

**House State and Local Government Finance and Policy Committee  
April 4, 2024**

**Peter Wattson's  
Redistricting Commission History**

1. Thank you madam chair for giving me an opportunity to talk to you about my favorite subject.
2. My name is Peter Wattson. I live in Shorewood, House District 45A. Andrew Myers is my representative.
3. For those of you who don't know me, I've been drafting and litigating redistricting plans since 1971.
4. 50 years later, I was lead plaintiff in the case that drew the districts from which you were elected.
5. I first drafted a redistricting commission bill in 2007. A revised version passed the Senate in 2009. I don't recall any other redistricting commission bill having passed the Senate since then.
6. From 2016 to 2021, I helped NCSL create or update various tables on state redistricting commissions. I had to read the constitutional and statutory language for every one. I have not kept up with the changes in other states since then.
7. When the two bills on today's agenda were introduced, I read them.
8. My main concerns with the constitutional language of HF 4593 were that it has too little detail on the sensitive political subject of how the members would be appointed, and too much detail on administrative procedures that might need to be modified as time goes by.
9. My main concern with the statutory language was that it did not lay out the process chronologically. As I moved administrative details from the constitution to the statutes, I found it difficult to determine where a paragraph should go, because the process skipped back and forth. So, I fixed it.
10. My handout on "Major Changes to HF 4593" shows how I moved language around and the few substantive changes I made.

**Independent Redistricting Commission**  
**PWH4593DE1**  
**Major Changes to HF 4593**

1. Move appointment of commission members from statutes to constitution
2. Move procedural details from constitution to statutes
  - a. Form of applications
  - b. Commission compensation
  - c. Commission officers and staff
  - d. Commission rules and procedures
  - e. Commission reports to chief clerk of the house and secretary of the senate
3. Move database requirements and prohibitions to precede principles
4. Clarify and modify priority of principles
  - a. Combine principles for candidates, incumbents, and parties
  - b. Combine four paragraphs on minority voting rights into one section
  - c. Move nesting up to follow single-member districts
5. Add to partisanship principle a requirement that a plan should make it more likely than not that the political party whose candidates receive the most votes statewide for seats in a legislative body will win the most seats in the body
6. Don't repeat in statutes principles fully stated in constitution
7. Move plan adoption procedures to follow principles
8. Commission expires when plans adopted and legal challenges resolved
9. Shift from the LCC executive director to the secretary of state the duty to remove applicants whose applications show they don't qualify
10. Require approval by the commission of any delegation of responsibilities from the LCC executive director to another staff person
11. Reorder statutory sections on commission operation as follows:
  - a. Selection process
  - b. Redistricting Advisory Group
  - c. Applicant Screening Panel
  - d. Removal and Filling Vacancies
  - e. Commission Organization
  - f. Operation
  - g. Communications; Gifts
  - h. Support
  - i. Districting Principles
  - j. Priorities and Intentions on Districting Principles
  - k. Public Meetings and Hearings
  - l. Redistricting Plans
12. Delete appropriation
13. Delete repealer of technical corrections by secretary of state

### Language Added from HF 4598 1<sup>st</sup> Engrossment

1. Page 2, line 9                      Applicant Screening Panel
2. Page 2, lines 12-13              Applicant Screening Panel must select a chair from among its members.
3. Page 6, line 7; page 34, lines 4-6      Incarcerated persons must be counted at their last known residence if it was within this state, or excluded if it was outside this state or unknown.
4. Page 19, line 16                    Nine appointees drawn by lot “at a public meeting”
5. Page 20, lines 10-13              Six appointees elected, but “In the event of an impasse, the executive director must choose any remaining commissioners by lot from among the applicable pool of applicants established by the panel. The commission may not conduct further business until all commissioners have been chosen and seated.”
6. Page 22, lines 17-19              Need to say who convenes first meeting of commission.
7. Page 41, lines 6-8                “The commission must solicit public comment on the locations to be used for public hearings before a schedule is adopted.”
8. Page 42, lines 12-14              “A vote on a final redistricting plan may not occur unless the final plan has been publicly posted for at least 14 days.”

# Minnesota Districting Principles List Order

List Order	<a href="#"><u>2024 HF4593</u></a>	<a href="#"><u>2024 HF4785</u></a>	2024 PWH4593DE1
1			Priority
2		Single member	Single member
3		Nesting	Nesting
4		Numbering	
5	Minority representation		
6	Candidates, incumbents		Candidates, incumbents
7	Partisanship		Partisanship
8	Priority	Priority	
9	Population equality	Population equality	Population equality
10	Minority representation	Minority representation	Minority representation
11	Nesting		
12	Native Nations	Indian Reservations	Native Nations
13	Communities of interest	Communities of interest	Communities of interest
14	Convenience		Convenience
15	Contiguity	Contiguity	Contiguity
16	Political subdivisions	Political subdivisions	Political subdivisions
17	Natural geographic boundaries		
18		Candidates, incumbents	
19		Partisanship	
20	Numbering		Numbering
21			Natural geographic boundaries

1 ..... moves to amend H.F. No. 4593, as follows:

2 Delete everything after the enacting clause and insert:

3 **“ARTICLE 1**

4 **INDEPENDENT REDISTRICTING COMMISSION**

5 Section 1. **CONSTITUTIONAL AMENDMENT PROPOSED.**

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

8 Sec. 3. ~~At its first session~~ After each enumeration of the inhabitants of this state made by the  
9 authority of the United States, the legislature Independent Redistricting Commission established  
10 in Article XV shall have the power to prescribe the bounds of congressional and legislative  
11 districts. ~~Senators shall be chosen by single districts of convenient contiguous territory. No~~  
12 ~~representative district shall be divided in the formation of a senate district. The senate districts~~  
13 ~~shall be numbered in a regular series.~~

14 Article XV shall be added to read:

15 ARTICLE XV

16 INDEPENDENT REDISTRICTING COMMISSION

17 Section 1. The Independent Redistricting Commission consists of 15 members: five members  
18 identifying with the largest political party in this state, five members identifying with the second  
19 largest political party in this state, and five members not identifying with either the largest or  
20 second largest political party in this state.

1       Sec. 2. A commissioner must be eligible to vote in this state but must not recently have been a  
2 public official or deeply engaged in partisan politics. The commissioners are subject to additional  
3 qualifications as provided by law.

4       Sec. 3. By April 1 of each year ending in zero, the secretary of state must publicly solicit  
5 applications from residents of all regions of the state for appointment to the commission. After  
6 determining that an applicant is eligible for appointment, the secretary of state must forward the  
7 application to the legislature.

8       Sec. 4. By June 15 of the year ending in zero, the legislature must appoint an Applicant  
9 Screening Panel to interview and rank applicants. The panel consists of four legislative leaders  
10 chosen by the legislature at random as provided by law, one each from the largest and second  
11 largest political parties in the senate and house of representatives, plus all the members of a  
12 Redistricting Advisory Group appointed as provided by law. The panel must elect a chair from  
13 among its members. The panel must design an objective rating system to assess and measure  
14 applicants' relevant analytical skills, the ability to be impartial, and the ability to promote  
15 consensus on the commission and appreciation for the diverse demographics, communities, and  
16 geography of this state as documented in the application.

17       Sec. 5. By July 1 of the year ending in zero, the panel must begin to interview applicants. The  
18 panel must use the rating system to identify the highest rated applicants in three pools: (1) one  
19 pool of 20 applicants identifying with the largest political party in this state; (2) one pool of 20  
20 applicants identifying with the second largest political party in this state; and (3) one pool of 20  
21 applicants not identifying with either the largest or second largest political party in this state. To

1 the extent practicable, each applicant pool must reflect the gender, age, socioeconomic, racial,  
2 language, ethnic, and geographic diversity of this state. Each congressional district must be  
3 represented by at least two applicants in each pool. If there is an insufficient number of qualified  
4 applicants to fill a 20-applicant pool, the pool consists of only those applicants who are qualified.

5 Sec. 6. Based on the applications and interviews, the panel must select from each pool the ten  
6 applicants who best meet the ability, diversity, and congressional district representation goals.  
7 From each of the three pools of ten, the panel must select by lot three applicants to serve on the  
8 Independent Redistricting Commission.

