

**Subject** Legislature; Redistricting Commission

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## Overview

This bill proposes a state constitutional amendment related to the legislature and redistricting. Among the changes are the creation of an Independent Redistricting Commission; prohibitions on legislators serving as a lobbyist for a period of one year following the end of their legislative service; and an elimination on certain restrictions on the timing and conduct of regular legislative sessions, including an allowance for the legislature to meet in regular session beyond 120 legislative days, and after the current first Monday after the third Saturday in May adjournment date.

Enabling legislation related to redistricting is also provided, including an article that establishes a Citizens Advisory Redistricting Commission that would take effect only if the proposed constitutional amendment is not ratified by the voters.

## Article 1: Constitutional Amendments; Independent Redistricting Commission

Description – Article 1: Constitutional Amendments; Independent Redistricting  
Section Commission

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### 1 Constitutional amendments proposed.

Proposes to amend the Minnesota Constitution as follows:

- 1) to modify the method of redistricting legislative and congressional districts, by delegating that authority to an Independent Redistricting Commission, and establishing principles to be used in drawing district boundaries;
- 2) to prohibit a senator or representative from being employed as a lobbyist, or otherwise receiving compensation for services as a lobbyist, for a period of one year following the end of their legislative service; and
- 3) to modify certain standards that govern the legislative process, including eliminating the prohibition on the legislature meeting in regular session

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for more than 120 legislative days, eliminating the prohibition on regular sessions after the first Monday following the third Saturday in May of each year, and permitting either house of the legislature to adjourn for more than three days by providing notice by message to the other house (eliminating the current requirement that the other house grant permission for the adjournment).

Extensive detail regarding the Independent Redistricting Commission process is provided in the bill, and is proposed as a new article XV of the constitution. These details include a method of selecting a total of 15 commission members that reflect differing political party views, the eligibility requirements for service on the commission, and the types of experience or political connections that would cause a person to be ineligible for appointment to the commission. (Sections 1 and 2)

A Redistricting Commission Applicant Screening Panel is established to solicit applications, engage in a vetting process, and select pools of well-qualified candidates for appointment to the commission. The panel consists of three retired judges who served in a federal, state, or Tribal court of jurisdiction in Minnesota. One set of commission members must be selected by lot from among the pools of applicants named by the screening panel. An additional set of commission members must be chosen by the group of members that was selected by lot. Standards for removal of a commission member are provided. (Section 3)

A number of procedural requirements, including a schedule of public hearings and adoption of administrative procedures to guide the commission's work, are detailed in the bill. Among them is a requirement that the commission conduct at least one hearing in each congressional district before any map is drawn, and at least one hearing in each congressional district after a proposed map is made public. The commission is required to adopt a final redistricting plan no later than December 31 of the year following a decennial census: the -1 year. (Section 4)

A list of principles that must be used in drawing district boundaries is provided as part of the constitutional amendment. (Section 5)

A redistricting plan is prohibited from purposely favoring or disfavoring a candidate or incumbent, and the statewide proportion of districts in each plan that favor a political party must correspond closely to the statewide partisan preferences for the voters of Minnesota for that party. A method of determining that proportionality is included. (Section 6)

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If the commission fails to adopt a plan by the constitutionally required deadline, a procedure for the commission to select a final plan by a total vote runoff is provided. (Section 7)

Standards for judicial review of the commission’s work, and the right of the commission to defend any action challenging the adoption of a plan, are included. (Section 8)

The legislature is required to provide appropriations by law to sufficiently fund the work of the commission and of the applicant screening panel. If sufficient funds are not appropriated, the supreme court may order that money be paid for this purpose. (Section 9)

If any provision of this portion of the constitutional amendment is determined to be unconstitutional, it is severable from the other portions of the amendment, so long as the remaining portions can be executed in accordance with their intent. (Section 10)

**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 and the constitutional amendment title that will appear on the ballot are specified.

## **Article 2: Independent Redistricting Commission; Statutory Implementation**

**Description – Article 2: Independent Redistricting Commission; Statutory**  
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**1 Numbering.**

Provides statutory standards for determining the numbering scheme used to label legislative districts.

**2 Number of districts.**

Provides statutory standards for determining the numbering scheme used to label congressional districts.

Section	Description – Article 2: Independent Redistricting Commission; Statutory Implementation
3	<p data-bbox="318 302 1008 331"><b>Redistricting Commission Applicant Screening Panel.</b></p> <p data-bbox="318 348 1425 457">Provides implementation standards for a number of miscellaneous topics that are not included in the constitution, but facilitate the administrative work of the Redistricting Commission Applicant Screening Panel.</p> <p data-bbox="318 499 1425 835">Among this section are subdivisions providing standards for convening the first meeting of the commission; requirements related to ethics and conflicts of interest (including a prohibition on ex parte communications with members of the legislature, members of Congress, or staff to a member of the legislature or Congress); requirements for the panel to engage in outreach efforts for the purpose of soliciting applications for appointment to the commission; obligations related to open meetings and data practices; and general powers, including the power to engage necessary administrative, technical, and professional staff services to assist the panel in its work.</p>
4	<p data-bbox="318 884 837 913"><b>Independent Redistricting Commission.</b></p> <p data-bbox="318 930 1425 1077">Provides implementation standards for a number of miscellaneous topics that are not included in the constitution, but facilitate the administrative work of the Independent Redistricting Commission. Many of these standards mirror those provided above for the Redistricting Commission Applicant Screening Panel.</p> <p data-bbox="318 1119 1425 1690">Among this section are subdivisions providing standards for convening the first meeting of the commission; requirements related to ethics and conflicts of interest (including a prohibition on ex parte communications with members of the legislature, members of Congress, or staff to a member of the legislature or Congress); obligations related to open meetings, data practices, and language access to the commission’s materials; an exemption from the administrative rulemaking process for certain decisions and procedures of the commission; general powers, including the power to engage necessary administrative, technical, and professional staff services to assist the commission in its work; detail regarding the technical format of the data that must be used for drawing maps; and requirements that the commission conduct a technical review of a plan prior to its final adoption. Standards for making technical corrections to a plan are provided. Finally, this section requires the secretary of state to provide copies of the relevant portions of an adopted and filed redistricting plan to each county auditor, who must distribute it further to municipal clerks within the county. Copies must also be made available to the public.</p>
5	<p data-bbox="318 1738 505 1768"><b>Public official.</b></p> <p data-bbox="318 1785 1321 1885">Provides that members of the Redistricting Applicant Screening Panel and the Independent Redistricting Commission are public officials, for purposes of Minnesota’s public disclosure, conflict of interest, and gift laws.</p>

**Description – Article 2: Independent Redistricting Commission; Statutory**  
**Section Implementation**

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- 6 Repealer.**  
Repeals an existing section of law directing that a metes and bounds description of each district be coded in the Minnesota Statutes, and providing duties to the secretary of state related to making technical corrections to districts. These technical correction powers are recodified as a power of the commission itself, as described earlier in the bill.

### **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 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

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

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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)

**3 Redistricting principles.**

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

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. (Subdivision 15)

**4 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.

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

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**5 Effective date.**

Provides that this article is effective January 1, 2025, only if the constitutional amendments proposed by article 1 of the bill are *not* ratified.



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