

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A bill for an act

relating to redistricting; establishing a redistricting process and districting principles for congressional and legislative plans; assigning duties to the Legislative Coordinating Commission; proposing coding for new law in Minnesota Statutes, chapter 2.

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

Section 1. **[2.034] REDISTRICTING PROCESS.**

Subdivision 1. **Public hearings.** (a) The legislature recognizes the importance of public engagement, transparency, and accountability in the redistricting process and the role those values play in strengthening representative democracy.

(b) Each legislative committee responsible for redistricting must hold at least one public hearing in each congressional district before proposing its first congressional and legislative redistricting plans. The hearings must be conducted in the congressional districts used for the preceding congressional election. The primary purpose of the first hearing is to provide residents of that congressional district an opportunity to advise the committees on how to define communities of interest.

1 (c) Each committee must hold another hearing in each congressional district after
2 proposing a preliminary congressional or legislative plan but before it is adopted. The
3 primary purpose of the additional public hearing is to provide residents of that
4 congressional district an opportunity to advise the committee on how well the plan
5 succeeds at meeting the goals identified at the first public hearing and to make any other
6 comments on the plan that residents desire.

7 (d) Each committee must publish on its website the proposed preliminary draft and
8 its accompanying reports at least two weeks before the additional public hearing and
9 must accept comments on the plan for at least two weeks after the additional hearing and
10 before adopting a final plan.

11 (e) Each committee must make reasonable efforts to allow the public to submit
12 written testimony before a hearing and make copies of that testimony available to all
13 committee members and the public at the hearing. The committee must publish copies of
14 written testimony on its website as soon as practical.

15 (f) All hearings must be video and audio recorded. Each committee must provide
16 access on its website to a video and audio live stream of each hearing and an archive of
17 minutes and recordings of past hearings.

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

1 Subd. 3. **Public access to records.** (a) Records of the legislature related to
2 development, consideration, or adoption of a redistricting plan become public when the
3 plan is posted on the legislature's website, including but not limited to draft plans,
4 analyses of a plan, and supplemental data used to develop a plan.

5 (b) This subdivision does not require disclosure of data or communications protected
6 by the attorney-client or legislative privilege.

7 Sec. 2. [2.036] **DISTRICTING PRINCIPLES.**

8 Subdivision 1. **Application.** The principles in this section apply to congressional and
9 legislative districts.

10 Subd. 2. **Population equality.** (a) Congressional districts must be as nearly equal in
11 total population as practicable without dividing a precinct into more than one district.

12 (b) Legislative districts must be substantially equal in total population. The
13 population of a legislative district must not deviate from the ideal by more than one
14 percent, plus or minus, or two percent, if the plan does not split a precinct.

15 Subd. 3. **Minority representation.** Districts must not be drawn with the intent or
16 effect to deny or abridge the equal opportunity of racial or language minorities to
17 participate in the political process or to diminish their ability to elect representatives of
18 their choice.

19 Subd. 4. **Convenience and contiguity.** The districts must be composed of convenient

1 contiguous territory that allows for easy travel throughout the district. Contiguity by
2 water is sufficient if the water is not a serious obstacle to travel within the district.
3 Districts with areas that touch only at a point are not contiguous.

4 **Subd. 5. Political subdivisions.** A county, city, town, or precinct must not be divided
5 into more than one district except as necessary to meet equal population requirements or to
6 form districts that are composed of convenient, contiguous, and compact territory. When a
7 county, city, town, or precinct must be divided into more than one district, it must be divided
8 into as few districts as possible.

9 **Subd. 6. Compactness.** Districts must be reasonably compact as measured by more
10 than one statistical test that is accepted in political science and statistics literature.

11 **Subd. 7. American Indian reservations.** A federally recognized American Indian
12 reservation must not be divided into more than one district except as necessary to meet
13 equal population requirements or to form districts that are composed of convenient,
14 contiguous, and compact territory. When a federally recognized American Indian
15 reservation must be divided into more than one district, it must be divided into as few
16 districts as possible.

17 **Subd. 8. Communities of interest.** Districts should attempt to preserve identifiable
18 communities of interest. A community of interest may include an ethnic or language group
19 or any group with shared experiences and concerns, including but not limited to
20 geographic, governmental, regional, social, cultural, historic, socioeconomic,

1 occupational, trade, or transportation interests. Communities of interest do not include
2 relationships with political parties, incumbents, or political candidates.

3 Subd. 9. **Incumbents.** A district or plan must not be drawn with the intent to protect
4 or defeat an incumbent.

5 Subd. 10. **Political parties.** A district or plan must not be drawn with the intent or
6 effect to unduly favor or disfavor a political party. A plan should make it more likely than
7 not that the political party whose candidates receive a plurality of the statewide votes for
8 seats in a legislative body will win a plurality of seats in the body.

