

**Subject** Independent Citizens' Redistricting Commission

**Authors** Klevorn and others

**Analyst** Matt Gehring

**Date** April 3, 2024

## Overview

This bill proposes a state constitutional amendment, and related enabling statutes, on the topic of redistricting. Among the changes is the creation of an Independent Citizens' Redistricting Commission that would be responsible for conducting much of the work of redistricting following each decennial census.

In the alternative, the bill also includes an article establishing a Citizens Advisory Redistricting Commission. This commission would take effect only if the proposed state constitutional amendment is not ratified by the voters.

## Article 1: Constitutional Amendment; Independent Citizens' Redistricting Commission

**Description – Article 1: Constitutional Amendment; Independent Citizens' Redistricting Commission**

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### 1 **Constitutional amendment proposed.**

Proposes an amendment to the Minnesota Constitution to establish an Independent Citizens' Redistricting Commission. The purpose of the commission would be to adopt the boundaries of congressional and legislative districts after each decennial census.

Extensive detail regarding the commission's process is provided in the bill, proposed as a new article XV of the constitution. These details include a method of selecting a total of 15 commission members that are reasonably representative of the state's diversity and reflect differing political party views, including an application process. (Section 1)

Quorum and voting requirements, along with conditions on eligibility to hold other elected offices and as paid staff in certain professions is provided. (Section 2)

Standards for removal of a commission member for cause are established. (Section 3)

**Description – Article 1: Constitutional Amendment; Independent Citizens’  
Section Redistricting Commission**

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The commission is directed to establish its own rules of procedure and conflict of interest disclosure requirements, and is assigned a variety of other duties related to its work. (Section 4)

A minimum of 24 public hearings in different regions of the state are required, including at least 12 hearings in greater Minnesota. At least eight hearings must be held before adopting preliminary drafts of a redistricting plan. (Section 5)

A number of detailed administrative duties and authorities, including the election of officers, the way the commission members may be compensated, how the commission may secure professional services, and how commission members may communicate with commission staff are established. (Sections 6 to 8)

Requirements related to the data that may be used in drawing district boundaries, and the deadlines and other procedures governing the adoption of three final redistricting plans (one each for congressional, state house, and state senate districts), along with the commission’s expiration, are included. (Sections 9 to 11, 15)

The commission must submit a report to the legislature within 30 days of a plan’s adoption. (Section 12)

Standards to govern judicial review of adopted plans are specified. (sections 13 and 14)

A list of principles that must be used in drawing district boundaries is provided at the end of the proposed constitutional language. (Section 16)

**2 Submission to voters.**

Requires the proposed constitutional amendment to be submitted to the voters at the 2024 state general election. The wording of the question that must appear on the ballot is specified.

## **Article 2: Enabling Legislation**

**Section Description – Article 2: Enabling Legislation**

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**1 Independent Citizens’ Redistricting Commission.**

Defines a number of terms that are used in this article of the bill, and provides standards for the calculation of time related to the work of the Independent Citizens’ Redistricting Commission.

**Section Description – Article 2: Enabling Legislation**

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- 2 Independent Citizens’ Redistricting Commission selection process.**

Procedures for appointment of members of the commission are provided, including detail on the content that must be included on a person’s application for appointment, and the manner in which the applications are reviewed by the secretary of state and the executive director of the Legislative Coordinating Commission. Experiences and connections that would either qualify or disqualify a person from appointment are provided. A Redistricting Advisory Group must assist the executive director of the Legislative Coordinating Commission to foster diversity in the creation of eligible applicant pools. After an interview and applicant ranking process, an initial set of nine commission members must be selected by lot from a set of finalists that reflect three pools of applicants: those supporting the largest political party; those supporting the second largest political party; and those supporting neither the largest nor second largest party. The remaining six members must be selected by the initially seated nine.
- 3 Removal; filling vacancies.**

Establishes procedures for removal of a redistricting commission member, and a process for filling vacancies, including standards for determining when a member has vacated the position, and standards that permit the commission itself to proactively remove a person from membership.
- 4 Performance of duties.**

Provides a series of detailed duties and requirements that apply to commission members, and to the commission as a whole. In general, these duties include standards related to conflicts of interest and ethics; the manner and procedures by which the commission must conduct its work, communicate with one another, and provide information to the public; the employment of personnel; and requirements related to the data to be used, recordkeeping and other parliamentary procedures, and deadlines for the commission to complete its work.
- 5 Legislative Coordinating Commission; redistricting.**

Requires the Legislative Coordinating Commission to provide administration and professional support services to the Redistricting Advisory Commission. Detail regarding technical requirements for the census data to be used in drawing districts, and the form and content of a final plan are also provided.
- 6 Redistricting principles.**

Establishes a series of prohibitions and principles that must be used in drawing legislative and congressional districts.

