO VOTERS.**

10.25 (a) The proposed amendment must be submitted to the people at the 2024 general election.
 10.26 The question submitted must be:

10.27 "Shall the Minnesota Constitution be amended to require an independent redistricting
 10.28 commission to adopt boundaries for congressional and legislative districts following a
 10.29 decennial census; to prohibit members of the legislature from serving as lobbyists while in
 10.30 office and for a period of one year after leaving office; and to amend requirements related
 10.31 to the timing and process for convening regular legislative sessions?

10.32 Yes
 10.33 No "

11.1 (b) The ballot question title required under Minnesota Statutes, section 204D.15,
 11.2 subdivision 1, must be "Conflict of Interest - Legislative Reform."

11.3 **ARTICLE 2**

11.4 **INDEPENDENT REDISTRICTING COMMISSION; STATUTORY**
 11.5 **IMPLEMENTATION**

11.6 Section 1. Minnesota Statutes 2022, section 2.031, is amended by adding a subdivision
 11.7 to read:

11.8 Subd. 3. **Numbering.** Legislative districts must be numbered in a regular series, beginning
 11.9 with House of Representatives District 1A in the northwest corner of the state and proceeding
 11.10 across the state from west to east, north to south. In a county that includes more than one
 11.11 whole senate district, the districts must be numbered consecutively.

11.12 Sec. 2. Minnesota Statutes 2022, section 2.731, is amended to read:

11.13 **2.731 NUMBER OF DISTRICTS.**

11.14 The state of Minnesota is divided into eight congressional districts, each of which is
 11.15 entitled to elect one representative to the Congress of the United States of America.
 11.16 Congressional district numbers must begin with the first district in the southeast corner of
 11.17 the state and end with the district with the highest number in the northeast corner of the
 11.18 state.

11.19 Sec. 3. **[2.94] REDISTRICTING COMMISSION APPLICANT SCREENING PANEL.**

11.20 Subdivision 1. **Application.** This section establishes and implements the Redistricting
 11.21 Applicant Screening Panel consistent with article XV of the Minnesota Constitution. Except
 11.22 where otherwise provided, the terms used in this section are defined consistently with those
 11.23 as used in the Minnesota Constitution, article XV.

11.24 Subd. 2. **Appointments; first meeting; compensation.** (a) No later than January 1 of
 11.25 the year of a decennial census, the chief justice of the supreme court must appoint two
 11.26 retired federal or state judges to serve on the Redistricting Commission Applicant Screening
 11.27 Panel. The chief justice must designate one of the retired judges to convene the panel's first
 11.28 meeting. The first meeting must be convened no later than February 15 of the year of a
 11.29 decennial census. No later than March 1 of that year, the two appointees must agree on a
 11.30 third retired federal or state judge to complete the panel's membership.

11.31 (b) Members of the panel may be compensated and receive expense reimbursement as
 11.32 provided by section 15.0575, subdivision 3.

12.1 Subd. 3. **Ethics; conflicts of interest; ex parte communications.** (a) Members of the
 12.2 panel are public officials for purposes of chapter 10A. In addition to the prohibitions in
 12.3 section 10A.071, a member of the panel may not accept a gift as defined in that section
 12.4 from a member of the legislature, a member of Congress, or a staff member to a member
 12.5 of the legislature or Congress.

12.6 (b) Members of the panel may not communicate with a member of the legislature, a
 12.7 member of Congress, or a staff member to a member of the legislature or Congress about
 12.8 the panel's work.

12.9 (c) The prohibitions in this subdivision apply during the period beginning at the time of
 12.10 the panel member's appointment and until the panel member has completed the panel
 12.11 member's work. A member of the legislature, a member of Congress, or a staff member to
 12.12 a member of the legislature or Congress must not give a gift, promise a future gift, or engage
 12.13 in communication that a panel member is prohibited from receiving under this subdivision,
 12.14 and must not request another person to give a gift, promise a future gift, or engage in
 12.15 communication with a panel member, directly or indirectly, in an attempt to circumvent the
 12.16 prohibitions of this subdivision.

