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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4593

- 03/07/2024 Authored by Klevorn, Bierman, Acomb, Hortman, Kotyza-Witthuhn and others
- 03/18/2024 The bill was read for the first time and referred to the Committee on Elections Finance and Policy
- 03/18/2024 Adoption of Report: Re-referred to the Committee on State and Local Government Finance and Policy
- 04/09/2024 Adoption of Report: Re-referred to the Committee on Rules and Legislative Administration

1.1 A bill for an act

1.2 relating to redistricting; establishing an advisory citizens' redistricting commission;

1.3 establishing redistricting principles and redistricting requirements; proposing a

1.4 constitutional amendment to establish an independent citizens' redistricting

1.5 commission; appropriating money; proposing coding for new law in Minnesota

1.6 Statutes, chapters 2A; 204B; repealing Minnesota Statutes 2022, section 2.91,

1.7 subdivision 1.

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

1.9 **ARTICLE 1**

1.10 **CONSTITUTIONAL AMENDMENT; INDEPENDENT CITIZENS' REDISTRICTING**

1.11 **COMMISSION**

1.12 Section 1. CONSTITUTIONAL AMENDMENT PROPOSED.

1.13 An amendment to the Minnesota Constitution is proposed to the people. If the amendment

1.14 is adopted, article IV, section 3, will read:

1.15 Sec. 3. ~~At its first session~~ After each enumeration of the inhabitants of this state made

1.16 by the authority of the United States, the legislature Independent Citizens' Redistricting

1.17 Commission established in article XV shall have the power to prescribe the bounds of

1.18 congressional and legislative districts. ~~Senators shall be chosen by single districts of~~

1.19 ~~convenient contiguous territory. No representative district shall be divided in the formation~~

1.20 ~~of a senate district. The senate districts shall be numbered in a regular series.~~

1.21 Article XV shall be added to read:

2.1 ARTICLE XV

2.2 REDISTRICTING

2.3 Section 1. After each enumeration of the inhabitants of this state by the authority of the
2.4 United States, a citizens' redistricting commission made up of public members shall adopt
2.5 boundaries of congressional and legislative districts in accordance with this article.

2.6 By April 1 of each year ending in zero the secretary of state shall open a widely publicized
2.7 process and circulate applications in a manner that encourages wide public participation of
2.8 eligible residents from different regions of the state to apply for membership on the
2.9 commission.

2.10 Applications shall be made available in both electronic and printed forms, in formats
2.11 accessible for people with disabilities. Applications must be available in commonly spoken
2.12 languages in the state in addition to English. Applications are public data and shall be made
2.13 available and posted electronically by the secretary of state. Applications must be received
2.14 by June 1 of each year ending in zero.

2.15 The Independent Citizens' Redistricting Commission shall be created no later than
2.16 September 1, 2030, and in each year ending in the number zero thereafter.

2.17 The Independent Citizens' Redistricting Commission consists of 15 public members
2.18 selected to be reasonably representative of this state's diversity, as follows: five members
2.19 identifying with the largest political party in the state, five members identifying with the
2.20 second largest political party in the state, and five members identifying with no political
2.21 party or with a political party that is not the largest or second largest registered political
2.22 party in Minnesota.

2.23 A public member shall be appointed in a manner prescribed by law. The legislature may
2.24 provide for additional eligibility requirements and prohibitions by law.

2.25 The Independent Citizens' Redistricting Commission shall:

2.26 (1) conduct an open and transparent process enabling full public consideration of and
2.27 comment on the drawing of district lines;

2.28 (2) draw district lines according to the redistricting criteria specified in this article; and

2.29 (3) conduct themselves with integrity and fairness.

2.30 Sec. 2. The selection process is designed to produce a commission consisting of public
2.31 members that is independent from legislative influence and reasonably representative of
2.32 Minnesota's diversity.

3.1 Ten members of the commission shall constitute a quorum including at least one member
3.2 identifying with the largest political party in the state, one member identifying with the
3.3 second largest political party in the state, and one member identifying with no political party
3.4 or with a political party that is not the largest or second largest registered political party in
3.5 Minnesota.

3.6 Two-thirds or more affirmative votes shall be required for any official action, including
3.7 at least one member identifying with the largest political party in the state, one member
3.8 identifying with the second largest political party in the state, and one member identifying
3.9 with no political party or with a political party that is not the largest or second largest
3.10 registered political party in Minnesota. Administrative actions including calling to order,
3.11 adjourning, scheduling hearings, and other such actions shall require the approval of a
3.12 majority of commissioners.

3.13 A commission member is ineligible for a period of ten years beginning from expiration
3.14 of the commission to hold elective public office at the state, county, or city level in
3.15 Minnesota.

3.16 A member of the commission shall be ineligible for a period of five years beginning
3.17 from the date of appointment to serve as paid staff for, or as a paid consultant to, the United
3.18 States Congress, the legislature, or any individual legislator, or to register as a federal or
3.19 state lobbyist in this state.

3.20 Sec. 3. After notice and a public meeting, the commission may remove a commissioner
3.21 for cause. Removal of a member must be by a two-thirds affirmative vote and must include
3.22 at least one vote from a member identifying with the largest political party in the state, one
3.23 vote from a member identifying with the second largest political party in the state, and one
3.24 vote from a member identifying with no political party or with a political party that is not
3.25 the largest or second largest. If the basis for the commissioner's removal is the commissioner's
3.26 refusal to vote as part of a collective effort to disrupt the process or vote of the commission,
3.27 that member or members may be removed after a finding by the chair as described in this
3.28 section and a two-thirds vote of those commissioners present. An individual or official
3.29 identified by law must fill vacancies on the commission by appointment at an open meeting
3.30 in the same manner as the initial appointment.

3.31 Sec. 4. The commission shall determine its own rules of procedure, including adoption
3.32 of policy regarding disclosure of potential conflicts of interest. In addition to other duties
3.33 prescribed by law, the commission shall:

4.1 (1) adopt procedures and rules to carry out the provisions of this article and any laws
4.2 enacted by the legislature, including the procurement for securing professional services;

4.3 (2) inform the legislature if the commission determines that funds or other resources
4.4 provided for the operation of the commission are not adequate;

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

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

4.8 (5) hold open public meetings and public hearings;

4.9 (6) provide reasonable advance notice of any public meeting or public hearing. The
4.10 notice and agenda must be posted electronically by the commission. The commission may
4.11 partner with community-based nonpartisan organizations in an effort to disseminate the
4.12 notice to directly impacted communities;

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

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

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

4.18 Sec. 5. Prior to adopting a legislative or congressional districting plan, the commission
4.19 must hold a minimum of 24 public hearings in different regions of the state, including at
4.20 least 12 hearings in Greater Minnesota. At least eight hearings must be held before adopting
4.21 preliminary drafts of legislative or congressional district plans. The primary purpose of the
4.22 public hearings prior to the release of the preliminary plans is to request public input on
4.23 how to define communities of interest and to provide an opportunity for public comment
4.24 from residents of that part of the state. The commission shall conduct its hearings in a manner
4.25 that invites broad public participation throughout the state, including by using technology
4.26 to broadcast commission meetings and receive public comment, scheduling hearings at a
4.27 variety of times of day, and providing translation and other accommodations to facilitate
4.28 meaningful participation from a range of Minnesotans.

4.29 Sec. 6. The commission must elect a chair and vice chair from among its members by
4.30 the majority of commission members, including at least one member identifying with the
4.31 largest political party in the state, one member identifying with the second largest political
4.32 party in the state, and one member identifying with no political party or with a political

5.1 party that is not the largest or second largest. The chair and vice-chair shall not self-identify
5.2 as belonging to the same political party.

5.3 Sec. 7. The commission shall be compensated as prescribed in law and must be provided
5.4 the services of nonpartisan experts, consultants, and support staff, including a general counsel
5.5 with experience and expertise in voting and elections law, including the federal Voting
5.6 Rights Act of 1965, as amended or its successor, as is necessary to carry out its duties
5.7 pursuant to this article and those prescribed by law.

5.8 Sec. 8. A commissioner must not direct, request, suggest, or recommend an interpretation
5.9 of a districting principle or a change to a district boundary to commission staff except during
5.10 an open public meeting or public hearing of the commission. Communication between
5.11 retained counsel and members of the commission or the designated commission staff does
5.12 not violate this section.

5.13 Sec. 9. The commission shall use census data representing the entire population of this
5.14 state to draw congressional and legislative districts. Except when required by law or for the
5.15 purposes of drawing districts in compliance with the provisions of state or federal law,
5.16 citizen voting age or citizen population must not be used as the method to calculate population
5.17 equality. Demographic trends provided by the Minnesota state demographer and relevant
5.18 election data may be considered in development of maps. Incarcerated persons must be
5.19 counted at their last known residence before incarceration.

5.20 Sec. 10. By September 15, 2031, and in each year ending in the number one thereafter,
5.21 the commission shall approve three final plans that separately set the district boundary lines
5.22 for the United States House of Representatives federal congressional districts and the state
5.23 house and senate districts. Upon approval, the commission shall certify the three final plans
5.24 to the secretary of state.