9 Subd. 11. **Competition.** Districts should be drawn to encourage electoral
10 competition. A district is competitive if the plurality of the winning political party in the
11 territory encompassed by the district, based on statewide state and federal partisan
12 general election results during the last ten years, has historically been no more than eight
13 percent.

14 Subd. 12. **Numbering.** (a) Congressional district numbers must begin with district
15 one in the southeast corner of the state and end with the district with the highest number
16 in the northeast corner of the state.

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

1 Subd. 13. **Priority of principles.** Where it is not possible to fully comply with the
2 principles in this section, a redistricting plan must give priority to those principles in the
3 order in which they are listed, except to the extent that doing so would violate federal law.

4 Sec. 3. **[2.038] REDISTRICTING SUPPORT.**

5 Subdivision 1. **Administrative support.** The Legislative Coordinating Commission
6 must provide administrative support to the redistricting process.

7 Subd. 2. **Database.** (a) For purposes of creating congressional and legislative districts
8 in this state, the geographic areas and population counts used in maps, tables, and legal
9 descriptions of the districts must be those used by the Geographic Information Services
10 (GIS) Office of the Legislative Coordinating Commission. The population counts must be
11 the block population counts provided to the state under Public Law 94-171 after each
12 decennial census, subject to correction of any errors acknowledged by the United States
13 Census Bureau.

14 (b) The database used by the legislature to draw plans may include election results
15 used to test the partisan bias of a plan, but must not include data on voter registration or
16 voting history. It must not include campaign finance data subject to reporting or
17 regulation under chapter 10A, 26 United States Code subtitle H, or 52 United States Code
18 chapter 301; or presidential primary political party selection data under section 201.091,
19 subdivision 4a.

20 (c) The GIS Office must make the redistricting database available to the public on its

1 website.

2 Subd. 3. **Partisan index.** The GIS Office, in consultation with the legislative caucus
3 leaders, shall develop an index of election results to use in measuring the partisanship of
4 a plan.

5 Subd. 4. **Publication; consideration of plans.** A congressional or legislative
6 redistricting plan must not be considered for adoption by the senate or house of
7 representatives until the redistricting plan's block equivalency file has been submitted to
8 the GIS Office in a form prescribed by the GIS Office and the plan has been published on
9 the GIS Office website. The block equivalency file must show the district to which each
10 census block has been assigned.

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

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

17 (2) A minority representation report, listing for each district the voting-age
18 population of each racial or language minority and the total minority voting-age population,
19 according to the categories recommended by the United States Department of Justice.
20 The report must also highlight each district with 30 percent or more total minority voting-age

1 population.

2 (3) A contiguity report, listing for each district the number of areas within it that are
3 distinct, either because they do not touch or touch only at a point. The report must also show
4 the number of districts with more than one area.

5 (4) A compactness report, listing for each district the results of more than one
6 measure of compactness that is accepted in political science and statistics literature, as
7 chosen by the GIS Office. The report must also state for all the districts in a plan the sum
8 of its perimeters and the mean of its other measurements.

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

13 (6) An American Indian reservation splits report, listing any split American Indian
14 reservation and the district to which each portion of a split reservation is assigned. The
15 report must also show the number of reservations split and the number of times a
16 reservation is split.

17 (7) If the chief author of a plan asserts that it preserves a community of interest, maps
18 of the plan must include a layer identifying the census blocks within the community of
19 interest. The plan must be accompanied by a description of the research process used to
20 identify the community of interest and a communities of interest report listing any district

1 or districts to which the community of interest has been assigned. The report must also
2 show the number of communities of interest that are split and the number of times a
3 community of interest is split.

4 (8) A core constituencies report, listing for each district the total population, voting-age
5 population, 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
7 report must also show the average percentage core of a prior district's voting-age
8 population for all districts in the plan, and the number of persons moved from one district
9 to another.

10 (9) An incumbents report, listing for each district any incumbents residing in it, their
11 political party, and the number of the prior district in which they resided. The report must
12 also show the number of incumbents paired, whether they have been paired with an
13 incumbent of their own party or of another party, and the number of open seats.

14 (10) A partisanship report, listing for each district and the plan as a whole its partisan
15 lean. The report must also show more than one measure of partisan bias that is accepted in
16 political science and statistics literature.

17 (11) A plan components report, listing for each district the names and populations of
18 the counties within it and, where a county is split between districts, the names and
19 populations of the portion of the split county and each of the split county's whole or
20 partial cities, townships, unorganized territories, and precincts within each district.

1 Sec. 4. **EFFECTIVE DATE.**

2 This act is effective the day following final enactment.