9 Sec. 7. By September 1 of the year ending in zero, the nine commissioners chosen by lot must  
10 convene the first meeting of the commission. After assessing the demographic and geographic  
11 diversity of the commission as then constituted, and reviewing the qualifications and diversity of  
12 the seven applicants remaining in each pool, without applying specific formulas or ratios for this  
13 purpose, they must elect two more applicants from each pool to serve on the commission,  
14 bringing its membership to 15. Each of the six commissioners elected must receive at least six  
15 affirmative votes, which must include at least two votes of commissioners identifying with each  
16 of the two largest political parties in this state and one vote from a commissioner who does not  
17 identify with either of the two largest political parties in this state. In the event of an impasse, the  
18 panel must choose any remaining commissioners by lot from among the applicable pool of  
19 applicants established by the panel. The commission may not conduct further business until all  
20 commissioners have been chosen and seated.

21 Sec. 8. Ten commissioners constitute a quorum, which must include at least one

1 commissioner identifying with the largest political party in this state, one commissioner  
2 identifying with the second largest political party in this state, and one commissioner not  
3 identifying with either the largest or second largest political party in this state. The commission  
4 must elect a chair and vice chair from among its members by a majority vote, including at least  
5 one member identifying with the largest political party in this state, one member identifying with  
6 the second largest political party in this state, and one member not identifying with either the  
7 largest or second largest political party in this state. The chair and vice-chair must not identify  
8 with the same political party. After election of the chair and vice-chair, two-thirds or more  
9 affirmative votes are required for any official action, including at least one commissioner  
10 identifying with the largest political party in this state, one commissioner identifying with the  
11 second largest political party in this state, and one commissioner not identifying with either the  
12 largest or second largest political party in this state. Administrative actions, including calling to  
13 order, adjourning, scheduling hearings, and similar actions, need only be approved by a majority  
14 of commissioners.

15 Sec. 9. A commissioner must not be a candidate for a district whose boundaries were drawn  
16 by a commission on which they served. Until five years after their appointment to the commission  
17 a commissioner must not serve as paid staff for, or as a paid consultant to, Congress, the  
18 legislature, or any individual legislator, or register as a federal or state lobbyist in this state. Until  
19 ten years after expiration of the commission on which they served a commissioner must not  
20 campaign for, or actively participate in or contribute to a political campaign for, or hold, elective  
21 public office in this state at the state, county, or city level. A commissioner may be subject to  
22 additional limitations on their activities as a commissioner or former commissioner as provided

1 by law.

2 Sec. 10. After notice and a public meeting, the commission may remove a commissioner for  
3 cause. Removal of a commissioner must be by a two-thirds affirmative vote and must include at  
4 least one vote from a commissioner identifying with the largest political party in this state, one  
5 vote from a commissioner identifying with the second largest political party in this state, and one  
6 vote from a commissioner not identifying with either the largest or second largest political party  
7 in this state. If the basis for the commissioner's removal is the commissioner's refusal to vote, as  
8 part of what the chair finds is a collective effort to disrupt the process or vote of the commission,  
9 the commissioner may be removed by a two-thirds vote of those commissioners present.

10 Sec. 11. A vacancy on the commission must be filled by the Applicant Screening Panel, as  
11 previously constituted or as reconstituted to fill the vacancy, by selecting by lot from the pool of  
12 applicants from which the vacant position was previously appointed.

13 Sec. 12. Commissioners must be compensated as prescribed by law and must be provided the  
14 services of nonpartisan experts, consultants, and support staff, including a general counsel with  
15 experience and expertise in voting and elections law, as necessary to carry out their duties under  
16 this article and those prescribed by law.

17 Sec. 13. A commissioner must not communicate with commission staff to direct, request,  
18 suggest, or recommend an interpretation of a districting principle or a change to a district  
19 boundary except during an open public meeting or public hearing of the commission.  
20 Communication between retained counsel and commissioners or designated commission staff  
21 does not violate this section.

1       Sec. 14. The commission must use census data representing the total population of this state  
2 to draw congressional and legislative districts. Except when required by law or for the purposes of  
3 drawing districts in compliance with state or federal law, citizen voting-age population or citizen  
4 population must not be used as the data to calculate population equality. Demographic trends  
5 provided by the state demographer and relevant election data may be considered in development  
6 of maps. Incarcerated persons must be counted at their last known residence before incarceration,  
7 if it was within this state, or excluded if it was outside this state or unknown.

8       Sec. 15. Districts must not be drawn using data on the partisan affiliation or possible partisan  
9 affiliation of a voter or group of voters. Districts must not be drawn using data on individual  
10 voters, such as voter registration, voter turnout, voting history, party preference (including  
11 participation in the presidential nominating primary), or general or primary election voting  
12 patterns, except for the purpose of verifying the compliance of plans with the requirements of this  
13 article and of issuing the reports required by law. Districts must not be drawn using the location  
14 of the residence of an incumbent or candidate.

15       Sec. 16. Congressional and legislative districts must be drawn in accordance with the  
16 principles in this section. If districts cannot be drawn fully in accordance with these principles, a  
17 redistricting plan must give priority to the principles in the order in which they are listed, except  
18 when doing so would violate federal law.

19       (a) Senators and representatives must be chosen by single districts.

20       (b) A representative district must not be divided in the formation of a senate district.

1 (c) Districts must not be drawn with either the purpose or effect of protecting, promoting, or  
2 defeating a candidate, incumbent, or party. A plan should make it more likely than not that the  
3 political party whose candidates receive the most votes statewide for seats in a legislative body  
4 will win the most seats in the body.

5 (d) Districts must be subjected to a test of partisan fairness using the standard of  
6 proportionality as the benchmark for fairness. Using four recent statewide elections, any proposed  
7 congressional or legislative plan must be close to achieving a major-party seat share proportional  
8 to the corresponding share of the popular vote in at least three out of the four contests. The  
9 standard of closeness is one seat for congressional contests and seven percentage points for  
10 legislative contests. If a plan fails to meet this standard, it triggers a rebuttable presumption of  
11 excessive partisan advantage. This may be rebutted if it is determined that the degree of  
12 disproportionality was necessary in order to reasonably balance the principles in effect for  
13 redistricting.

14 (e) Congressional districts must be as nearly equal in total population as practicable.  
15 Legislative districts must be substantially equal in total population.

16 (f) Districts must not be drawn to violate the Fourteenth and Fifteenth Amendments of the  
17 United States Constitution or the Voting Rights Act of 1965, as amended. Districts must not be  
18 drawn with either the purpose or effect of denying or abridging the voting rights of any United  
19 States citizen on account of race, ethnicity, or membership in a language minority group. Districts  
20 must be drawn to protect the equal opportunity of racial, ethnic, and language minorities to  
21 participate in the political process and to elect candidates of their choice, whether alone or in

1 alliance with others. Districts must provide racial minorities and language minorities who  
2 constitute less than a voting-age majority of a district with an equal opportunity to substantially  
3 influence the outcome of an election.

4 (g) The reservation lands of a federally recognized Native Nation must not be divided into  
5 more than one district to the extent practicable. Discontiguous portions of a federally recognized  
6 Native Nation's reservation lands must be included in the same district and must not be divided  
7 more than necessary to meet constitutional requirements.

8 (h) Districts must minimize the division of identifiable communities of interest. A community  
9 of interest may include a racial, ethnic, or language group or any group with shared experiences  
10 and concerns, including but not limited to geographic, governmental, regional, social, cultural,  
11 historic, socioeconomic, occupational, trade, environmental, or transportation interests.  
12 Communities of interest do not include relationships with political parties, incumbents, or  
13 candidates.

14 (i) Each district must be convenient and contiguous. A district is convenient if it allows  
15 reasonable ease of travel within the district. Contiguity by water is sufficient if the water is not a  
16 serious obstacle to travel within the district. A district with areas that touch only at a point is not  
17 contiguous.

18 (j) A county, city, or town must not be divided into more than one district, except when: (1)  
19 the division occurs because a portion of a city or town is not contiguous with another portion of  
20 the same city or town, or (2) despite the division, the known population of any affected county,  
21 city, or town, remains wholly located within a single district. When a county, city, or town must be

1 divided into more than one district, it must be divided into as few districts as possible.

2 (k) . The districts must be numbered in a regular series.