5.25 With each of three final plans, the commission shall issue a report that explains the basis
5.26 on which the commission made its decisions in achieving compliance with the principles
5.27 listed in this article and shall include definitions of the terms and standards used in drawing
5.28 each final plan. The final plans and reports shall be made public and posted electronically.

5.29 If the commission adopts a legislative or congressional redistricting plan, the plan must
5.30 be approved by two-thirds of the commission, including at least one member identifying
5.31 with the largest political party in the state, one member identifying with the second largest
5.32 political party in the state, and one member identifying with no political party or with a
5.33 political party that is not the largest or second largest. Upon final adoption of a plan, the
5.34 chair of the commission must file the plan with the secretary of state. The plan becomes

6.1 effective for the following election upon filing with the secretary of state. The commission
6.2 must also electronically publish the adopted plans and the related reports.

6.3 Sec. 11. If, for any reason, the commission does not adopt a final plan for congressional
6.4 or legislative districts by October 1 of the year ending in one, the commission shall use the
6.5 following procedure to adopt a plan for that type of district.

6.6 Each commissioner may submit one proposed plan for each type of district to the full
6.7 commission for consideration.

6.8 Each commissioner shall rank the plans submitted according to preference. Each plan
6.9 shall be assigned a point value inverse to its ranking among the number of choices, giving
6.10 the lowest ranked plan one point and the highest ranked plan a point value equal to the
6.11 number of plans submitted.

6.12 The commission shall adopt the plan receiving the highest total points that is also ranked
6.13 among the top half of plans by at least two commissioners not affiliated with the party of
6.14 the commissioner submitting the plan, or in the case of a plan submitted by a nonaffiliated
6.15 commissioner, is ranked among the top half of plans by at least two commissioners affiliated
6.16 with a major party. If two or more plans are tied for the highest point total, the final maps
6.17 shall be selected by lot from those plans.

6.18 Sec. 12. Within 30 days of the adoption of a plan by the commission or a court order
6.19 establishing both a legislative plan and a congressional plan, the Independent Citizens'
6.20 Redistricting Commission must submit a report to the chief clerk of the house of
6.21 representatives and the secretary of the senate. At a minimum, the report must include a
6.22 summary of the commission's work and any recommended changes to laws affecting the
6.23 redistricting process, duties, role, or function of the commission. A commissioner who voted
6.24 against a redistricting plan may submit a dissenting report, which shall be issued with the
6.25 commission's report. The commission must also submit this report to the governor and
6.26 publish the report electronically.

6.27 Sec. 13. The commission has the sole legal standing to defend any action regarding a
6.28 certified final plans. The commission has sole authority to determine whether the attorney
6.29 general or other legal counsel retained by the commission shall represent the commission
6.30 and assist in the defense of a certified final plans. The legislature shall provide necessary
6.31 funding to defend any action regarding a certified plan.

6.32 Sec. 14. The Minnesota Supreme Court has original and exclusive jurisdiction in all
6.33 proceedings in which a certified final map is challenged or is claimed not to have taken
6.34 timely effect.

7.1 Within 45 days after the commission has certified a final map to the secretary of state,
7.2 any registered voter in this state may file a petition for a writ of mandate or writ of prohibition
7.3 to bar the secretary of state from implementing the plan on the grounds that the filed plan
7.4 violates this constitution, the United States Constitution, or any federal or state statute.

7.5 The Minnesota Supreme Court shall give priority to ruling on a petition for a writ of
7.6 mandate or a writ of prohibition filed pursuant to this section. If the court determines that
7.7 a final certified map violates this constitution, the United States Constitution, or any federal
7.8 or state statute, the court must direct that the commission draft a remedial plan.

7.9 Sec. 15. The commission expires upon the appointment of the subsequent commission
7.10 in ordinary course, or ten years after it was constituted. If a court enjoins the use of a plan,
7.11 the court must direct that the commission draft a remedial plan in accordance with deadlines
7.12 established by the court's order.

7.13 Sec. 16. The prohibitions and principles in this section apply to both legislative and
7.14 congressional districts.

7.15 Districts must not be drawn to violate the Fourteenth and Fifteenth Amendments of the
7.16 United States Constitution or the Voting Rights Act of 1965, as amended.

7.17 Districts must not be drawn to intentionally favor or disfavor a candidate or incumbent.

7.18 Districts must not be drawn using voter registration, voter turnout, voting history, party
7.19 preference, including participation in the presidential nominating primary, general election,
7.20 voting patterns, primary voting patterns, except for the purposes of verifying the compliance
7.21 of maps with the requirements of this section and of issuing the reports required by law;

7.22 Districts must not be drawn using the location of incumbents' or candidates' residences.

7.23 Districts must not be drawn using any data regarding the partisan affiliation or possible
7.24 partisan affiliation of any voter or group of voters.

7.25 Districts must not be drawn with the effect of unduly favoring or disfavoring any political
7.26 party. Districts shall be subjected to a test of partisan fairness using the standard of
7.27 proportionality as the benchmark for fairness. Using four recent statewide elections, any
7.28 proposed Congressional or legislative plan must be close to achieving major-party seat share
7.29 proportional to the corresponding share of the popular vote in at least three out of the four
7.30 contests. The standard of closeness is one seat for Congressional contests and seven
7.31 percentage points for legislative contests. If a plan fails to meet this standard, it triggers a
7.32 rebuttable presumption of excessive partisan advantage. This may be rebutted if it is

8.1 determined that the degree of disproportionality was necessary in order to reasonably balance
8.2 the rules and criteria in effect for redistricting.

8.3 Districts must be drawn in accordance with the principles in this section. If districts
8.4 cannot be drawn fully in accordance with the principles, a districting plan must give priority
8.5 to those principles in the order in which they are listed, except when doing so would violate
8.6 federal law.

8.7 Each congressional district must be as nearly equal in population as practicable.

8.8 Each legislative district must be substantially equal in population. The population of a
8.9 legislative district must not deviate by more than five percent from the population of the
8.10 ideal district.

8.11 Districts must not be drawn with either the purpose or effect of denying or abridging
8.12 the voting rights of any Minnesotan because of race, ethnicity, or membership in a language
8.13 minority group.

8.14 Districts shall be drawn to protect the equal opportunity of racial, ethnic, and language
8.15 minorities to participate in the political process and to elect candidates of their choice,
8.16 whether alone or in coalition with others.

8.17 Districts must provide racial minorities and language minorities who constitute less than
8.18 a voting-age majority of a district with an equal opportunity to substantially influence the
8.19 outcome of an election.

8.20 A representative district must not be divided in the formation of a senate district.

8.21 The reservation lands of a federally recognized Native Nation must be preserved to the
8.22 extent practicable. Discontiguous portions of a federally recognized Native Nation's
8.23 reservation lands must be included in the same district and must not be divided more than
8.24 necessary to meet constitutional requirements.

8.25 Districts must minimize the division of identifiable communities of interest. A community
8.26 of interest may include a racial, ethnic, or linguistic group or any group with shared
8.27 experiences and concerns, including but not limited to geographic, governmental, regional,
8.28 social, cultural, historic, socioeconomic, occupational, trade, environmental, or transportation
8.29 interests. Communities of interest shall not include relationships with political parties,
8.30 incumbents, or candidates.

8.31 Each district must be convenient and contiguous. A district is convenient if it allows
8.32 reasonable ease of travel within the district. Contiguity by water is sufficient if the water is

9.1 not a serious obstacle to travel within the district. A district with areas that touch only at a
9.2 point is not contiguous.

9.3 Districts must minimize the division of counties, cities, and towns, except when (1) the
9.4 division occurs because a portion of a city or town is not contiguous with another portion
9.5 of the same city or town, or (2) despite the division, the known population of any affected
9.6 county, city, or town, remains wholly located within a single district.

9.7 **Sec. 2. SUBMISSION TO VOTERS.**

9.8 The proposed amendment must be submitted to the people at the 2024 general election.
9.9 The question submitted must be:

9.10 "Shall the Minnesota Constitution be amended to establish a citizens' redistricting
9.11 commission that is independent of the legislature to draw legislative and congressional
9.12 redistricting plans?

9.13 Yes
9.14 No "

9.15 **ARTICLE 2**
9.16 **ENABLING LEGISLATION**

9.17 **Section 1. [2A.20] INDEPENDENT CITIZENS' REDISTRICTING COMMISSION.**

9.18 (a) Sections 2A.20 to 2A.25 implement Article XV of the Minnesota Constitution by
9.19 establishing the process for the selection and governance of the Independent Citizens'
9.20 Redistricting Commission.

9.21 (b) For purposes of this chapter, the following terms have the meanings given:

9.22 (1) "commission" means the Independent Citizens' Redistricting Commission;

9.23 (2) "day" means a calendar day, except that if the final day of a period within which an
9.24 act is to be performed is a Saturday, Sunday, or holiday, the period is extended to the next
9.25 day that is not a Saturday, Sunday, or holiday; and

9.26 (3) "panel" means the Applicant Review Panel.