12.17 Subd. 4. **Outreach and solicitation of applications.** The panel must develop and
 12.18 implement an outreach plan to inform the public about the work of the Independent
 12.19 Redistricting Commission and to encourage interested persons to apply for appointment.
 12.20 The panel must make an application form available for this purpose. The panel must make
 12.21 reasonable efforts to ensure the application process is widely publicized and distributed
 12.22 through media and other available channels, with a goal of facilitating a large application
 12.23 pool consisting of well-qualified individuals who reflect a geographically and
 12.24 demographically representative cross section of the state. Information about the work of
 12.25 the commission and the application process must be made available in multiple languages.
 12.26 The panel must consult with the state demographer for the purpose of ensuring that materials
 12.27 in accessible languages are targeted to appropriate regions of the state.

12.28 Subd. 5. **Application contents; required disclosures.** In addition to other information
 12.29 as determined by the panel, the application for membership on the Independent Redistricting
 12.30 Commission must require each applicant to disclose the information required by section
 12.31 10A.09, and the following:

12.32 (1) contributions made by the applicant to federal, state, or local candidates for elective
 12.33 office, political parties, and political committees, including direct and in-kind contributions
 12.34 during the current year and immediately preceding six years;

13.1 (2) the applicant's history of partisan affiliations, including primary ballots voted,
 13.2 nonmonetary contributions to political campaigns, and any other political engagement,
 13.3 including but not limited to involvement in political campaigns or other political organizations
 13.4 whether paid or volunteer;

13.5 (3) the identity of any family members who would be ineligible to serve on the
 13.6 commission according to the requirements of this constitution;

13.7 (4) personal or professional relationships with persons during the current year or the
 13.8 immediately preceding six years who would be ineligible to serve on the commission
 13.9 according to the requirements of this constitution; and

13.10 (5) any financial or other information that may be required by law.

13.11 These disclosures must be posted on the panel's website.

13.12 Subd. 6. **Open meetings; data practices.** The panel is subject to chapters 13 and 13D.
 13.13 Data on applicants for appointment to the commission are governed by section 13.601,
 13.14 subdivision 3, except that data required to be disclosed under this section or the Minnesota
 13.15 Constitution, article XV, is also public. Comments submitted by members of the public
 13.16 about applicants for appointment to the commission are private data, as defined in section
 13.17 13.02, subdivision 12, on the member of the public who submitted the comment.

13.18 Subd. 7. **General powers; staffing and professional services.** The panel has the powers
 13.19 necessary to carry out its responsibilities as required by the constitution and this chapter.
 13.20 The panel may employ nonpartisan staff and enter other agreements to secure necessary
 13.21 administrative, professional, and technical services as it deems necessary. Staff employed
 13.22 by the panel serve in the unclassified service and owe a duty of care and duty of loyalty to
 13.23 the panel as a whole. Staff, and any other person retained by the panel for the purpose of
 13.24 providing professional support, must be screened for potential biases and conflicts of interest
 13.25 and must demonstrate the experience, expertise, and skills necessary to assist the panel in
 13.26 its work. The Legislative Coordinating Commission must assist the panel in hiring staff and
 13.27 securing adequate office and meeting space.

13.28 Subd. 8. **Expiration.** The panel expires upon its certification to the chief justice of the
 13.29 supreme court that it has established and transmitted to the chief justice and to the
 13.30 Independent Redistricting Commission its pools of applicants for appointment to the
 13.31 commission consistent with the requirements of this section and the Minnesota Constitution,
 13.32 article XV, except that the panel chair must continue to perform any duties required by the
 13.33 Minnesota Constitution, this section, and section 2.95, as applicable.

14.1 **EFFECTIVE DATE.** This section is effective January 1, 2030, if the constitutional
14.2 amendments in article 1 are adopted.