**Section Description – Article 2: Enabling Legislation**

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Applicable prohibitions are listed in subdivision 2. A list, in priority order, of affirmative principles that must be used are listed in subdivisions 3 to 14, including an authority for the commission to adopt additional principles by a 2/3 vote.

If any prohibition or principle is held to be invalid, it is severable.

**7 Redistricting of local election districts.**

Requires the redistricting principles established by this bill to be used in the redistricting of certain local government districts. For a local government district, a population deviation standard of +/- ten percent from the ideal population (but as equal as practicable) is required.

**8 Appropriations; Legislative Coordinating Commission.**

Provides an appropriation to the Legislative Coordinating Commission for costs associated with implementing this bill.

**9 Repealer.**

Repeals Minnesota Statutes, section 2.91, subdivision 1. This subdivision relates the manner in which adopted redistricting plans are distributed by the secretary of state and coded in the Minnesota Statutes.

**10 Effective date.**

Provides that this article of the bill is effective only if the proposed state constitutional amendment is ratified.

## **Article 3: Citizens Advisory Redistricting Commission**

**Section Description – Article 3: Citizens Advisory Redistricting Commission**

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**1 Redistricting; definitions; adjustment of dates.**

Defines a number of terms that are used in this article of the bill, and provides standards for the calculation of time related to the work of the Citizens Advisory Redistricting Commission.

**2 Redistricting Commission.**

Establishes a Citizens Advisory Redistricting Commission to draw the boundaries of legislative and congressional districts in accordance with the principles provided later in the bill. (Subdivision 1)

Procedures for appointment of members of the commission are provided, including detail on the content that must be included on a person's application for

**Section Description – Article 3: Citizens Advisory Redistricting Commission**

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appointment, and the manner in which the applications are reviewed by the secretary of state and the executive director of the Legislative Coordinating Commission. Experiences and connections that would either qualify or disqualify a person from appointment are provided. A Redistricting Advisory Group must assist the executive director of the Legislative Coordinating Commission to foster diversity in the creation of eligible applicant pools. Certain legislative leaders would be authorized to strike names from the applicant pools, to establish a first set of commission members. An additional set of members would be selected by lot. Procedures for removal of a member and filling a vacancy on the commission are also provided. (Subdivisions 2, 3, and 4)

A series of detailed duties that apply to commission members, and to the commission as a whole, are provided. These duties include standards related to conflicts of interest and ethics; the manner and procedures by which the commission must conduct its work, communicate with one another, and provide information to the public; the employment of personnel; and requirements related to the data to be used, recordkeeping and other parliamentary procedure. (Subdivisions 5 to 18, 20 to 24, 27 to 30)

The commission is required to conduct a minimum of 16 public hearings throughout the state, including at least eight hearings prior to adopting a preliminary draft of a legislative or congressional district plan. Certain hearings must be conducted in diverse regions of the state. (Subdivision 19)

The advisory commission is required to submit its adopted plans and associated reports to the legislature no later than May 1 of each year ending in -1. An affirmative vote of 12 members, including at least one member identifying with the largest political party, one member identifying with the second largest political party, and one member identifying with neither the largest nor second largest parties voting in favor. A statement of legislative intent regarding a vote in the legislature on the proposed plans, with no amendments, is provided. If a plan is not adopted by the legislature, the commission must submit a second plan for consideration. If a second plan is not adopted, the commission must submit a third plan. A statement of intent that a third plan could be amended by the legislature is provided. Standards of procedure if the commission cannot agree on a plan are also provided. If a plan is not enacted by October 1 of the year ending in -1, the commission must submit a map to the Minnesota Supreme Court for review and subsequent order. (Subdivision 25)

A report to the legislature following the adoption of both a legislative and congressional plan is required. (Subdivision 26)

**Section Description – Article 3: Citizens Advisory Redistricting Commission**

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**3 Redistricting principles.**

Establishes a series of prohibitions and principles that must be used in drawing legislative and congressional districts.

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