9.27 **Sec. 2. [2A.21] INDEPENDENT CITIZENS' REDISTRICTING COMMISSION**
9.28 **SELECTION PROCESS.**

9.29 (a) The application and appointment process for members of the commission shall be
9.30 the process described in this section, except as otherwise provided by this section.

10.1 (b) By April 1 of each year ending in zero, the secretary of state shall open a widely
10.2 publicized process and circulate applications in a manner that encourages wide public
10.3 participation of eligible residents from different regions of the state to apply for membership
10.4 on the commission.

10.5 (c) Applications shall be made available in both electronic and printed forms, in formats
10.6 accessible for people with disabilities.

10.7 (d) Applications must be available in the top three most spoken languages in the state
10.8 in addition to English.

10.9 (e) Applications are public data under chapter 13 and shall be made available on the
10.10 secretary of state's website or comparable means of communicating with the public.

10.11 Applications must be received by June 1 of the year ending in zero.

10.12 (f) The secretary of state shall design and provide an application form that must clearly
10.13 state the legal obligations and expectations of potential appointees. Information required of
10.14 applicants must include but is not limited to:

10.15 (1) a statement from applicants affirming they meet the requirements of paragraph (i);

10.16 (2) an oath affirming the applicant submits application under oath declaring the
10.17 truthfulness of its contents under penalty of perjury;

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

10.20 (4) the applicant's professional background;

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

10.22 (6) the applicant's level of understanding about Minnesota communities, neighborhoods,
10.23 geographic regions, or demographics across the state;

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

10.25 (8) a list of all political and civic organizations to which the applicant has belonged
10.26 within the five years prior to the application;

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

10.30 (10) any other information required to determine eligibility to serve on the commission.

11.1 (g) The secretary of state must review applications to ensure that they are complete and
11.2 that the applicants have signed the oath affirming that the applicant submits the application
11.3 under oath declaring the truthfulness of its contents under penalty of perjury. The secretary
11.4 of state must forward the completed application of each eligible person to the executive
11.5 director of the Legislative Coordinating Commission no later than June 15 of the year ending
11.6 in zero.

11.7 (h) The secretary of state must not forward an application that is incomplete or an
11.8 application of a person who has not signed the oath attesting to the accuracy of the
11.9 information contained in the application. If the secretary of state does not forward an
11.10 application, the secretary of state must notify the applicant that the applicant's application
11.11 was not forwarded and the reason why.

11.12 (i) The Legislative Coordinating Commission's executive director shall remove from
11.13 the applicant pool those individuals who do not qualify, including:

11.14 (1) a person who has not resided in Minnesota for at least one year prior to their
11.15 application submission;

11.16 (2) a current member of the legislature or Congress;

11.17 (3) a person under contract with, or who has served as a consultant or staff to, or who
11.18 has or has had an immediate family relationship with the governor, a member of the
11.19 legislature, or a member of Congress during the ten years immediately preceding the date
11.20 of application;

11.21 (4) a person who serves or has served during the ten years immediately preceding the
11.22 date of application as a public official, as defined in section 10A.01, subdivision 35, clauses
11.23 (1) to (5), (12), (13), (16), (26), and (27); and

11.24 (5) a person, or member of the person's immediate family, who during the ten years
11.25 immediately preceding the date of application has:

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

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

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

12.1 (iv) registered as a lobbyist, registrant, or client with the federal government under the
12.2 Lobbying Disclosure Act of 1995, as amended or as a state lobbyist or principal with the
12.3 Campaign Finance and Public Disclosure Board under chapter 10A;

12.4 (v) served as paid congressional or legislative staff; or

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

12.7 (j) After serving on the commission, commissioners must not campaign for elective
12.8 office or actively participate in or contribute to a political campaign nor run for state or
12.9 local political office for a period of up to ten years after the commission expires.

12.10 (k) For the purposes of this subdivision, a member of a person's immediate family means
12.11 a sibling, spouse, parent, including half, step, and in-law relationships.

12.12 (l) No later than June 1 of the year ending in zero, the Legislative Coordinating
12.13 Commission executive director shall form a Redistricting Advisory Group consisting of the
12.14 executive directors of the Minnesota Latino Affairs Council, Council for Minnesotans of
12.15 African Heritage, Minnesota Indian Affairs Council, the Council on Asian Pacific
12.16 Minnesotans, the Council on LGBTQIA2S+ Minnesotans, Minnesota Youth Council, the
12.17 Minnesota Council on Disabilities, and Minnesota Commission of Deaf, Deafblind and
12.18 Hard of Hearing. The Redistricting Advisory Group shall serve as advisors to the Legislative
12.19 Coordinating Commission executive director in the process described in paragraphs (m),
12.20 (n), and (r), and to the Redistricting Commission in the processes in section 2A.23,
12.21 subdivision 1, paragraph (i). The Redistricting Advisory Group shall serve as advisors to
12.22 the Legislative Coordinating Commission executive director to foster diversity of applicant
12.23 pools throughout the process, and in their role as experts on matters pertaining to their
12.24 respective communities in advising the commission. Members of the Redistricting Advisory
12.25 Group are expected to participate in a nonpartisan manner and serve without predisposition
12.26 or bias on issues related to the state's representation for redistricting boundaries. However,
12.27 it is not intended that formulas or specific ratios be applied for this purpose. The process
12.28 and criteria for determining if additional entities not listed in this paragraph should be added
12.29 shall be determined by the commission during the creation of its own rules and order.

12.30 (m) By June 15 of the year ending in zero, the Legislative Coordinating Commission
12.31 executive director shall establish an Applicant Interview Panel, consisting of four randomly
12.32 selected legislative members of the Legislative Coordinating Commission and the
12.33 Redistricting Advisory Group, that is responsible for interviewing selected applicants. The
12.34 Legislative Coordinating Commission legislative members shall consist of one member of

13.1 the house of representatives majority party, one member of the house of representatives
13.2 minority party, one member of the senate majority party, and one member of the senate
13.3 minority party sitting on the Legislative Coordinating Commission. If any of the legislative
13.4 members are unable to serve on the Applicant Review Panel, the Legislative Coordinating
13.5 Commission executive director shall replace that member by randomly drawing from that
13.6 member's chamber and party sitting on the Legislative Coordinating Commission. The
13.7 members of the panel shall not communicate with any senator, member of the house of
13.8 representatives, congressional member, their representatives, or any representative of a
13.9 political party about any matter related to the nomination process or applicants prior to the
13.10 presentation by the panel of the pool of recommended applicants to the Secretary of the
13.11 Minnesota Senate and the Chief Clerk of the Minnesota House of Representatives.

13.12 (n) By July 1 of the year ending in zero, the Legislative Coordinating Commission
13.13 executive director, in consultation with the Redistricting Advisory Group, must identify
13.14 three applicant pools: one pool of 20 applicants identifying with the largest political party
13.15 in the state; one pool of 20 applicants identifying with the second largest political party in
13.16 the state; and one pool of 20 applicants identifying with no political party or a political party
13.17 that is not the largest or second largest political party in the state. Selections must be based
13.18 on a review of each applicant's relevant analytical skills, the applicant's ability to be impartial,
13.19 and the applicant's ability to promote consensus on the commission and appreciation for
13.20 Minnesota's diverse demographics, communities, and geography as documented in the
13.21 application. To the extent practicable, the process implemented by the executive director
13.22 must ensure that each applicant pool reflects the gender, socioeconomic, age, racial, language,
13.23 ethnic, and geographic diversity of the state. Each congressional district must be represented
13.24 by at least two applicants in each applicant pool.

13.25 (o) If there is an insufficient number of available applicants to select a 20-applicant pool,
13.26 then the pool consists of only those applicants who did meet the requirements.

13.27 (p) By July 1 of the year ending in zero, the Legislative Coordinating Commission
13.28 executive director shall convene the Applicant Interview Panel and begin the interview
13.29 process.

13.30 (q) The role of the Applicant Interview Panel is to work with the Legislative Coordinating
13.31 Commission's executive director in conducting applicant interviews, and design an objective
13.32 rating system to assess and measure applicants' relevant analytical skills, the ability to be
13.33 impartial, and the ability to promote consensus on the commission and appreciation for
13.34 Minnesota's diverse demographics, communities, and geography as documented in the

14.1 application. Interviews of the commission applicants shall be complete by August 1 of the
14.2 year ending in zero.

14.3 (r) No later than August 8 of the year ending in zero, the Legislative Coordinating
14.4 Commission executive director shall have ranked the applicants in each pool from one to
14.5 20 based on the applicant interviews and applications. The final pool of applicants must
14.6 consist of the top candidates scored from each of the following: top ten ranked who identify
14.7 with the largest political party in the state, top ten ranked identifying with the second largest
14.8 political party in the state, and top ten ranked identifying with no political party or with a
14.9 political party that is not the largest or second largest registered with the largest political
14.10 party in Minnesota. The Legislative Coordinating Commission executive director must
14.11 consult with the Redistricting Advisory Group to ensure the selected applicants reflect the
14.12 diversity as to gender, socioeconomic, age, racial, language, ethnic, and geographic diversity
14.13 of the state as is practicable.