3 Sec. 17. Before adopting a congressional or legislative redistricting plan, the commission  
4 must hold a minimum of 24 public hearings in different regions of the state, including at least 12  
5 hearings in Greater Minnesota. At least eight hearings must be held before adopting preliminary  
6 drafts of congressional or legislative redistricting plans. The primary purpose of the public  
7 hearings before the release of preliminary plans is to request public input on how to define  
8 communities of interest and to provide an opportunity for public comment from residents of that  
9 part of the state. The commission must conduct its hearings in a manner that invites broad public  
10 participation throughout the state, including by using technology to broadcast commission  
11 meetings and receive public comment, scheduling hearings at a variety of times of day, and  
12 providing translation and other accommodations to facilitate meaningful participation from a  
13 range of voters.

14 Sec. 18. By September 15 of each year ending in one, the commission must adopt three final  
15 plans that separately set the boundaries of congressional districts and state house of  
16 representatives and senate districts. A vote on a final redistricting plan may not occur unless the  
17 final plan has been publicly posted for at least 14 days. At a meeting where a redistricting plan is  
18 proposed for final adoption, the commission may only amend the plan for the purpose of making  
19 technical corrections. The meaning of a technical correction, and procedures for adopting  
20 technical corrections after the commission has expired, may be provided by law. Within 30 days  
21 after each is adopted, the commission must file the three final plans with the secretary of state.

1 The commission must include with the filing a report that explains the basis on which the  
2 commission made its decisions to achieve compliance with the principles listed in this article. The  
3 report must include definitions of the terms and standards used in drawing each final plan. The  
4 final plans and reports must be made public and posted electronically. The secretary of state may  
5 correct errors in plan boundaries as provided by law.

6 Sec. 19. If, for any reason, the commission has not adopted a final plan for congressional or  
7 legislative districts by September 15 of the year ending in one, the commission must use the  
8 following procedure to adopt a plan for that type of district by October 1 of that year. Each  
9 commissioner may submit one proposed plan for each type of district to the full commission for  
10 consideration. Each commissioner must rank the plans submitted according to preference. Each  
11 plan must be assigned a point value inverse to its ranking among the number of choices, giving  
12 the lowest ranked plan one point and the highest ranked plan a point value equal to the number of  
13 plans submitted. The commission must adopt the plan receiving the highest total points that is  
14 also ranked among the top half of plans by at least two commissioners not identifying with the  
15 party of the commissioner submitting the plan, or in the case of a plan submitted by a  
16 commissioner not identifying with a party, is ranked among the top half of plans by at least two  
17 commissioners identifying with one of the two largest parties in this state. If two or more plans  
18 are tied for the highest point total, the final plan must be selected by lot from among those plans.

19 Sec. 20. The supreme court has original and exclusive jurisdiction in all proceedings in which  
20 a plan filed with the secretary of state is challenged or is claimed not to have taken timely effect.  
21 Within 45 days after the commission has filed a redistricting plan with the secretary of state, any  
22 registered voter in this state may file a petition for a writ of mandamus or writ of prohibition to

1 bar the secretary of state from implementing the plan on the ground that the filed plan violates  
2 this constitution, the United States Constitution, or any federal or state law. The commission has  
3 the sole legal standing to defend any action regarding a plan that has been filed with the secretary  
4 of state. The commission has sole authority to determine whether the attorney general or other  
5 legal counsel retained by the commission will represent the commission and assist in the defense  
6 of a plan filed with the secretary of state. The supreme court must give priority to ruling on a  
7 petition for a writ of mandamus or a writ of prohibition filed under this section. If the court  
8 determines that a plan filed with the secretary of state violates this constitution, the United States  
9 Constitution, or any federal or state statute, the court must direct that the commission draft a  
10 remedial plan by a date set by the court.

11 Sec. 21. The commission expires when both congressional and legislative redistricting plans  
12 have been filed with the secretary of state and any legal challenges to the plans have been  
13 resolved. If use of a plan is enjoined after the commission expires, the court enjoining the plan  
14 may direct that a new commission be appointed under this article to draft a remedial plan for filing  
15 with the secretary of state in accordance with deadlines established by order of the court.

16 Sec. 22. If the commission as originally constituted, or as reconstituted after it has expired,  
17 fails to file a plan with the secretary of state by a deadline and appears unable to do so by  
18 December 31 of the year ending in one, the supreme court must adopt and file with the secretary  
19 of state a replacement for the missing plan by that date.

20 Sec. 23 The legislature must appropriate to the commission sufficient money to enable it to  
21 carry out its duties.



1 not a Saturday, Sunday, or holiday.

2 (c) “Executive director” means the executive director of the Legislative Coordinating  
3 Commission, unless the context clearly indicates otherwise.

4 (d) “Largest political party” means the political party receiving the largest number of votes  
5 cast for its candidates for state constitutional offices and the United States Senate at all general  
6 elections held during the period since the last statewide legislative redistricting plan was adopted  
7 or ordered. The “second largest political party” means the political party receiving the second-  
8 largest number of those votes.

9 (d) “Panel” means the Applicant Screening Panel.

10 **Sec. 2. [2A.22] SELECTION PROCESS.**

11 Subdivision 1. **Eligibility.** (a) To be eligible to serve as a commissioner, a person must not:

12 (1) be ineligible to vote in this state;

13 (2) have resided in this state for less than one year immediately before the date of their  
14 application;

15 (3) be a current member of the legislature or Congress;

16 (4) be under a contract with, or have served as a consultant or staff to, or have or had an  
17 immediate family relationship with the governor, a member of the legislature, or a member of  
18 Congress during the ten years immediately before the date of their application;

1 (5) be serving, or have served during the ten years immediately before the date of their  
2 application, as a public official, as defined in section 10A.01, subdivision 35, clauses (1) to (5),  
3 (12), (13), (16), (26), and (27); or

4 (6) be a person, or a member of the person's immediate family, who during the ten years  
5 immediately before the date of their application has:

6 (i) been appointed to, elected to, or a candidate for federal or state office;

7 (ii) served as an officer, employee, contractor, or paid consultant of a political party or of the  
8 campaign committee of a candidate for elective federal or state office;

9 (iii) served as an elected or appointed member of a political party state committee, as defined in  
10 section 10A.01, subdivision 36, or a delegate to a national convention of a political party;

11 (iv) registered as a lobbyist, registrant, or client with the federal government under the  
12 Lobbying Disclosure Act of 1995, United States Code, title 2, chapter 26, as amended, or as a  
13 state lobbyist or principal with the Campaign Finance and Public Disclosure Board under chapter  
14 10A;

15 (v) have served as paid congressional or legislative staff; or

16 (vi) have been found by the Campaign Finance and Public Disclosure Board to have violated  
17 section 10A.27.

18 (b) For purposes of this subdivision, a person's "immediate family" means a sibling, spouse,  
19 or parent, including half, step, and in-law relationships.

1        Subd. 2. **Applications.** By April 1 of each year ending in zero, the secretary of state must  
2 open a widely publicized process and circulate applications in a manner that encourages wide  
3 public participation of eligible residents from different regions of the state to apply for  
4 membership on the commission. Applications must be made available in both electronic and  
5 printed forms, in formats accessible for people with disabilities. Applications must be available in  
6 the top three most spoken languages in the state in addition to English. Applications are public  
7 data under chapter 13 and must be made available on the secretary of state's website or  
8 comparable means of communicating with the public. Applications must be received by June 1 of  
9 the year ending in zero.

10        Subd. 3. **Form of Application.** The secretary of state must design and provide an application  
11 form that clearly states the legal obligations and expectations of potential appointees. Information  
12 required of applicants must include but is not limited to:

13        (1) a statement from the applicant that they meet the requirements of subdivision 1;

14        (2) a statement affirming the applicant submits the application under oath declaring the  
15 truthfulness of its contents under penalty of perjury;

16        (3) the applicant's demographic information, including but not limited to gender, race,  
17 ethnicity, and year of birth;

18        (4) the applicant's professional background;

19        (5) the applicant's past experience working with others to build consensus;

20        (6) the applicant's level of understanding about communities, neighborhoods, geographic

1 regions, or demographics across the state;

2 (7) a description of the applicant's past political activity;

3 (8) a list of all political and civic organizations to which the applicant has belonged within the  
4 five years before the date of the application;

5 (9) a statement of which political party the applicant identifies with, or that the applicant  
6 identifies with no party. For purposes of this clause, identifying with a political party means that  
7 the applicant is in general agreement with the principles of that party; and

8 (10) any other information required to determine the applicant's eligibility to serve on the  
9 commission.