14.3 Sec. 4. **[2.95] INDEPENDENT REDISTRICTING COMMISSION.**

14.4 Subdivision 1. **Application.** This section establishes and implements the Independent
14.5 Redistricting Commission consistent with article XV of the Minnesota Constitution. Except
14.6 where otherwise provided:

14.7 (1) the terms used in this section are defined consistently with those as used in the
14.8 Minnesota Constitution, article XV; and

14.9 (2) the dates referenced in this section refer to those dates in the year following a federal
14.10 decennial census.

14.11 Subd. 2. **Appointments; first meeting; compensation and removal.** (a) No later than
14.12 October 15 of the year of a decennial census, the chief justice of the supreme court must
14.13 select by random lot the members of the Independent Redistricting Commission from among
14.14 the applicant pools established by the Redistricting Commission Applicant Review Panel,
14.15 consistent with the requirements of the Minnesota Constitution, article XV.

14.16 (b) No later than November 15 of the year of a decennial census, the chair of the
14.17 Redistricting Commission Applicant Review Panel must convene the first meeting of the
14.18 commission. The panel chair must preside at commission meetings until a commission chair
14.19 is elected, but the panel chair is not a commission member and, except for ministerial
14.20 functions required by law and necessary to facilitate its organization, must not otherwise
14.21 participate in the commission's work. The commission must be fully seated and must elect
14.22 a chair and other officers from among all appointed members no later than 60 days following
14.23 its first meeting.

14.24 (c) Members of the commission are entitled to compensation and expense reimbursement,
14.25 consistent with the amounts provided by section 15.0575, subdivision 3.

14.26 (d) A member of the commission may only be removed for cause by a vote of 12
14.27 members, including the vote of at least one member supporting the first political party, one
14.28 member supporting the second political party, and one member that is not affiliated with
14.29 either the first or second political party. Prior to a vote to remove a member, the commission
14.30 must provide notice, a public hearing, and an opportunity for members of the public to
14.31 comment on the proposed removal. Cause for removal includes but is not limited to the
14.32 following:

14.33 (1) knowing failure to disclose information required by law;

15.1 (2) willful disregard for the requirements governing the conduct of redistricting provided
 15.2 by the constitution or applicable law;

15.3 (3) wanton and willful neglect of duty or gross misconduct or malfeasance in office;

15.4 (4) a member's incapacity or inability to perform required duties;

15.5 (5) any action that undermines the public's trust in the commission or in the conduct of
 15.6 a fair redistricting process;

15.7 (6) engaging in ex parte communication about the work of the commission with a member
 15.8 of the legislature, a member of Congress, or a staff member to a member of the legislature
 15.9 or Congress, in violation of this section; and

15.10 (7) missing three consecutive commission meetings.

15.11 Subd. 3. **Ethics; conflicts of interest; ex parte communications.** (a) Members of the
 15.12 commission are public officials for purposes of chapter 10A. In addition to the prohibitions
 15.13 in section 10A.071, a member of the commission may not accept a gift as defined in that
 15.14 section from a member of the legislature, a member of Congress, or a staff member to a
 15.15 member of the legislature or Congress.

15.16 (b) Members of the commission may not communicate with a member of the legislature,
 15.17 a member of Congress, or a staff member to a member of the legislature or Congress, about
 15.18 the commission's work. A staff member to a member of the legislature may communicate
 15.19 with a staff member to the commission to the extent required to fulfill a duty of the
 15.20 constitution or this chapter.

15.21 (c) The prohibitions in this subdivision apply during the period beginning at the time of
 15.22 the member's appointment and until the commission has adopted and filed its redistricting
 15.23 plans with the secretary of state, and during any period in which the commission is
 15.24 reconstituted pursuant to its own authority or by court order. A member of the legislature,
 15.25 a member of Congress, or a staff member to a member of the legislature or Congress may
 15.26 not give a gift, promise a future gift, or engage in communication that a commission member
 15.27 is prohibited from receiving under this subdivision, and may not request another person to
 15.28 give a gift, promise a future gift, or engage in communication with a commission member,
 15.29 directly or indirectly, in an attempt to circumvent the prohibitions of this subdivision.