14.14 (s) No later than August 15 in each year ending in the number zero, the names for the
14.15 final pool of applicants shall be selected by lot drawn by the executive director from the
14.16 list of top ten applicants as follows: three identifying with the largest political party in the
14.17 state, three identifying with the second largest political party in the state, and three identifying
14.18 with no political party or with a political party that is not the largest or second largest
14.19 registered with the largest political party in Minnesota. These nine individuals shall serve
14.20 on the Independent Citizens' Redistricting Commission.

14.21 (t) No later than September 1 in each year ending in the number zero, the nine
14.22 commissioners shall convene and assess its demographic and geographic diversity of the
14.23 nine members and must review and select six more applicants from the remaining top ten
14.24 applicants as follows: two from the remaining subpool of applicants identifying with the
14.25 largest political party in Minnesota, two from the remaining subpool of applicants identifying
14.26 with the second largest political party in Minnesota, and two from the remaining subpool
14.27 of applicants identifying with no political party or with a political party that is not the largest
14.28 or second largest registered with the largest political party in Minnesota. The six appointees
14.29 must be approved by at least two-thirds affirmative votes, which must include at least two
14.30 votes of commissioners registered from each of the two largest parties and one vote from
14.31 a commissioner who is not affiliated with either of the two largest political parties in
14.32 Minnesota. The six appointees shall be chosen to ensure the commission reflects this state's
14.33 diversity, including but not limited to racial, ethnic, geographic, and gender diversity. It is
14.34 not intended that formulas or specific ratios be applied for this purpose.

15.1 (u) Before serving on the Independent Citizens' Redistricting Commission, every
15.2 commissioner shall take and subscribe an oath to faithfully perform the duties of that office.
15.3 The oath must be filed with the secretary of state.

15.4 **Sec. 3. [2A.22] REMOVAL; FILLING VACANCIES.**

15.5 (a) Each commissioner shall serve for the entire term of the commission unless the
15.6 commissioner is removed or otherwise vacates the office.

15.7 (b) A commissioner's position on the commission is deemed vacant if the commissioner,
15.8 having been appointed as a registered elector who is not affiliated with a political party,
15.9 affiliates with a political party before the commission has approved a plan pursuant to section
15.10 2A.23, subdivision 21. A commissioner's position on the commission is deemed vacant if
15.11 the commissioner, having been affiliated with one of the state's two largest political parties
15.12 at the time of appointment, affiliates with a different political party or becomes unaffiliated
15.13 with any political party before the commission has approved a plan pursuant to section
15.14 2A.23, subdivision 21.

15.15 (c) Removal of an officer from their officer position requires a two-thirds affirmative
15.16 vote with at least one commissioner identifying with the largest political party in the state,
15.17 one commissioner identifying with the second largest political party in the state, and one
15.18 commissioner identifying with no political party or with a political party that is not the
15.19 largest or second largest in the state.

15.20 (d) Removal of a member takes place immediately after a finding by the chair and must
15.21 be by a two-thirds affirmative vote of all members of the commission, including at least
15.22 one member identifying with the largest political party in the state, one member identifying
15.23 with the second largest political party in the state, and one member identifying with no
15.24 political party or with a political party that is not the largest or second largest in the state.
15.25 If the basis for the commissioner's removal is the commissioner's refusal to vote as part of
15.26 a collective effort to disrupt the process or vote of the commission, that member or members
15.27 may be removed after a finding by the chair as described in this section and a two-thirds
15.28 vote of those commissioners present.

15.29 (e) After notice and a hearing, the commission may also remove a commissioner for
15.30 malfeasance or nonfeasance during the term of service in the performance of the duties of
15.31 the redistricting commission, or for missing three consecutive meetings. After the second
15.32 consecutive missed meeting and before the next meeting, the chair or a designee must notify
15.33 the commissioner in writing that the member may be removed for missing the next meeting.
15.34 The definitions in section 211C.01 apply to this subdivision.

16.1 (f) The chair must submit a written notice to the Legislative Coordinating Commission
16.2 executive director, stating the grounds another member's office should be declared vacant.
16.3 This written notice shall: (1) be dated and signed; and (2) provide a detailed factual basis
16.4 in support of the allegations causing the removal of another member. The factual basis shall
16.5 include the specific facts and factual foundation on which the removal is based. Supporting
16.6 documentation, if any, shall be included.

16.7 (g) Any vacancy on the commission, including one that occurs due to death, mental
16.8 incapacity, resignation, criminal conviction of a serious crime, removal, failure to meet the
16.9 qualifications of appointment, refusal or inability to accept an appointment, or having been
16.10 found to have participated in a communication prohibited by law must be filled as soon as
16.11 possible, but no later than seven days, by the Legislative Coordinating Commission executive
16.12 director from the designated pool of eligible applicants for that commissioner's position and
16.13 in the same manner as the originally chosen commissioner. No commissioner chosen to fill
16.14 a vacancy would be bypassed for appointment if all congressional districts are represented
16.15 by at least one commissioner. If no remaining finalists are available for service, the secretary
16.16 of state shall open the application process again and the executive director of the Legislative
16.17 Coordinating Commission shall establish a new list of applicants.

16.18 **Sec. 4. [2A.23] PERFORMANCE OF DUTIES.**

16.19 Subdivision 1. **Duties.** (a) Each commissioner shall perform their duties in a manner
16.20 that is impartial and reinforces public confidence in the integrity of the redistricting process.
16.21 Each commissioner shall: (1) attend nonpartisan redistricting training held by a nationally
16.22 recognized nonpartisan organization; and (2) attend training on the Minnesota Data Practice
16.23 Act and Open Meetings Act. In addition to other duties prescribed by law, the commission
16.24 shall determine its own rules and order. Within ten weeks of being established, the
16.25 commission must adopt administrative rules to govern the commission's process. The rules
16.26 must be adopted at an open meeting, with advance notice of the meeting, and members of
16.27 the public were provided with an opportunity to provide comment on the policy. Rules
16.28 adopted under this subdivision are not subject to chapter 14 or section 14.386.

16.29 (b) A member who has a conflict of interest between personal interests and the public
16.30 interest in the role of a commission member in the process of securing staff, consultants,
16.31 general counsel, or any other professional services shall fully disclose the nature of the
16.32 conflict to the commission in writing soon as they have learned of the potential conflict of
16.33 interest. A commissioner shall disclose the presence of a conflict of interest or raise a
16.34 potential conflict of interest when the agenda item is called, prior to the start of discussion

17.1 or deliberation. Should a conflict of interest become clear during the discussion, the
17.2 commissioner may seek the opinion of the general counsel whether a conflict exists. This
17.3 opinion shall not be binding on the commission.

17.4 (c) The commission shall decide, by a majority vote of commissioners present, whether
17.5 a conflict of interest exists. A vote may be tabled, if necessary, to obtain the opinion of the
17.6 general counsel if not present.

17.7 (d) A member who has a conflict or potential conflict of interest, either on an issue being
17.8 discussed or in the procurement of staff, consultants, general counsel, or any other
17.9 professional services, shall not participate in the discussion or deliberation or vote upon
17.10 any matter regarding procurement of those professional services.

17.11 (e) The commission shall adopt procedures and rules to carry out its responsibilities
17.12 under this chapter and other applicable law, including the procurement of professional
17.13 services, such as general counsel and other subject matter expert staff. Adoption of procedures
17.14 and rules under this subdivision is not subject to chapter 14 or section 14.386.

17.15 (f) The commission shall act as the recipient of the final redistricting data and other
17.16 redistricting files from the United States Census Bureau.

17.17 (g) The commission is subject to chapter 13 and section 138.17.

17.18 (h) The commission is subject to chapter 13D.

17.19 (i) The commission must work with the Redistricting Advisory Group to host a minimum
17.20 of eight community informational town halls across the state, allowing for basic information
17.21 regarding the role of the commission, how commission members were selected, and the
17.22 basics of redistricting.

17.23 (j) The commission must provide public notice at least ten business days in advance of
17.24 any public meeting or public hearing. The notice and agenda must be posted on the
17.25 commission's website and published in local news sources and on social media. The public
17.26 notice shall also be disseminated leveraging social media, media frequently used by
17.27 disenfranchised Minnesotans, or other community-based communication channels. The
17.28 commission may also partner with community-based nonpartisan organizations in an effort
17.29 to more widely disseminate the notice to directly impacted communities. The notice and
17.30 agenda must be provided in all languages required for voting materials under section
17.31 204B.295, or the federal Voting Rights Act of 1965, United States Code, title 52, section
17.32 10503.

18.1 (k) The commission must publish a draft agenda at least seven days before each public
18.2 meeting or hearing.