10 Subd. 4. **Review of Applications.** The secretary of state must review each application to  
11 ensure that it is complete, that the applicant is eligible for appointment, and that the applicant has  
12 signed the oath declaring the truthfulness of its contents under penalty of perjury.

13 Subd. 5. **Removal of Ineligible Applicants.** The secretary of state must remove from the  
14 applicant pool an applicant whose application shows they are not eligible under subdivision 1.

15 Subd. 6. **Forwarding Applications.** The secretary of state must forward the completed  
16 application of each eligible applicant to the executive director of the Legislative Coordinating  
17 Commission no later than June 15 of the year ending in zero. The secretary of state must not  
18 forward an application that is incomplete or an application of a person who has not signed the  
19 oath attesting to the accuracy of the information contained in the application. If the secretary of  
20 state does not forward an application, the secretary of state must notify the applicant that the

1 applicant's application was not forwarded and the reason why.

2 **Sec. 3. [2A.23] REDISTRICTING ADVISORY GROUP.**

3 Subdivision 1. **Appointment.** No later than June 1 of the year ending in zero, the executive  
4 director of the Legislative Coordinating Commission must appoint a Redistricting Advisory Group.  
5 The group consists of the executive directors of the Minnesota Latino Affairs Council, Council for  
6 Minnesotans of African Heritage, Minnesota Indian Affairs Council, the Council on Asian Pacific  
7 Minnesotans, the Council on LGBTQIA2S+ Minnesotans, Minnesota Youth Council, the Minnesota  
8 Council on Disabilities, and Minnesota Commission of Deaf, Deafblind and Hard of Hearing.

9 Subd. 2. **Duties.** The Redistricting Advisory Group serves as advisors to the Legislative  
10 Coordinating Commission executive director in the applicant screening process described in section  
11 2A.24, and to the Redistricting Commission in hosting town halls under section 2A.32, subdivision  
12 2. The Redistricting Advisory Group serves as advisors to the executive director to foster diversity of  
13 applicant pools throughout the process, and in their role as experts on matters pertaining to their  
14 respective communities in advising the commission. Members of the Redistricting Advisory Group  
15 are expected to participate in a nonpartisan manner and serve without predisposition or bias on  
16 issues related to the state's representation for redistricting boundaries. However, it is not intended  
17 that formulas or specific ratios be applied for this purpose. The process and criteria for determining  
18 if additional entities not listed in this section should be added must be determined by the commission  
19 during the creation of its own rules and order.

20 **Sec. 4. [2A.24] APPLICANT SCREENING PANEL.**

1        Subdivision 1. **Appointment.** By June 15 of the year ending in zero, the Legislative  
2 Coordinating Commission executive director must appoint an Applicant Screening Panel to  
3 interview and rank selected applicants. The panel consists of four members of the Legislative  
4 Coordinating Commission and all the members of the Redistricting Advisory Group. The Legislative  
5 Coordinating Commission members are one member of the largest and one member of the second  
6 largest political party in the house of representatives, and one member of the largest and one member  
7 of the second largest political party in the senate, selected by the executive director by lot. If any  
8 legislative member is unable to serve on the panel, the executive director must replace the member  
9 by again drawing by lot from that member's chamber and party sitting on the Legislative  
10 Coordinating Commission.

11        Subd. 2. **Prohibited Communications.** The members of the panel must not communicate with  
12 any senator, member of the house of representatives, congressional member, their representatives, or  
13 any representative of a political party about any matter related to the nomination process or  
14 applicants before all commissioners have been seated.

15        Subd. 3. **Applicant Pools of 20.** By July 1 of the year ending in zero, the executive director, in  
16 consultation with the Redistricting Advisory Group, must identify three applicant pools: one pool of  
17 20 applicants identifying with the largest political party in this state; one pool of 20 applicants  
18 identifying with the second largest political party in this state; and one pool of 20 applicants not  
19 identifying with either the largest or second largest political party in this state. Selections must be  
20 based on a review of each applicant's relevant analytical skills, the applicant's ability to be impartial,  
21 and the applicant's ability to promote consensus on the commission and appreciation for this state's  
22 diverse demographics, communities, and geography as documented in the application.

1        Subd. 4. **Interviews.** Also by July 1 of the year ending in zero, the executive director must  
2 convene the panel and begin the interview process. The role of the panel is to work with the  
3 executive director in conducting applicant interviews and designing an objective rating system to  
4 assess and measure applicants' relevant analytical skills, the ability to be impartial, and the ability to  
5 promote consensus on the commission and appreciation for this state's diverse demographics,  
6 communities, and geography as documented in the application. Interviews of the applicants must be  
7 completed by August 1 of the year ending in zero.

8        Subd. 5. **Applicant Pools of Ten.** By August 8 of the year ending in zero, the executive director  
9 must have ranked the applicants in each pool from one to 20 based on the applicant applications and  
10 interviews. The final pool of applicants must consist of the top ten ranked candidates scored from  
11 each of the three pools of 20 created under subdivision 3. The executive director must consult with  
12 the Redistricting Advisory Group to ensure the selected applicants reflect as well as practical the  
13 diversity of this state as to gender, age, socioeconomic status, race, language, ethnicity, and  
14 geography.

15        Subd. 6. **Drawing Nine Appointees.** By August 15 of the year ending in zero, the names of the  
16 first nine appointees must be drawn by lot by the executive director at a public meeting from the  
17 three pools of ten created in subdivision 5 as follows: three identifying with the largest political party  
18 in this state, three identifying with the second largest political party in this state, and three not  
19 identifying with either the largest or second largest political party in this state. These nine appointees  
20 are members of the commission.

21        Subd. 7. **Electing Six Commissioners.** By September 1 of the year ending in zero, the nine

1 commissioners chosen by lot must convene and assess the demographic and geographic diversity of  
2 the commission as then constituted and of the applicants remaining in the three pools of seven. After  
3 that assessment, they must elect two more commissioners from each of the three remaining pools of  
4 seven. The six commissioners elected must receive affirmative votes from at least six of the nine  
5 members eligible to vote, including at least two votes from commissioners identifying with each of  
6 the two largest political parties in this state and one vote from a commissioner who does not identify  
7 with either of the two largest political parties in this state. The six commissioners elected must be  
8 chosen to ensure the 15-member commission reflects this state's diversity, including but not limited  
9 to gender, age, socioeconomic status, race, language, ethnicity, and geography. It is not intended  
10 that formulas or specific ratios be applied for this purpose. In the event of an impasse, the executive  
11 director must choose any remaining commissioners by lot from among the applicable pool of  
12 applicants established by the panel. The commission may not conduct further business until all  
13 commissioners have been chosen and seated.

14 Subd. 8. **Oath.** Before serving on the commission, a commissioner must take and subscribe an  
15 oath to faithfully perform the duties of that office. The oath must be filed with the secretary of state.

16 **Sec. 5. [2A.25] REMOVAL; FILLING VACANCIES.**

17 Subdivision 1. **Service.** Each commissioner serves for the entire term of the commission unless  
18 the commissioner is removed or otherwise vacates the office.

19 Subd. 2. **Vacancy.** A commissioner's seat on the commission is deemed vacant if the  
20 commissioner, having been appointed or elected as an applicant who did not identify with a political  
21 party, identifies with a political party before the commission has adopted all three required plans. A

1 commissioner's seat on the commission is deemed vacant if the commissioner, having identified with  
2 one of the state's two largest political parties at the time of appointment or election, identifies with a  
3 different political party or no political party before the commission has adopted all three required  
4 plans.

5 Subd. 3. **Removal of Officer.** Removal of an officer from their officer position requires a two-  
6 thirds affirmative vote, with at least one commissioner identifying with the largest political party in  
7 this state, one commissioner identifying with the second largest political party in this state, and one  
8 commissioner not identifying with either the largest or second largest political party in this state.