15.30 Subd. 4. **Open meetings; data practices; language access.** (a) The commission is
 15.31 subject to chapters 13 and 13D. A map proposal that is created by the commission or its
 15.32 staff, and any communications or supporting data associated with a map proposal, are
 15.33 nonpublic data as defined in section 13.02, subdivision 9, until the map proposal is presented

16.1 to the commission in a public meeting. Supporting data do not include preliminary drafts
16.2 of a map proposal or communications related to a preliminary draft. The commission may
16.3 disclose any of its data at any time if disclosure would aid the commission in considering
16.4 and preparing its proposals.

16.5 (b) Consistent with section 13D.015, the commission may permit its members to
16.6 participate in a congressional district hearing by interactive technology, provided that at
16.7 least one member of the commission is physically present at a meeting location in the
16.8 designated congressional district. Notwithstanding section 13D.015, a commission member
16.9 need not be present at the commission's regular meeting location during a congressional
16.10 district hearing.

16.11 (c) At a minimum, commission materials must be made available in all languages in
16.12 which voting materials in any jurisdiction of the state are required to be distributed under
16.13 section 204B.295 or other applicable federal or state law.

16.14 **Subd. 5. Schedule of hearings; public hearing and administrative procedures.** The
16.15 commission must adopt a schedule of public hearings and necessary hearing and
16.16 administrative procedures to guide the conduct of its work. The schedule and procedures
16.17 must be posted on the commission's website. The schedule and procedures are not rules for
16.18 purposes of chapter 14, and section 14.386 does not apply.

16.19 **Subd. 6. General powers; staffing and professional services.** The commission has the
16.20 powers necessary to carry out its responsibilities as required by the constitution and this
16.21 chapter. The commission may employ nonpartisan staff and enter other agreements to secure
16.22 necessary legal counsel, information technology, geographic information systems, and other
16.23 administrative, professional, and technical services as it deems necessary. Staff employed
16.24 by the commission serve in the unclassified service, and owe a duty of care and duty of
16.25 loyalty to the commission as a whole. Commission staff, and any other person retained by
16.26 the commission for the purpose of providing professional support, must be screened for
16.27 potential biases and conflicts of interest and must demonstrate the experience, expertise,
16.28 and skills necessary to assist the commission in its work. The Legislative Coordinating
16.29 Commission must assist the commission in hiring staff and securing adequate office and
16.30 meeting space.

16.31 **Subd. 7. Data to be used.** (a) The geographic areas and population counts used in maps,
16.32 tables, and legal descriptions of legislative and congressional districts must be those used
16.33 by the Geographic Information Services (GIS) Office of the Legislative Coordinating
16.34 Commission. The population counts must be the block population counts provided to the

17.1 state under Public Law 94-171 after each decennial census, subject to correction of any
17.2 errors acknowledged by the United States Census Bureau, and subject to the adjustments
17.3 and exclusions required by section 2.036. Both the commission and the GIS Office must
17.4 make this data available to the public on their websites.

17.5 (b) A redistricting plan must not be considered for adoption until the plan's block
17.6 equivalency file has been submitted to the GIS Office in a form prescribed by the GIS
17.7 Office. The block equivalency file must show the district to which each census block has
17.8 been assigned.

17.9 Subd. 8. **Technical review and corrections.** (a) Prior to final adoption of a redistricting
17.10 plan, the commission must engage in a technical review of the plan. A technical review
17.11 includes ensuring that the plan encompasses all the territory of this state, and that no territory
17.12 is omitted or duplicated. At a meeting where a redistricting plan is proposed for final
17.13 adoption, the commission may amend the plan for the purpose of making technical corrections
17.14 as necessary to meet the following principles:

17.15 (1) if a territory in this state is not named in the redistricting plan but lies within the
17.16 boundaries of a district, it is a part of the district within which it lies;

17.17 (2) if a territory in this state is not named in the redistricting plan but lies between the
17.18 boundaries of two or more districts, it is a part of the contiguous district having the smallest
17.19 population;

17.20 (3) if a territory in this state is assigned in the redistricting plan to two or more districts,
17.21 it is a part of the district having the smallest population;