18.3 (l) The commission must prepare and publish a report no later than ten weeks after all
18.4 members of the commission are appointed that describes the commission's general priorities
18.5 and intentions for utilizing redistricting criteria in its decision-making process, including a
18.6 discussion on how the commission will balance competing requirements. The commission
18.7 must make this report electronically available before any public meeting or hearing. The
18.8 report shall be provided in all languages required for voting materials under section 204B.295,
18.9 or the federal Voting Rights Act of 1965, United States Code, title 52, section 10503.

18.10 (m) The commission must adopt a schedule for interested persons to submit proposed
18.11 plans and to respond to plans proposed by others. The redistricting commission shall also
18.12 adopt standards to govern the format of plans submitted. Adoption of the schedule and
18.13 standards under this subdivision is not subject to chapter 14 or section 14.386. The
18.14 redistricting commission must post submitted plans to its website as soon as practicable.

18.15 (n) Consistent with other requirements of this chapter, the commission must provide
18.16 direction to commission staff on drawing maps.

18.17 (o) Consistent with other requirements of this chapter, the commission must review and
18.18 direct modifications of maps to commission staff.

18.19 (p) The commission must prepare and publish reports on the following:

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

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

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

18.24 (4) analysis of the maps using redistricting metrics;

18.25 (5) a written explanation if an alternate plan furthers constitutional and statutory
18.26 redistricting criteria more than the final plan selected by the redistricting commission; and

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

18.29 (q) The commission must make reasonable efforts to schedule hearings in the evenings,
18.30 on weekends, and at other times that most residents in that region are able to attend.

18.31 (r) The commission must, whenever possible, use technology that allows for real-time
18.32 virtual participation and feedback for all hearings. All audiovisual recordings of commission

19.1 public meetings and public hearings must be maintained on the commission's website
19.2 indefinitely.

19.3 (s) The commission must make available translation and interpreter services for
19.4 limited-English-speaking individuals and those needing accommodations in compliance
19.5 with the Americans with Disabilities Act. The redistricting commission may contract with
19.6 an entity that provides interpreter services through telephonic and video remote technologies.

19.7 (t) The commission must provide notices of the availability of both plans and reports in
19.8 all languages required for voting materials under the federal Voting Rights Act of 1964,
19.9 United States Code, title 52, section 10503, and as required for compliance with the
19.10 Americans with Disabilities Act for each congressional district.

19.11 Subd. 2. **Rules of order.** Commission meetings shall be conducted according to the
19.12 current edition of Robert's Rules of Order, Newly Revised, subject to any procedures to the
19.13 contrary set forth in this section, applicable law, or other rules adopted by the commission.

19.14 Subd. 3. **Quorum.** (a) A quorum must be present to conduct the business of the
19.15 commission meetings and hold public hearings. The quorum shall consist of ten members,
19.16 including at least one member affiliated with each of the major parties and one nonaffiliated
19.17 member.

19.18 (b) If there is not a quorum due to a collective effort by one or more commissioners to
19.19 disrupt the work, process, or vote of the commission, a quorum consists of the majority of
19.20 commissioners. The requirement for at least one member from each majority party and one
19.21 nonaffiliated member is not applicable under this circumstance.

19.22 Subd. 4. **Minutes.** Minutes of all meetings, including votes on all official actions taken
19.23 at those meetings, shall be kept by the Legislative Coordinating Commission. All decisions
19.24 of the commission shall be recorded, and the record of its decisions shall be readily available
19.25 to any member of the public as required by law and shall be provided without charge.

19.26 Subd. 5. **Journal of proceedings.** An account of all proceedings and the public record
19.27 of the commission shall be kept by the Legislative Coordinating Commission and shall
19.28 constitute the official record of the commission.

19.29 Subd. 6. **Right of floor.** Any member desiring to speak shall be recognized by the chair,
19.30 or vice-chair when the chair is not present, and shall confine their remarks to the subject
19.31 under consideration or to be considered.

19.32 Subd. 7. **Right to general counsel.** (a) The commission has a right to retain general
19.33 counsel with an expertise in election laws and voting rights. The general counsel of the

20.1 commission shall attend all meetings of the commission unless excused. The general counsel
20.2 shall, upon request, give an opinion, either written or oral, on questions of law. The general
20.3 counsel may make recommendations to the commission and shall have the right to take part
20.4 in all public discussions of the commission, but shall have no vote. The general counsel
20.5 shall act as parliamentarian of the commission and serve as its designated Data Practices
20.6 Act responsible authority in lieu of the Legislative Coordinating Commission's executive
20.7 director.

20.8 (b) The retention of general counsel shall not substitute for the retention of other experts
20.9 by the commission, such as counsel with expertise in voting and elections, including the
20.10 Voting Rights Act of 1965, as amended.

20.11 (c) The commission has sole authority to determine whether the attorney general or other
20.12 legal counsel retained by the commission shall represent the commission and assist in the
20.13 defense of a certified final map.

20.14 Subd. 8. **Voting.** Except as otherwise provided in these rules or by law, administrative
20.15 actions including calling to order, adjourning, scheduling hearings, and other such actions
20.16 shall require the approval of a majority of commissioners entitled to vote. A vote is required
20.17 for the following actions:

20.18 (1) a majority of the appointed commissioners may approve rules and procedural
20.19 decisions;

20.20 (2) election of the chair and vice-chair requires the affirmative vote of the majority with
20.21 at least one commissioner identifying with the largest political party in the state, one
20.22 identifying with the second largest political party in the state, and one identifying with no
20.23 political party or with a political party that is not the largest or second largest in the state;
20.24 and

20.25 (3) adoption of the final plan, which requires a two-thirds affirmative vote with at least
20.26 one commissioner identifying with the largest political party in the state, one commissioner
20.27 identifying with the second largest political party in the state, and one commissioner
20.28 identifying with no political party or with a political party that is not the largest or second
20.29 largest in the state.

20.30 Subd. 9. **Duty to vote; abstaining.** (a) A commissioner present at a meeting shall vote
20.31 on every matter before the commission, unless otherwise excused or prohibited from voting.

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

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

21.1 (2) lacks sufficient information about the issue to be decided. If a commissioner abstains,
21.2 they shall state for the record their intention to abstain and the reasons for doing so prior to
21.3 the vote. The abstaining commissioner shall not be restricted or prohibited from participating
21.4 in any discussion or debate on the issue.

21.5 (c) If any commissioner abstains from voting, a roll call vote shall be required on that
21.6 issue. The reasons, pursuant to paragraph (b), clause (1) or (2), for the abstention shall be
21.7 entered into the minutes of the meeting at which the vote is taken and be part of the official
21.8 record.

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

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

21.12 (f) Prior to calling for a vote, the chair shall state the question being voted upon.

21.13 Subd. 10. **Manner of voting.** Except as otherwise provided in these rules or by law,
21.14 voting shall be by a two-thirds affirmative vote using voice vote, roll call, or show of hands.
21.15 Roll call votes shall be taken when required in these rules or by law, at the request of any
21.16 commissioner, or when the chair cannot determine the results of a voice vote.

21.17 Subd. 11. **Chair and vice-chair.** (a) The commission must elect a chair and vice-chair
21.18 from among its members by a majority vote, including at least one vote from a member
21.19 identifying with the largest political party in the state, one vote from a member identifying
21.20 with the second largest political party in the state, and one vote from a member identifying
21.21 with no political party or with a political party that is not the largest or second largest in the
21.22 state. The chair and vice-chair shall not self-identify as belonging to the same political party.

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

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

21.26 (d) The chair shall:

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

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

21.30 (3) decide all questions arising under parliamentary authority in consultation with the
21.31 general counsel, subject to appeal and reversal by a majority of the commissioners present;

21.32 (4) enforce rules of procedure;

- 22.1 (5) perform any other administrative or agenda duties as directed by the commission;
- 22.2 (6) have all the same rights as other commissioners with respect to procedural matters,
 22.3 debate, and voting, except that the chair shall not vote on the appeal of a parliamentary
 22.4 ruling by the chair;
- 22.5 (7) approve expenditures associated with the commission for any individual expenditure
 22.6 in excess of \$5,000;
- 22.7 (8) when both chair and vice-chair are absent, the chair may designate another of its
 22.8 commissioners to serve as acting chair during such absence or disability; and
- 22.9 (9) establish committees and subcommittees by a majority vote of the commission with
 22.10 the support of at least one member identifying with the largest political party in the state,
 22.11 one member identifying with the second largest political party in the state, and one
 22.12 unaffiliated member.
- 22.13 (e) The vice-chair shall perform the duties of the chair when the chair is unavailable,
 22.14 except as otherwise provided by law. The vice-chair shall act in the capacity of the chair in
 22.15 the chair's absence. The vice-chair shall help facilitate group discussion on items before the
 22.16 commission. The vice-chair is responsible for other duties as designated by the chair.
- 22.17 Subd. 12. **Secretary.** (a) The Legislative Coordinating Commission executive director,
 22.18 or their designee, in a nonpartisan capacity, is secretary to the commission without vote,
 22.19 and in that capacity must keep the official record of all proceedings of the commission and
 22.20 furnish, under the direction of the commission, all technical services that the commission
 22.21 deems necessary. The duties of the secretary include:
- 22.22 (1) facilitating the process for the selection of commissioners pursuant to section 2A.21,
 22.23 paragraphs (l) to (t);
- 22.24 (2) issuing a call convening the commission by September 1 in the year of the federal
 22.25 decennial census;
- 22.26 (3) publishing the redistricting plan for each type of district within 30 days of the adoption
 22.27 of the plan. This publication shall include the plan and the material reports, reference
 22.28 materials, and data used in drawing it, including any programming information used to
 22.29 produce and test the plan. The published materials shall be such that an independent person
 22.30 is able to replicate the conclusion without any modification of any of the published materials;
- 22.31 (4) maintaining a public record of all proceedings of the commission and shall publish
 22.32 and distribute each plan and required documentation; and

23.1 (5) taking and maintaining minutes of all commission meetings including votes on all
23.2 official actions taken at those meetings. All decisions of the commission shall be recorded,
23.3 and the record of its decisions shall be readily available to any member of the public as
23.4 required by law and shall be provided without charge.