9 Subd. 4. **Removal: When Effective.** Removal of a member is effective when the chair  
10 announces passage of a motion to remove. Removal must be by the affirmative vote of two-thirds all  
11 commissioners, including at least one commissioner identifying with the largest political party in this  
12 state, one commissioner identifying with the second largest political party in this state, and one  
13 commissioner not identifying with either the largest or second largest political party in this state. If  
14 the basis for the commissioner's removal is the commissioner's refusal to vote, as part of what the  
15 chair finds is a collective effort to disrupt the process or vote of the commission, the commissioner  
16 may be removed by a two-thirds vote of the commissioners present.

17 Subd. 5. **Malfeasance; Nonfeasance.** After notice and a hearing, the commission may remove a  
18 commissioner for malfeasance or nonfeasance during the term of service in the performance of the  
19 duties of the redistricting commission, or for missing three consecutive meetings. After the second  
20 consecutive missed meeting and before the next meeting, the chair or a designee must notify the  
21 commissioner in writing that the member may be removed for missing the next meeting. The

1 definitions in section 211C.01 apply to this subdivision.

2 Subd. 6. **Notice of Vacancy.** The chair must submit a written notice to the executive director  
3 stating the reason a commissioner's seat should be declared vacant. The notice must be dated,  
4 signed, and provide a detailed factual basis to support the allegation the seat is vacant. The factual  
5 basis must include the specific facts and foundation on which the vacancy is based. Supporting  
6 documentation, if any, must be included.

7 Subd. 7. **Filling Vacancy.** A vacancy on the commission, including one that occurs due to  
8 death, mental incapacity, resignation, criminal conviction of a serious crime, removal, failure to meet  
9 the qualifications for appointment or election, refusal or inability to accept an appointment or  
10 election, or having been found to have participated in a communication prohibited by law must be  
11 filled as soon as possible, but no later than seven days after the vacancy was declared, by the  
12 executive director from the designated pool of eligible applicants for that commissioner's position  
13 and in the same manner as the originally chosen commissioner. If no remaining finalists are  
14 available for service, the secretary of state must reopen the application process and the executive  
15 director must establish a new list of applicants.

16 **Sec. 6 [2A.26] COMMISSION ORGANIZATION.**

17 Subdivision 1. **Convening First Meeting.** When the executive secretary determines that all 15  
18 commissioners have been appointed or elected, the executive secretary must issue a call to convene  
19 the first meeting of the commission.

20 Subd. 2. **Rules.** Commission meetings must be conducted according to the current edition of

1 Robert's Rules of Order, Newly Revised, subject to any procedures to the contrary set forth in this  
2 section, applicable law, or other rules adopted by the commission. Within ten weeks after being  
3 established, the commission must adopt rules to govern its process. The rules must be adopted at an  
4 open meeting, with advance notice of the meeting, and members of the public must be provided with  
5 an opportunity to comment on the proposed rules. Rules adopted under this subdivision are not  
6 subject to chapter 14 or section 14.386. The rules must include how the commission will procure  
7 professional services, such as general counsel and other subject matter expert staff.

8 Subd. 3. **Chair and Vice-Chair.** (a) The commission must elect a chair and vice-chair from  
9 among its members by a majority vote, including at least one vote from a commissioner identifying  
10 with the largest political party in this state, one vote from a commissioner identifying with the  
11 second largest political party in this state, and one vote from a commissioner not identifying with  
12 either the largest or second largest political party in this state. The chair and vice-chair must not self-  
13 identify as belonging to the same political party.

14 (b) The nomination and election of chair occurs first and vice-chair occurs second.

15 (c) All candidates must be given an equal amount of time to speak in support of their candidacy,  
16 to be followed by a period of questions and answers.

17 (d) The chair must:

18 (1) call to order and preside at all meetings;

19 (2) preserve order and decorum and may speak to points of order in preference to other  
20 commissioners;

- 1       (3) decide all questions arising under parliamentary authority in consultation with the general  
2 counsel, subject to appeal and reversal by a majority of the commissioners present;
- 3       (4) enforce rules of procedure;
- 4       (5) perform any other administrative or agenda duties as directed by the commission;
- 5       (6) have all the same rights as other commissioners with respect to procedural matters, debate,  
6 and voting, except that the chair must not vote on the appeal of a parliamentary ruling by the chair;
- 7       (7) approve expenditures associated with the commission for any individual expenditure in  
8 excess of \$5,000;
- 9       (8) when both chair and vice-chair are absent or disabled, the chair may designate another of the  
10 commissioners to serve as acting chair during the absence or disability; and
- 11       (9) establish committees and subcommittees by a majority vote of the commission with the  
12 support of at least one commissioner identifying with the largest political party in this state, one  
13 commissioner identifying with the second largest political party in this state, and one commissioner  
14 who does not identify with either the largest or second largest political party in this state.
- 15       (e) The vice-chair must perform the duties of the chair when the chair is unavailable, except as  
16 otherwise provided by law. The vice-chair must act as chair in the chair's absence. The vice-chair  
17 must help facilitate group discussion on items before the commission. The vice-chair is responsible  
18 for other duties as designated by the chair.
- 19       Subd. 4. **Secretary.** (a) The executive director, or a designee approved by the commission, is

1 secretary to the commission without a vote. The secretary must keep the official record of all  
2 proceedings of the commission and furnish, under the direction of the commission, all technical  
3 services the commission deems necessary.

4 (b) The secretary must:

5 (1) facilitate the process for selecting commissioners under section 2A.24;

6 (2) issue the call to convene the commission by September 1 of each year ending in zero;

7 (3) maintain a public record of all proceedings of the commission; and

8 (4) take and maintain minutes of all commission meetings, including votes on all official actions  
9 taken at those meetings.

10 (b) All decisions of the commission must be electronically recorded. The record of its decisions  
11 must be readily available to any member of the public without charge.

12 (c) The secretary must:

13 (1) inform the legislature if the commission determines that appropriations or other resources  
14 provided for the operation of the commission are not adequate;

15 (3) act as the recipient of the final redistricting data and relevant files from the United States  
16 Census Bureau;

17 (4) comply with requirements to disclose and preserve public records;

18 (5) provide reasonable advance notice of any public meeting or public hearing. The notice and

1 agenda must be posted electronically by the commission. The commission may partner with  
2 community-based nonpartisan organizations in an effort to disseminate the notice to directly  
3 impacted communities;

4 (6) publish a draft agenda at least 72 hours before each public meeting or hearing;

5 (7) electronically publish a preliminary draft of each plan and an accompanying report at least  
6 ten business days before the relevant public meeting or public hearing and accept comments on the  
7 plan for at least one week after the meeting; and

8 (8) prepare and electronically publish reports as required by law.

9 (d) The secretary must publish the redistricting plan for each type of district within 30 days after  
10 the plan is adopted. The publication must include the plan and the material reports, reference  
11 materials, and data used in drawing it, including any programming information used to produce and  
12 test the plan. The published materials must permit an independent person to replicate the plan  
13 without modification of any of the published materials.

14 **Sec. 7. [2A.27] OPERATION.**

15 Subdivision 1. **Data Practices.** The commission is subject to chapter 13, the Minnesota Data  
16 Practices Act, except that a plan is not public data until it has been submitted to the commission  
17 for its consideration.

18 Subd. 2. **Open meetings.** The commission is subject to chapter 13D, the Minnesota Open  
19 Meetings Law.

1        Subd. 3. **Orientation and training.** (a) Orientation and training for commissioners must be  
2 coordinated by the executive director. Orientation must be completed within four weeks after the  
3 first meeting of the commission.

4        (b) Each commissioner must attend training on chapter 13 and chapter 13D.

5        (c) Commissioners must receive orientation, continuing education, and training on the  
6 purposes and activities of the commission. Information may be presented in a manner most  
7 convenient or useful to the commission, including the use of interactive or subject-matter expert  
8 presentations. Training should include insights from other states operating under independent  
9 redistricting commissions.

10       (d) Each commissioner must attend nonpartisan redistricting training held by a nationally  
11 recognized nonpartisan organization.

12       Subd. 4. **Commissioner compensation.** Commissioners must be compensated for their  
13 commission activity as provided in section 15.0575, subdivision 3.