17.22 (4) if a territory in this state is assigned to a district that consists of other territory
17.23 containing a majority of the population of the district but with which it is not contiguous,
17.24 the territory is a part of the contiguous district having the smallest population; and

17.25 (5) if the description of a district boundary line that divides a political subdivision is
17.26 ambiguous because a highway, street, railroad track, power transmission line, river, creek,
17.27 or other physical feature or census block boundary that forms part of the district boundary
17.28 is omitted or is not properly named or has been changed, or because a compass direction
17.29 for the boundary line is wrong, the commission may add or correct the name or compass
17.30 direction and resolve the ambiguity in favor of creating districts of contiguous territory of
17.31 substantially equal population that do not divide political subdivisions more than is necessary
17.32 to meet constitutional requirements.

18.1 (b) In addition to meeting the principles described in paragraph (a), at a meeting where
 18.2 a redistricting plan is proposed for final adoption, the commission may adopt amendments
 18.3 to the plan for the purpose of incorporating any technical corrections that may be
 18.4 recommended by the secretary of state.

18.5 (c) If a technical error in a redistricting plan is discovered after the commission has
 18.6 dissolved, the chief administrative law judge, after notifying the secretary of state, the
 18.7 Legislative Coordinating Commission, and the chief justice of the supreme court, may order
 18.8 a correction consistent with the principles listed in this subdivision. The chief administrative
 18.9 law judge must provide a copy of each correction order to each affected county auditor and
 18.10 municipal clerk.

18.11 Subd. 9. **Duty of secretary of state.** The secretary of state shall provide copies of the
 18.12 relevant portions of a filed redistricting plan to each county auditor, who shall provide a
 18.13 copy of the relevant portions of the plan to each municipal clerk within the county. The
 18.14 secretary of state, with the cooperation of the commissioner of administration, shall make
 18.15 copies of the plan file, maps, and tables available to the public for the cost of publication.

18.16 **EFFECTIVE DATE.** This section is effective January 1, 2030, if the constitutional
 18.17 amendments in article 1 are adopted.

18.18 Sec. 5. Minnesota Statutes 2022, section 10A.01, subdivision 35, is amended to read:

18.19 Subd. 35. **Public official.** "Public official" means any:

18.20 (1) member of the legislature;

18.21 (2) individual employed by the legislature as secretary of the senate, legislative auditor,
 18.22 director of the Legislative Budget Office, chief clerk of the house of representatives, revisor
 18.23 of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of
 18.24 Senate Counsel, Research and Fiscal Analysis, House Research, or the House Fiscal Analysis
 18.25 Department;

18.26 (3) constitutional officer in the executive branch and the officer's chief administrative
 18.27 deputy;

18.28 (4) solicitor general or deputy, assistant, or special assistant attorney general;

18.29 (5) commissioner, deputy commissioner, or assistant commissioner of any state
 18.30 department or agency as listed in section 15.01 or 15.06, or the state chief information
 18.31 officer;

- 19.1 (6) member, chief administrative officer, or deputy chief administrative officer of a state
19.2 board or commission that has either the power to adopt, amend, or repeal rules under chapter
19.3 14, or the power to adjudicate contested cases or appeals under chapter 14;
- 19.4 (7) individual employed in the executive branch who is authorized to adopt, amend, or
19.5 repeal rules under chapter 14 or adjudicate contested cases under chapter 14;
- 19.6 (8) executive director of the State Board of Investment;
- 19.7 (9) deputy of any official listed in clauses (7) and (8);
- 19.8 (10) judge of the Workers' Compensation Court of Appeals;
- 19.9 (11) administrative law judge or compensation judge in the State Office of Administrative
19.10 Hearings or unemployment law judge in the Department of Employment and Economic
19.11 Development;
- 19.12 (12) member, regional administrator, division director, general counsel, or operations
19.13 manager of the Metropolitan Council;
- 19.14 (13) member or chief administrator of a metropolitan agency;
- 19.15 (14) director of the Division of Alcohol and Gambling Enforcement in the Department
19.16 of Public Safety;
- 19.17 (15) member or executive director of the Higher Education Facilities Authority;
- 19.18 (16) member of the board of directors or president of Enterprise Minnesota, Inc.;
- 19.19 (17) member of the board of directors or executive director of the Minnesota State High
19.20 School League;
- 19.21 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 19.22 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- 19.23 (20) manager of a watershed district, or member of a watershed management organization
19.24 as defined under section 103B.205, subdivision 13;
- 19.25 (21) supervisor of a soil and water conservation district;
- 19.26 (22) director of Explore Minnesota Tourism;
- 19.27 (23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section
19.28 97A.056;
- 19.29 (24) citizen member of the Clean Water Council established in section 114D.30;