23.5 Subd. 13. **Orientation and training.** (a) Orientation and training for commissioners
23.6 shall be coordinated by the Legislative Coordinating Commission.

23.7 (b) Commissioners shall receive orientation, continuing education, and training on the
23.8 purposes and activities of the commission. Information may be presented in a manner most
23.9 convenient or useful to the commission including the use of interactive or subject-matter
23.10 expert presentations. Training should include insights from other states operating under
23.11 independent citizens redistricting commissions.

23.12 (c) Orientation shall be coordinated by nonpartisan Legislative Coordinating Commission
23.13 staff and must be completed within four weeks of the commission being formed.

23.14 Subd. 14. **Employment of personnel.** The commission shall be compensated as
23.15 prescribed in law. The Legislative Coordinating Commission must provide the commission
23.16 with the services of nonpartisan experts, consultants, and support staff, as necessary to carry
23.17 out its duties pursuant to this section.

23.18 Subd. 15. **Public hearings in diverse state regions.** (a) Prior to adopting a legislative
23.19 or congressional district plan, the commission must hold a minimum of 24 public hearings
23.20 in different regions throughout the state, including at least 12 hearings in Greater Minnesota.

23.21 (b) By April 1 of each year ending in one, at least eight public hearings must be held in
23.22 diverse regions of the state to include southern Minnesota, central Minnesota, Northern
23.23 Minnesota, and the Twin Cities Metro Area, before adopting preliminary drafts of legislative
23.24 or congressional district plans. The primary purpose of this first set of public hearings in
23.25 different regions of Minnesota is to request advice on how to define communities of interest
23.26 and to provide an opportunity for public testimony from residents of that district. The
23.27 commission must make reasonable efforts to schedule hearings in the evenings, on weekends,
23.28 and at other times that most residents from that region are able to attend.

23.29 (c) After completing the first round of public hearings to get public input on communities
23.30 of interest, the commission must publish on its website preliminary drafts of the legislative
23.31 and congressional district plans. The commission also must publish the reports for each
23.32 preliminary draft prior to hearings. The redistricting commission must allow the public at
23.33 least 14 days to submit comments to the commission after publication. After those fourteen
23.34 days, the redistricting commission must then hold at least two additional public hearings to

24.1 allow for open public input and comment. Nonpartisan GIS experts, consultants, and support
24.2 staff shall be present to hear and consider public comment on the proposed plans. The
24.3 commission may require its general counsel with experience and expertise in voting and
24.4 elections law also to attend.

24.5 (d) The commission must allow the public to submit written testimony prior to a hearing
24.6 and make copies of that testimony available to all commissioners and the public prior to
24.7 and at the public hearings.

24.8 Subd. 16. **Internal communications.** (a) The commission may designate one or more
24.9 commission staff to communicate with commissioners regarding administrative matters and
24.10 may define the scope of the permitted communication. The designation must be announced
24.11 at the next public hearing following the designation.

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

24.15 (c) Communication between retained counsel and members of the commission or the
24.16 designated commission staff does not violate the provisions of this section.

24.17 Subd. 17. **External communications.** (a) Except as provided in paragraph (b),
24.18 commissioners and staff must not communicate with anyone outside the commission
24.19 regarding the content of a plan, except at an open meeting of the commission or when
24.20 soliciting or receiving written communications regarding a plan that is the subject of a public
24.21 hearing.

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

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

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

24.27 (3) reports required under the Minnesota Constitution, article XV; and

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

24.29 Subd. 18. **Prohibitions on gifts and gratuities.** The commission, individual
24.30 commissioners, staff, general counsel, experts, and consultants may not directly or indirectly
24.31 solicit or accept any gift or loan of money, goods, services, or other thing of value greater

25.1 than \$5 for the benefit of any person or organization that may influence the manner in which
25.2 the individual commissioner, staff, attorney, expert, or consultant performs their duties.

25.3 Subd. 19. **Reports of improper activity.** (a) Commission staff shall report to the
25.4 commission any attempt to exert improper influence over the staff in drafting plans.

25.5 (b) A commissioner or commission staff shall report to the commission chair and
25.6 vice-chair any prohibited communication. The report must include a copy of a written
25.7 communication or a written summary of an oral communication.

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

25.13 Subd. 20. **Data used.** (a) The commission shall use census data representing the entire
25.14 population of Minnesota to draw congressional and legislative districts, except when required
25.15 by law or for the purposes of drawing districts in compliance with this section and of issuing
25.16 the reports required by section 2A.24. The commission may consider demographic trend
25.17 data provided by the state of Minnesota. The commission may consider relevant election
25.18 data only when required by federal law or for the purposes of drawing districts in compliance
25.19 with prohibitions against racial discrimination and requirements for partisan fairness in the
25.20 Minnesota Constitution, Article XV, and for issuing reports required by section 2A.24.

25.21 (b) The redistricting commission shall use population data that reflects incarcerated
25.22 persons at their last known residence before incarceration.

25.23 Subd. 21. **Deadlines.** (a) After completing the public hearings required by subdivision
25.24 15 but by September 15 of each year ending in one, the commission must approve three
25.25 redistricting plans, one for the house of representatives, one for the senate, and one for the
25.26 state congressional districts. The chair of the commission must file the plans with the
25.27 secretary of state within 30 days of approval and must publish approved plans and its reports
25.28 as outlined in the Minnesota Constitution, article XV, section 12, to the commission's
25.29 website. Each plan must be accompanied by a report summarizing information and testimony
25.30 received by the redistricting commission in the course of the hearings and include any
25.31 comments and conclusions the redistricting commission deems appropriate on the information
25.32 and testimony received at the hearings or otherwise presented.

26.1 (b) Final approval of all plans, whether enacted by the commission or as provided by
26.2 court order, must take place no later than the date provided in section 204B.14, subdivision
26.3 1a.

26.4 (c) If the commission cannot reach an agreement on a plan for any reason, the commission
26.5 shall use the following procedure to adopt a plan for that type of district:

26.6 (1) each commissioner may submit one proposed plan for each type of district to the
26.7 full commission for consideration;

26.8 (2) each commissioner shall rank the plans submitted according to preference. Each plan
26.9 shall be assigned a point value inverse to its ranking among the number of choices, giving
26.10 the lowest ranked plan one point and the highest ranked plan a point value equal to the
26.11 number of plans submitted; and

26.12 (3) the commission shall adopt the plan receiving the highest total points that is also
26.13 ranked among the top half of plans by at least two commissioners not affiliated with the
26.14 party of the commissioner submitting the plan or, in the case of a plan submitted by
26.15 nonaffiliated commissioners, is ranked among the top half of plans by at least two
26.16 commissioners affiliated with a major party. If two or more plans are tied for the highest
26.17 point total, the final plan must be selected by lot from those plans.

26.18 (d) The constitutionally established redistricting commission must complete its activity
26.19 by November 1 each year ending in one unless directed otherwise by a reviewing court in
26.20 a legal challenge to the constitutionality of the certified redistricting plans. The redistricting
26.21 plan becomes effective for the following state general election upon filing with the secretary
26.22 of state.

26.23 Subd. 22. **Activity and evaluation report.** Within 30 days of the adoption of a plan by
26.24 the commission or a court order establishing both a legislative plan and a congressional
26.25 plan, the redistricting commission must submit a report to the chief clerk of the house of
26.26 representatives and the secretary of the senate. At a minimum, the report must include a
26.27 summary of the commission's work, the information required in the Minnesota Constitution,
26.28 article XV, section 10, and any recommended changes to laws affecting the redistricting
26.29 process, duties, role, or function of the commission. The report must also inform the
26.30 legislature if the commission determines that funds or other resources provided for the
26.31 operation of the commission were inadequate. A commissioner who voted against a
26.32 redistricting plan may submit a dissenting report which shall be issued with the commission's
26.33 report. The commission must also submit this report to the governor and publish the report
26.34 on its website.