14       Subd. 5. **Employment of personnel** The Legislative Coordinating Commission must provide  
15 the commission with the services of nonpartisan experts, consultants, and support staff as  
16 necessary to carry out its duties under this chapter. Any staff employed for the commission must  
17 report to the commission and owe a duty of care and duty of loyalty to the commission as a  
18 whole. Staff must be screened for potential biases or conflicts of interest and must demonstrate  
19 the necessary experience, expertise, and skills in the conduct of redistricting.

20       Subd. 6. **Minutes.** Minutes of all meetings, including votes on all official actions taken at

1 those meetings, must be kept by the secretary. All decisions of the commission must be  
2 electronically recorded, and the record of its decisions must be readily available to any member of  
3 the public as required by law and be provided without charge.

4 Subd. 7. **Journal of proceedings.** An account of all proceedings and the public record of the  
5 commission must be kept by the secretary and constitutes the official record of the commission.

6 Subd. 8. **Right of floor.** Any commissioner desiring to speak must be recognized by the  
7 chair, or vice-chair when the chair is not present, and must confine their remarks to the subject  
8 under consideration or to be considered.

9 Subd. 9. **Right to general counsel.** (a) The commission has a right to retain general counsel  
10 with experience and expertise in election law and voting rights, including the federal Voting  
11 Rights Act of 1965, as amended or its successor. The general counsel of the commission must  
12 attend all meetings of the commission unless excused. The general counsel must, upon request,  
13 give an opinion, either written or oral, on questions of law. The general counsel may make  
14 recommendations to the commission and has the right to take part in all public discussions of the  
15 commission, but has no vote. The general counsel must act as parliamentarian of the commission  
16 and serve as its designated Data Practices Act responsible authority in lieu of the executive  
17 director.

18 (b) The retention of general counsel does not substitute for the retention of other experts by  
19 the commission, such as counsel with expertise in voting and elections.

20 (c) The commission has sole authority to determine whether the attorney general or other

1 legal counsel retained by the commission will represent the commission and assist in the defense  
2 of a certified final map.

3 Subd. 10. **Voting.** (a) Except as otherwise required by law, administrative actions, including  
4 calling to order, adjourning, scheduling hearings, and similar actions, require the approval of a  
5 majority of commissioners entitled to vote. A vote is required for the following actions:

6 (1) a majority of the commissioners may approve rules and procedural decisions; and

7 (2) election of the chair and vice-chair require the affirmative vote of the majority with at  
8 least one commissioner identifying with the largest political party in this state, one identifying  
9 with the second largest political party in this state, and one not identifying with either the largest  
10 or second largest political party in the state.

11 (b) Adopting a final plan requires a two-thirds affirmative vote with at least one  
12 commissioner identifying with the largest political party in this state, one commissioner  
13 identifying with the second largest political party in this state, and one commissioner not  
14 identifying with either the largest or second largest political party in this state.

15 Subd. 11. **Duty to vote; abstaining.** (a) A commissioner present at a meeting must vote on  
16 every matter before the commission, unless otherwise excused or prohibited from voting.

17 (b) A commissioner may abstain from voting if the commissioner:

18 (1) has a conflict of interest, as set forth in this section or as defined by law; or

19 (2) lacks sufficient information about the issue to be decided. If a commissioner abstains, they

1 must state for the record before the vote their intention to abstain and the reasons for doing so.  
2 The abstaining commissioner is not restricted or prohibited from participating in discussion or  
3 debate on the issue.

4 (c) If a commissioner abstains from voting, a roll call vote is required on that issue. The  
5 reasons, under paragraph (b), clause (1) or (2), for the abstention must be entered into the minutes  
6 of the meeting at which the vote is taken and be part of the official record.

7 (d) The right to vote is limited to the commissioners present at the time the vote is taken.  
8 Voting by proxy is prohibited.

9 (e) All votes must be held and determined in public. Secret ballots are prohibited.

10 (f) Before calling for a vote, the chair must state the question being voted upon.

11 Subd. 12. **Manner of voting.** Except for administrative actions, voting must be by a two-  
12 thirds affirmative vote using voice vote, roll call, or show of hands. A roll call vote must be taken  
13 when required by this chapter, at the request of any commissioner, or when the chair cannot  
14 determine the results of a voice vote.

15 Subd. 13. **Conflicts of interest.** (a) A commissioner who has a conflict of interest between  
16 personal interests and the public interest in the role of a commissioner in the process of securing  
17 staff, consultants, general counsel, or any other professional services must fully disclose the  
18 nature of the conflict to the commission in writing soon as they have learned of the potential  
19 conflict of interest. A commissioner must disclose the presence of a conflict of interest or raise a  
20 potential conflict of interest when the agenda item is called, before the start of discussion or

1 deliberation. Should a conflict of interest become clear during the discussion, the commissioner  
2 may seek the opinion of the general counsel whether a conflict exists. This opinion is not binding  
3 on the commission.

4 (b) The commission must decide, by a majority vote of commissioners present, whether a  
5 conflict of interest exists. A vote may be tabled, if necessary, to obtain the opinion of the general  
6 counsel if not present.

7 (c) A commissioner who has a conflict or potential conflict of interest, either on an issue  
8 being discussed or in the procurement of staff, consultants, general counsel, or any other  
9 professional services, must not participate in the discussion or deliberation or vote upon any  
10 matter regarding procurement of those professional services.

11 Subd. 14. **Criminal liability of public officers.** A commissioner is a public officer governed  
12 by sections 609.415 to 609.475.

13 Subd. 15. **Lobbyist registration.** Action of the commission is an administrative action for  
14 purposes of section 10A.01, subdivisions 2 and 21, requiring certain persons to register as a  
15 lobbyist.

16 Sec. 8. **[2A.28] COMMUNICATIONS; GIFTS.**

17 Subdivision 1. **Internal communications.** (a) The commission may designate one or more  
18 commission staff to communicate with commissioners regarding administrative matters and may  
19 define the scope of the permitted communication. The designation must be announced at the next  
20 public meeting following the designation.

1 (b) A commissioner must not direct, request, suggest, or recommend to commission staff an  
2 interpretation of a districting principle or a change to a district boundary, except during an open  
3 meeting of the commission.

4 Subd. 2. **External communications.** (a) Except as provided in paragraph (b), commissioners  
5 and commission staff must not communicate with anyone outside the commission regarding the  
6 content of a plan, except at an open meeting of the commission or when soliciting or receiving  
7 written communications regarding a plan that is the subject of a public hearing.

8 (b) The following external communications are expressly permitted:

9 (1) a communication of general information about the commission, proceedings of the  
10 commission, or redistricting, including questions or requests for information and responses to or  
11 from commission staff;

12 (2) testimony or documents submitted by a person for use at a public hearing;

13 (3) a report required under the Minnesota Constitution, article XV; and

14 (4) a communication required by chapter 13 or 13D.

15 Subd. 3. **Gifts and gratuities.** The commission, individual commissioners, staff, general  
16 counsel, experts, and consultants must not directly or indirectly solicit or accept any gift or loan  
17 of money, goods, services, or other thing of value greater than \$5 for the benefit of a person or  
18 organization that may influence the manner in which the individual commissioner, staff, attorney,  
19 expert, or consultant performs their duties.

1        Subd. 4. **Reports of improper activity.** (a) Commission staff must report to the commission  
2 any attempt to exert improper influence over the staff in drafting plans.

3        (b) A commissioner or commission staff must report to the commission any prohibited  
4 communication. The report must include a copy of a written communication or a written  
5 summary of an oral communication.

6        (c) A report under this subdivision must be made no later than three business days after the  
7 attempt to exert improper influence or the prohibited communication, or before the next meeting  
8 of the commission, whichever is earlier. If special circumstances make this requirement  
9 impractical, the report must be made at the following meeting of the commission.

10       Sec. 9. **[2A.29] SUPPORT.**

11       Subdivision 1. **Administrative and professional support.** The Legislative Coordinating  
12 Commission must provide administrative, professional, and support services to the commission.  
13 The responsibilities assigned to the Legislative Coordinating Commission executive director may  
14 be implemented through a process or delegation to an individual approved by the commission  
15 who will be responsible to the executive director to carry out the assigned activities.