20.1 (25) member or chief executive of the Minnesota Sports Facilities Authority established
20.2 in section 473J.07;

20.3 (26) district court judge, appeals court judge, or supreme court justice;

20.4 (27) county commissioner;

20.5 (28) member of the Greater Minnesota Regional Parks and Trails Commission;

20.6 (29) member of the Destination Medical Center Corporation established in section
20.7 469.41; ~~or~~

20.8 (30) chancellor or member of the Board of Trustees of the Minnesota State Colleges
20.9 and Universities; or

20.10 (31) member of the Redistricting Commission Applicant Screening Panel, or member
20.11 of the Independent Redistricting Commission.

20.12 **EFFECTIVE DATE.** This section is effective January 1, 2030, if the constitutional
20.13 amendments in article 1 are adopted.

20.14 Sec. 6. **REPEALER.**

20.15 Minnesota Statutes 2022, section 2.91, is repealed.

20.16 **EFFECTIVE DATE.** This section is effective January 1, 2030, if the constitutional
20.17 amendments in article 1 are adopted.

2.91 REDISTRICTING PLANS.

Subdivision 1. **Distribution.** Upon enactment of a redistricting plan for the legislature or for Congress, the Legislative Coordinating Commission shall deposit the plan with the secretary of state. The secretary of state shall provide copies of the relevant portions of the redistricting plan to each county auditor, who shall provide a copy of the relevant portions of the plan to each municipal clerk within the county. The secretary of state, with the cooperation of the commissioner of administration, shall make copies of the plan file, maps, and tables available to the public for the cost of publication. The revisor of statutes shall code a metes and bounds description of the districts in Minnesota Statutes.

Subd. 2. **Corrections.** The legislature intends that a redistricting plan encompass all the territory of this state, that no territory be omitted or duplicated, that all districts consist of convenient contiguous territory substantially equal in population, and that political subdivisions not be divided more than necessary to meet constitutional requirements. Therefore, in implementing a redistricting plan for the legislature or for Congress, the secretary of state, after notifying the Legislative Coordinating Commission and the revisor of statutes, shall order the following corrections:

(a) If a territory in this state is not named in the redistricting plan but lies within the boundaries of a district, it is a part of the district within which it lies.

(b) If a territory in this state is not named in the redistricting plan but lies between the boundaries of two or more districts, it is a part of the contiguous district having the smallest population.

(c) If a territory in this state is assigned in the redistricting plan to two or more districts, it is part of the district having the smallest population.

(d) If a territory in this state is assigned to a district that consists of other territory containing a majority of the population of the district but with which it is not contiguous, the territory is a part of the contiguous district having the smallest population.

(e) If the description of a district boundary line that divides a political subdivision is ambiguous because a highway, street, railroad track, power transmission line, river, creek, or other physical feature or census block boundary that forms part of the district boundary is omitted or is not properly named or has been changed, or because a compass direction for the boundary line is wrong, the secretary of state shall add or correct the name or compass direction and resolve the ambiguity in favor of creating districts of convenient, contiguous territory of substantially equal population that do not divide political subdivisions more than is necessary to meet constitutional requirements.

Subd. 3. **Notice of corrections.** The secretary of state shall provide a copy of each correction order to each affected county auditor, municipal clerk, and candidate.

Subd. 4. **Recommendations to legislature.** The secretary of state and the revisor of statutes shall recommend to the legislature any additional technical corrections to the redistricting plan they deem necessary or desirable.