27.1 Subd. 23. **Criminal liability as public officers.** Members of the commission exercise
 27.2 the functions of a public officer for the purposes of sections 609.415 to 609.4751.

27.3 Subd. 24. **Data.** The commission is subject to chapter 13, except that a plan is not public
 27.4 data until it has been submitted to the commission for its consideration.

27.5 Subd. 25. **Lobbyist registration.** Action by the commission is administrative action for
 27.6 the purposes of section 10A.01, subdivisions 2 and 21.

27.7 Subd. 26. **Expiration.** (a) The commission expires upon the appointment of the
 27.8 subsequent commission in ordinary course, or ten years after it was constituted.

27.9 (b) If a court enjoins the use of a plan, the court enjoining the plan must direct the
 27.10 commission to draft a remedial plan in accordance with deadlines established by the court's
 27.11 order.

27.12 Sec. 5. **[2A.24] LEGISLATIVE COORDINATING COMMISSION;**
 27.13 **REDISTRICTING.**

27.14 Subdivision 1. **Administrative and professional support.** The Legislative Coordinating
 27.15 Commission shall provide administrative, professional, and support services to the
 27.16 commission established in section 2A.20. The responsibilities assigned to the Legislative
 27.17 Coordinating Commission executive director may be implemented through a process or
 27.18 delegation to an individual responsible to the executive director to carry out the assigned
 27.19 activities.

27.20 Subd. 2. **Data used.** (a) The geographic areas and population counts used in maps, tables,
 27.21 and legal descriptions of legislative and congressional districts considered by the legislature
 27.22 and the redistricting commission must be those used by the GIS Office. The population
 27.23 counts shall be the block population counts provided to the state under Public Law 94-171
 27.24 after each decennial census, subject to correction of any errors acknowledged by the United
 27.25 States Census Bureau.

27.26 (b) Nothing in this subdivision prohibits the use of additional data, except as provided
 27.27 by sections 2A.21 and 2A.23.

27.28 (c) The GIS Office must make this data available to the public on the GIS Office's
 27.29 website.

27.30 Subd. 3. **Publication; consideration of plans.** A plan must not be finalized until the
 27.31 plan's block equivalency file has been submitted to the GIS Office in a form prescribed by
 27.32 the GIS Office. The block equivalency file must show the district to which each census

28.1 block has been assigned. The GIS Office shall publish each plan submitted to it on the GIS
28.2 Office website.

28.3 Subd. 4. **Reports.** Publication of a plan shall include the reports described as follows:

28.4 (1) a population equality report that lists each district in the plan, its population as the
28.5 total number of persons, and deviations from the ideal as both the number of persons and
28.6 as a percentage of the population. The report must also show the populations of the largest
28.7 and smallest districts and the overall range of deviations of districts;

28.8 (2) a minority voting-age population report that lists for each district the voting age
28.9 population of each racial, ethnic, or language minority and the total minority voting age
28.10 population, according to the categories recommended by the United States Department of
28.11 Justice. The report must also specify each district with 30 percent or more total minority
28.12 population;

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

28.15 (4) if a plan preserves a community of interest, a communities of interest report that
28.16 includes maps of the plan with a layer identifying the census blocks within each preserved
28.17 community of interest and includes a description of the research process used to identify
28.18 each community of interest. The report must also list each district to which a community
28.19 of interest has been assigned, the number of communities of interest that are split, and the
28.20 number of times communities of interest were split;

28.21 (5) a political subdivision and Native Nation reservation splits report that lists each split
28.22 of a county, city, township, federally recognized Native Nation reservation, unorganized
28.23 territory, and precinct, and the district to which each portion of a split division is assigned.
28.24 The report also must show the number of subdivisions split and the number of times a
28.25 subdivision is split;

28.26 (6) a plan components report that lists for each district the names and populations of the
28.27 counties within it and, if a county is split between or among districts, the names and
28.28 populations of the portion of the split county and each of the split county's whole or partial
28.29 cities, townships, unorganized territories, and precincts within each district;

28.30 (7) a measures of compactness report that lists for each district the results of the multiple
28.31 measures of compactness, including but not limited to Reock, Polsby-Popper, Minimum
28.32 Convex Hull, Population Polygon, Population Circle, Ehrenburg, Perimeter, and
28.33 Length-Width measures. The report must also state for each district the sum of the district's

29.1 perimeter and the mean of the measurements. The report may list additional tests of
 29.2 compactness that are accepted in political science and statistics literature; and

29.3 (8) a partisanship report that lists multiple measures of partisan symmetry. The report
 29.4 may list additional tests of partisan bias that are accepted in political science and statistics
 29.5 literature.

29.6 **Sec. 6. [2A.25] REDISTRICTING PRINCIPLES.**

29.7 Subdivision 1. **Districting principles.** The prohibitions and principles in this section
 29.8 apply to both legislative and congressional districts.

29.9 Subd. 2. **Prohibitions** (a) Districts must not be drawn to violate the Fourteenth and
 29.10 Fifteenth Amendments of the United States Constitution or the Voting Rights Act of 1965,
 29.11 as amended.

29.12 (b) Districts must not be drawn to purposefully favor or disfavor a candidate or incumbent.

29.13 (c) Districts must not be drawn using voter registration, voter turnout, voting history, or
 29.14 party preference, including participation in the presidential nominating primary, general
 29.15 election, voting patterns, and primary voting patterns, except for the purposes of verifying
 29.16 the compliance of maps with the requirements of this section and of issuing the reports
 29.17 required by section 2A.23;

29.18 (d) Districts must not be drawn using the location of incumbents' or candidates' residences.

29.19 (e) Districts must not be drawn using data subject to reporting or regulation under chapter
 29.20 10A; section 201.091, subdivision 4a; United States Code, title 52, subtitle III; or under
 29.21 United States Code, title 26, subtitle H.

29.22 (f) Districts must not be drawn with the effect of unduly favoring or disfavoring any
 29.23 political party. Districts shall be subjected to a test of partisan fairness using the standard
 29.24 of proportionality as the benchmark for fairness. Using four recent statewide elections, any
 29.25 proposed Congressional or legislative plan must be close to achieving major-party seat share
 29.26 proportional to the corresponding share of the popular vote in at least three out of the four
 29.27 contests. The standard of closeness is one seat for Congressional contests and seven
 29.28 percentage points for legislative contests. If a plan fails to meet this standard, it triggers a
 29.29 rebuttable presumption of excessive partisan advantage. This may be rebutted if a court
 29.30 determines that the degree of disproportionality was necessary in order to reasonably balance
 29.31 the rules and criteria in effect for redistricting.

30.1 Subd. 3. **Priority of principles.** Districts must be drawn in accordance with the principles
30.2 in this section. If districts cannot be drawn fully in accordance with the principles, a
30.3 districting plan must give priority to those principles in the order in which they are listed,
30.4 except when doing so would violate federal or state law.

30.5 Subd. 4. **Population equality.** (a) Each congressional district must be as nearly equal
30.6 in population as practicable.

30.7 (b) Each legislative district must be substantially equal in population. The population
30.8 of a legislative district must not deviate by more than five percent from the population of
30.9 the ideal district.

30.10 Subd. 5. **Minority representation.** (a) Districts must not be drawn with either the purpose
30.11 or effect of denying or abridging the voting rights of any Minnesotan because of race,
30.12 ethnicity, or membership in a language minority group.

30.13 (b) Districts shall be drawn to protect the equal opportunity of racial, ethnic, and language
30.14 minorities to participate in the political process and to elect candidates of their choice,
30.15 whether alone or in coalition with others.

30.16 (c) Districts must provide racial minorities and language minorities who constitute less
30.17 than a voting-age majority of a district with an equal opportunity to substantially influence
30.18 the outcome of an election.

30.19 Subd. 6. **Preservation of Native Nations.** The reservation lands of a federally recognized
30.20 Native Nation must be preserved to the extent practicable. Discontiguous portions of a
30.21 federally recognized Native Nation's reservation lands must be included in the same district,
30.22 and must not be divided more than necessary to meet constitutional requirements.

30.23 Subd. 7. **Communities of interest.** Districts must minimize the division of identifiable
30.24 communities of interest. A community of interest may include a racial, ethnic, or linguistic
30.25 group or any group with shared experiences and concerns, including but not limited to
30.26 geographic, governmental, regional, social, cultural, historic, socioeconomic, occupational,
30.27 trade, environmental, or transportation interests. Communities of interest shall not include
30.28 relationships with political parties, incumbents, or candidates.

30.29 Subd. 8. **Convenience and contiguity.** Each district must be convenient and contiguous.
30.30 A district is convenient if it allows reasonable ease of travel within the district. Contiguity
30.31 by water is sufficient if the water is not a serious obstacle to travel within the district. A
30.32 district with areas that touch only at a point is not contiguous.