16       Subd. 2. **Data used.** (a) The geographic areas and population counts used in maps, tables, and  
17 legal descriptions of congressional and legislative districts considered by the commission must be  
18 those used by the Geographic Information Services (GIS) Office of the Legislative Coordinating  
19 Commission. The population counts must be the block population counts provided to the state  
20 under Public Law 94-171 after each decennial census, subject to correction of any errors

1 acknowledged by the United States Census Bureau.

2 (b) The Census Bureau block population accounts must be adjusted to allocate each person  
3 incarcerated in a state or federal correctional facility to the census block of the person's last  
4 known residence address, if the person has a last known address in this state, and to exclude  
5 incarcerated persons whose last known address is not located in this state or who do not have a  
6 last known address.

7 (c) The commission may consider demographic trend data provided by the state of  
8 Minnesota.

9 (d) The commission may consider relevant election data only when required by federal law or  
10 for the purposes of drawing districts in compliance with prohibitions against racial discrimination  
11 and requirements for partisan fairness in the Minnesota Constitution, Article XV, and for issuing  
12 reports required by subdivision 5.

13 (e) Nothing in this subdivision prohibits the use of additional data, except data on individual  
14 voters as limited by the Minnesota Constitution, article XV, section 15.

15 (f) The GIS Office must make this data available to the public on the GIS Office's website.

16 Subd. 3. **Data prohibited.** (a) As provided by the Minnesota Constitution, article XV, section  
17 15, districts must not be drawn using data on the partisan affiliation or possible partisan affiliation  
18 of a voter or group of voters. Districts must not be drawn using data on individual voters, such as  
19 voter registration, voter turnout, voting history, party preference (including participation in the  
20 presidential nominating primary), or general or primary election voting patterns, except for the

1 purpose of verifying the compliance of plans with the requirements of this chapter and of issuing  
2 the reports required by subdivision 5.

3 (b) Districts must not be drawn using the location of the residence of a candidate or an  
4 incumbent.

5 (c) Districts must not be drawn using data subject to reporting or regulation under chapter  
6 10A (state campaign finance); section 201.091, subdivision 4a (presidential primary political  
7 party list); United States Code, title 26, subtitle H (financing of presidential election campaigns);  
8 or United States Code, title 52, subtitle III (federal campaign finance).

9 Subd. 4. **Publication; consideration of plans.** A plan must not be finalized until the plan's  
10 block equivalency file has been submitted to the GIS Office in a form prescribed by the GIS  
11 Office. The block equivalency file must show the district to which each census block has been  
12 assigned. The GIS Office must publish each plan submitted to it on the GIS Office website.

13 Subd. 5. **Reports.** Publication of a plan must include the reports described in this subdivision.

14 (1) A population equality report that lists each district in the plan, its population as the total  
15 number of persons, and deviations from the ideal as both a number of persons and as a percentage  
16 of the population. The report must also show the populations of the largest and smallest districts  
17 and the overall range of deviations of the districts.

18 (2) A minority voting-age population report that lists for each district the voting-age  
19 population of each racial or language minority and the total minority voting-age population,  
20 according to the categories recommended by the United States Department of Justice. The report

1 must also specify each district with 30 percent or more total minority voting-age population.

2 (3) A contiguity report that lists each district that is noncontiguous either because two areas  
3 of a district do not touch or because they are linked by a point.

4 (4) If a plan preserves a community of interest, a communities of interest report that includes maps  
5 of the plan with a layer identifying the census blocks within each preserved community of interest  
6 and includes a description of the research process used to identify each community of interest.  
7 The report must also list each district to which the community of interest has been assigned, the  
8 number of communities of interest that are split, and the number of times communities of interest  
9 were split.

10 (5) A political subdivision splits report that lists any split counties, cities, towns, unorganized  
11 territories, and precincts, and the district to which each portion of a split subdivision is assigned. The  
12 report must show the population on each side of the split. The report must also show the number of  
13 subdivisions split and the number of times a subdivision is split.

14 (6) A Native Nation reservation splits report that lists any split reservations and the district to  
15 which each portion of a split reservation is assigned. The report must show the population on each  
16 side of the split. The report must also show the number of reservations split and the number of times  
17 a reservation is split.

18 (7) A measures of compactness report that lists for each district the results of multiple  
19 measures of compactness, including but not limited to the Reock, Polsby-Popper, Minimum  
20 Convex Hull, Population Polygon, Population Circle, Ehrenburg, Perimeter, and Length-Width

1 measures. The report must also state for all the districts in a plan the sum of its perimeters and the  
2 mean of its other measurements. The report may list additional measures of compactness that are  
3 accepted in political science and statistics literature.

4 (8) A core constituencies report, listing for each district the total population, voting-age  
5 population, and percentage of the population taken from the territory of a prior district, and the  
6 number of persons that were moved into the district and thus not part of its core. The report must  
7 also show the number of persons moved from one district to another, and the average percentage  
8 core of a prior district's voting-age population for all districts in the plan.

9 (9) A partisanship report that lists multiple measures of partisan symmetry. The report may  
10 list additional tests of partisan bias that are accepted in political science and statistics literature.

11 (10) A plan components report that lists for each district the names and populations of the  
12 counties within it and, if a county is split between or among districts, the names and populations  
13 of the portion of the split county and each of the split county's whole or partial cities, townships,  
14 unorganized territories, and precincts within each district.

15 **Sec. 10. [2A.30] DISTRICTING PRINCIPLES.**

16 Subdivision 1. **Relationship to constitutional principles.** Principles that govern drawing  
17 congressional and legislative districts are set forth in the Minnesota Constitution, article XV,  
18 section 16. The principles in this section supplement the constitutional principles.

19 Subd. 2. **Priority of principles.** Where it is not possible to fully comply with the principles in  
20 this section, a redistricting plan must give priority to those principles in the order in which they

1 are listed, except to the extent that doing so would violate federal law.

2 Subd. 3. **Population equality.** The population of a legislative district must not deviate by  
3 more than five percent from the population of the ideal district.

4 Subd.4. **Numbering.** (a) Congressional district numbers must begin with district one in the  
5 southeast corner of the state and end with the district with the highest number in the northeast  
6 corner of the state.

7 (b) Legislative district numbers must begin with house of representatives district 1A in the  
8 northwest corner of the state and proceeding across the state from west to east, north to south. In a  
9 county or city that includes more than one whole senate district, the whole districts must be  
10 numbered consecutively.

11 Subd. 5. **Natural geographic boundaries.** Districts must be drawn to respect natural  
12 geographic boundaries to the extent possible, including bodies of water, mountain ranges, and  
13 other significant geological and topographic features.

14 Subd. 6. **Additional principles.** The commission may adopt additional principles by a two-  
15 thirds vote, but the additional principles must not be prioritized above the principles in the  
16 Minnesota Constitution or in this section.

17 **Sec. 11. [2A.31] PRIORITIES AND INTENTIONS ON DISTRICTING PRINCIPLES.**

18 The commission must prepare and publish a report no later than ten weeks after it first  
19 convenes that describes the commission's general priorities and intentions for using districting  
20 principles in its decision-making process, including a discussion on how the commission will

1 balance competing principles. The commission must make the report electronically available  
2 before its first public meeting or hearing. The report must be provided in all languages required  
3 for voting materials under section 204B.295, or the federal Voting Rights Act of 1965, United  
4 States Code, title 52, section 10503.

5 Sec. 12. **[2A.32] PUBLIC MEETINGS AND HEARINGS.**

6 Subdivision 1. **Notice.** The commission must provide public notice at least ten business days  
7 in advance of any public meeting or public hearing. The commission must publish a draft agenda  
8 at least seven days before each public meeting or hearing. The notice and agenda must be posted  
9 on the commission's website and published in local news sources and on social media. The public  
10 notice must also be disseminated leveraging social media, media frequently used by  
11 disenfranchised Minnesotans, or other community-based communication channels. The  
12 commission may also partner with community-based nonpartisan organizations in an effort to  
13 more widely disseminate the notice to directly impacted communities. The notice and agenda  
14 must be provided in all languages required for voting materials under section 204B.295, or the  
15 federal Voting Rights Act of 1965, United States Code, title 52, section 10503.

16 Subd. 2. **Schedule.** The commission must make reasonable efforts to schedule public  
17 meetings and hearings in the evenings, on weekends, and at other times that the most residents in  
18 that region are able to attend.

19 Subd. 3. **Virtual participation; archive.** The commission must, whenever possible, use  
20 technology that allows for real-time virtual participation and feedback for all public meetings and  
21 hearings. All audiovisual recordings of commission public meetings and hearings must be

1 maintained on the commission's website indefinitely.

2 Subd. 4. **Language services.** The commission must make available translation and interpreter  
3 services for limited-English-speaking individuals and those needing accommodations in  
4 compliance with the Americans with Disabilities Act. The commission may contract with an  
5 entity that provides interpreter services through telephonic and video remote technologies. The  
6 commission must provide notices of the availability of both plans and reports in all languages  
7 required for voting materials under the federal Voting Rights Act of 1964, United States Code,  
8 title 52, section 10503, and as required for compliance with the Americans with Disabilities Act  
9 for each congressional district.

10 Subd. 2. **Town halls.** The commission must work with the Redistricting Advisory Group to  
11 host a minimum of eight community informational town halls across the state, providing basic  
12 information regarding the role of the commission, how commission members were selected, and  
13 the basics of redistricting.

14 **Sec. 13. [2A.33] REDISTRICTING PLANS.**

15 Subdivision 1. **Directions to staff.** Consistent with other requirements of this chapter, the  
16 commission must direct commission staff on how to draw redistricting plans and how to modify  
17 plans submitted to it.

18 Subd. 2. **Plans submitted to commission.** The commission must adopt a schedule for  
19 interested persons to submit proposed plans to the commission and to respond to plans proposed  
20 by others. The commission must adopt standards to govern the format of plans submitted to it. The

1 schedule and standards adopted by the commission under this subdivision are not rules for purposes  
2 of chapter 14, and section 14.386 does not apply. The commission must post submitted plans on its  
3 website as soon as practicable.

4 Subd. 3. **Public hearings on plans.** (a) Before adopting a congressional or legislative  
5 redistricting plan, the commission must hold a minimum of 24 public hearings in different regions  
6 throughout the state, including at least 12 hearings in Greater Minnesota. The commission must  
7 solicit public comment on the locations to be used for public hearings before a schedule is  
8 adopted.

9 (b) By April 1 of each year ending in one, and before adopting a preliminary draft of a  
10 congressional or legislative redistricting plan, the commission must hold at least eight public  
11 hearings in diverse regions of the state, including southern Minnesota, central Minnesota,  
12 northern Minnesota, and the Twin Cities Metro Area. The primary purpose of this first set of  
13 public hearings in different regions of the state is to request advice on how to define communities  
14 of interest and to provide an opportunity for public testimony from residents of a proposed  
15 district.

16 (c) After completing the first round of public hearings to get public input on communities of  
17 interest, the commission must publish on its website preliminary drafts of congressional and  
18 legislative redistricting plans and the reports on them. The commission must allow the public at  
19 least 14 days after publication to submit comments to the commission. After those 14 days, the  
20 commission must hold at least two additional public hearings to allow for open public input and  
21 comment. The primary purpose of the additional hearings is to provide residents an opportunity to

1 advise the commission on how well each preliminary draft succeeds at meeting the goals  
2 identified at the first public hearing and to make any other comments on the plan that residents  
3 desire. Nonpartisan GIS experts, consultants, and support staff must be present to hear and  
4 consider public comment on the proposed plans. The commission may require its general counsel  
5 with experience and expertise in voting and elections law also to attend.

6 (d) The commission must allow the public to submit written testimony before a hearing and  
7 make copies of that testimony available to all commissioners and the public before and at the  
8 public hearing. The commission must accept comments on a preliminary plan for at least 14 days  
9 after the public hearing and before adopting a final plan.

10 Subd. 4. **Deadlines.** (a) After completing the public hearings required by subdivision 3, but no later  
11 than September 15 of each year ending in one, the commission must adopt three final plans that separately  
12 set the boundaries of congressional districts and state house of representatives and senate districts. A vote  
13 on a final redistricting plan may not occur unless the final plan has been publicly posted for at  
14 least 14 days. At a meeting where a redistricting plan is proposed for final adoption, the  
15 commission may only amend the plan for the purpose of making technical corrections. The  
16 executive secretary must file each plan with the secretary of state within 30 days after adoption. The  
17 executive secretary must also publish on the commission's website the plan and the plan's reports as  
18 described in section 2A.29, subdivision 5. Each plan must also be accompanied by a report summarizing  
19 information and testimony received by the commission in the course of the hearings and including any  
20 comments and conclusions the commission deems appropriate on the information and testimony received  
21 at the hearings or otherwise presented.

1 (b) If the commission cannot reach agreement on a plan for any reason, the commission must use the  
2 procedure in the Minnesota Constitution, article XV, section 19, to adopt a plan for that type of district.

3 (c) Final adoption of all plans, whether by the commission or by court order, must occur no later than  
4 the date provided in section 204B.14, subdivision 1a.

5 (d) The commission must complete its activity by November 1 of each year ending in one,  
6 unless directed otherwise by a reviewing court in a challenge to the constitutionality of an  
7 adopted redistricting plan.

8 (e) Upon filing with the secretary of state, a redistricting plan becomes effective for the state  
9 primary election in the year ending in two.

10 **Subd. 5. Activity and evaluation report.** Within 30 days after adoption of a plan by the  
11 commission or a court order, the commission must submit a report to the chief clerk of the house  
12 of representatives and the secretary of the senate. At a minimum, the report must include a  
13 summary of the commission's work and explain the basis on which the commission made its  
14 decisions to achieve compliance with the principles in the Minnesota Constitution, article XV,  
15 section 16, and section 2A.30. It must also include definitions of the terms and standards used in  
16 drawing each final plan, and any recommended changes to laws affecting the redistricting  
17 process, duties, role, or function of the commission. If the commission determines that  
18 appropriations or other resources provided for the operation of the commission were inadequate,  
19 the report must also inform the legislature of that inadequacy. A commissioner who voted against  
20 a redistricting plan may submit a dissenting report, which must be issued with the commission's

1 report. The commission must also submit the dissenting report to the governor and publish the  
2 report on its website.

3 Subd. 6. **Reports on commission activities.** The commission must prepare and publish  
4 reports on the following:

5 (1) all plans discussed by the full commission, including all publicly submitted plans and  
6 draft plans;

7 (2) a summary of all public input received in each comment period;

8 (3) a summary of the data the commission used to create those plans;

9 (4) analysis of the plans using redistricting metrics;

10 (5) if an alternate plan furthers constitutional and statutory redistricting criteria more than the  
11 final plan selected by the commission, a written explanation of why the commission rejected the  
12 alternate plan; and

13 (6) any other information that provides the basis on which the commission made decisions to  
14 achieve compliance with constitutional and statutory requirements.

15 Sec. 14. **[204B.136] REDISTRICTING OF LOCAL ELECTION DISTRICTS.**

16 Subdivision 1. **Districting principles.** The principles in the Minnesota Constitution, article  
17 XV, section 16, as supplemented by section 2A.30, must be applied to the redistricting of:

18 (1) county commissioner districts, park districts, and soil and water conservation supervisor

1 districts in counties with a population greater than 100,000;

2 (2) wards in cities with a population greater than 60,000; and

3 (3) Metropolitan Council districts.

4 Subd. 2. **Population variance.** A district or ward in a plan subject to this section must be as  
5 equal as practicable and not deviate by more than plus or minus ten percent from the population  
6 of the ideal district or ward.

7 Sec. 15. **EFFECTIVE DATE.**

8 This article is effective upon adoption of the constitutional amendment proposed in article 1.

9 Sections 1 to 13 authorize the secretary of state to begin publicly soliciting applications for  
10 appointment to the Independent Redistricting Commission by April 1, 2030, so that the  
11 commission may draw congressional and legislative redistricting plans to be used for the state  
12 primary election in 2032 and thereafter.”

13 Delete the title and insert:

14 “A bill for an act

15 relating to redistricting; proposing an amendment to the Minnesota Constitution to  
16 establish an Independent Redistricting Commission to draw congressional and  
17 legislative districts after the 2030 census; establishing a redistricting process and  
18 districting principles for congressional and legislative plans; applying those principles  
19 to plans drawn by certain types of local government; proposing coding for new law in  
20 Minnesota Statutes, chapters 2A and 204B.”