31.1 Subd. 9. **Nesting.** A representative district must not be divided in the formation of a
 31.2 senate district.

31.3 Subd. 10. **Political subdivisions.** Districts must minimize the division of counties, cities,
 31.4 or towns except when (1) the division occurs because a portion of a city or town is not
 31.5 contiguous with another portion of the same city or town, or (2) despite the division, the
 31.6 known population of any affected county, city, or town, remains wholly located within a
 31.7 single district.

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

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

31.14 (b) Legislative districts must be numbered in a regular series, beginning with house of
 31.15 representatives district 1A in the northwest corner of the state and proceeding across the
 31.16 state from west to east, north to south. In a county that includes more than one whole senate
 31.17 district, the districts must be numbered consecutively.

31.18 Subd. 13. **Additional principles.** The redistricting commission established in section
 31.19 2A.20 may adopt additional principles by a two-thirds vote, but the additional principles
 31.20 must not be prioritized above the principles in the Minnesota Constitution or in this section.

31.21 Subd. 14. **Severability.** The provisions of this section are severable. If any provision of
 31.22 this section or its application is held to be invalid, that invalidity shall not affect other
 31.23 provisions of this section, which shall be given the maximum possible effect in the absence
 31.24 of the invalid provision.

31.25 **Sec. 7. [204B.136] REDISTRICTING OF LOCAL ELECTION DISTRICTS.**

31.26 Subdivision 1. **Redistricting principles.** The principles provided by section 2A.25 must
 31.27 be applied to the redistricting of:

31.28 (1) county commissioner districts, park districts, and soil and water conservation
 31.29 supervisor districts in counties with a population greater than 100,000;

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

31.31 (3) Metropolitan Council districts.

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

32.4 Sec. 8. **APPROPRIATIONS; LEGISLATIVE COORDINATING COMMISSION.**

32.5 \$..... in fiscal year and \$..... in fiscal year are appropriated from the general fund
 32.6 to the Legislative Coordinating Commission for costs associated with implementation of
 32.7 this act, including costs to support the redistricting commission established in Minnesota
 32.8 Statutes, chapter 2A. These are onetime appropriations.

32.9 Sec. 9. **REPEALER.**

32.10 Minnesota Statutes 2022, section 2.91, subdivision 1, is repealed.

32.11 Sec. 10. **EFFECTIVE DATE.**

32.12 This article is effective January 1, 2025, if the proposed state constitutional amendment
 32.13 in article 1 is ratified.

32.14 **ARTICLE 3**

32.15 **CITIZENS ADVISORY REDISTRICTING COMMISSION.**

32.16 Section 1. **[2A.30] REDISTRICTING; DEFINITIONS; ADJUSTMENT OF DATES.**

32.17 Subdivision 1. **Definitions.** (a) For purposes of this section and section 2A.31, the
 32.18 definitions have the meanings given.

32.19 (b) "Applicant pools" means the lists of applicants described in section 2A.31, subdivision
 32.20 2, paragraph (e).

32.21 (c) "Executive director" means the executive director of the Legislative Coordinating
 32.22 Commission.

32.23 (d) "GIS office" means the Geographic Information Services Office of the Legislative
 32.24 Coordinating Commission.

32.25 (e) "Largest political party in the state" means the political party whose candidate received
 32.26 the greatest number of votes for legislative seats in the state in the most recent general
 32.27 election.

32.28 (f) "Legislative Coordinating Commission" is the entity established in section 3.303.

33.1 (g) "Second largest political party in the state" means the political party whose candidate
 33.2 received the second greatest number of votes for legislative seats in the state in the most
 33.3 recent general election.

33.4 Subd. 2. **Adjustment of dates.** If any date prescribed in this chapter falls on a Saturday,
 33.5 Sunday, or legal holiday, then the date is extended to the next day that is not a Saturday,
 33.6 Sunday, or legal holiday.

33.7 Sec. 2. **[2A.31] REDISTRICTING COMMISSION.**

33.8 Subdivision 1. **Membership.** In each year ending in zero, a Citizens Advisory
 33.9 Redistricting Commission is created to draw the boundaries of legislative and congressional
 33.10 districts in accordance with the principles established in section 2A.32. The redistricting
 33.11 commission consists of 15 members of the public.

33.12 Subd. 2. **Appointment.** (a) The application and appointment process for members of
 33.13 the Citizens Advisory Redistricting Commission shall be the process described in section
 33.14 15.0597, except as otherwise provided by this section.

33.15 (b) By January 1 of each year ending in zero, the secretary of state shall open a widely
 33.16 publicized process and circulate applications in a manner that encourages wide public
 33.17 participation of eligible residents from different regions of the state to apply for membership
 33.18 on the commission. Applications are public data under chapter 13 and shall be made available
 33.19 on the secretary of state's website or a comparable means of communicating with the public.
 33.20 Applications must be received by March 1 of the year ending in zero.

33.21 (c) The secretary of state shall design and provide an application form that must clearly
 33.22 state the legal obligations and expectations of potential appointees. Information required of
 33.23 applicants must include but is not limited to:

33.24 (1) statement from applicants affirming they meet the requirements of subdivision 3;

33.25 (2) an oath affirming the applicant submits the application declaring the truthfulness of
 33.26 its contents under penalty of perjury;

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

33.29 (4) the applicant's professional background;

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

33.31 (6) the applicant's level of understanding about Minnesota communities, neighborhoods,
 33.32 geographic regions, or demographics across the state;

- 34.1 (7) a description of the applicant's past political activity;
- 34.2 (8) list of all political and civic organizations to which the applicant has belonged within
 34.3 the five years prior to the application;
- 34.4 (9) a statement indicating with which political party the applicant identifies, or that the
 34.5 applicant identifies with no party. For purposes of this clause, identifying with a political
 34.6 party means that the applicant is in general agreement with the principles of the party; and
- 34.7 (10) any other information required to determine eligibility to serve on the commission.
- 34.8 (d) The secretary of state must review applications as they are received to ensure that
 34.9 each application is complete and each applicant has signed the oath attesting to the
 34.10 truthfulness of the information contained in the application. No later than March 15 of the
 34.11 year ending in zero, the secretary of state must forward the completed application of each
 34.12 eligible person to the executive director. The secretary of state must not forward any
 34.13 application that is incomplete or any application by a person who has not signed off on the
 34.14 oath attesting to the accuracy of the information contained in the application. If the secretary
 34.15 of state does not forward an application, the secretary of state must notify the applicant that
 34.16 the applicant's application was not forwarded and the reason why.
- 34.17 (e) The Legislative Coordinating Commission executive director shall remove from the
 34.18 applicant pool individuals who do not qualify including:
- 34.19 (1) a person who has not resided in Minnesota for at least one year prior to their
 34.20 application submission or is not eligible to vote;
- 34.21 (2) a current member of the legislature or Congress;
- 34.22 (3) a person under contract with, or who serves as a consultant or staff to, or who has
 34.23 or has had an immediate family relationship with the governor, a member of the legislature,
 34.24 or a member of Congress during the ten years immediately preceding the date of application;
- 34.25 (4) a person who serves or has served during the ten years immediately preceding the
 34.26 date of application as a public official, as defined in section 10A.01, subdivision 35, clauses
 34.27 (1) to (5), (12), (13), (16), (26), and (27); and
- 34.28 (5) a person, or member of the person's immediate family, who is or during the ten years
 34.29 immediately preceding the date of application has:
- 34.30 (i) been appointed to, elected to, or a candidate for state office;
- 34.31 (ii) served as an officer, employee, contractor, or paid consultant of a political party or
 34.32 of the campaign committee of a candidate for elective federal or state office;

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

35.4 (iv) registered as a lobbyist, registrant, or client with the federal government under the
35.5 Lobbying Disclosure Act of 1995 as amended or as a state lobbyist or principal with the
35.6 Campaign Finance and Public Disclosure Board under chapter 10A;

35.7 (v) served as paid congressional or legislative staff; or

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

35.10 For the purposes of this subdivision, a member of a person's immediate family means a
35.11 sibling, spouse, or parent, including half, step, and in-law relationships. While serving on
35.12 the commission, commissioners must not campaign for elective office or actively participate
35.13 in or contribute to a political campaign nor run for federal, state, or local political office for
35.14 a period of up to ten years after the commission expires.

35.15 (f) By February 15 in the year ending in zero the executive director of the Legislative
35.16 Coordinating Commission shall appoint a redistricting advisory group consisting of, at a
35.17 minimum, the executive directors of the Minnesota Latino Affairs Council, Council for
35.18 Minnesotans of African Heritage, Minnesota Indian Affairs Council, the Council on Asian
35.19 Pacific Minnesotans, the Council on LGBTQIA2S+ Minnesotans, the Minnesota Youth
35.20 Council, the Minnesota Council on Disabilities, and the Minnesota Commission of Deaf,
35.21 Deafblind and Hard of Hearing.

35.22 (g) The Redistricting Advisory Group shall serve as advisors to the executive director
35.23 and must work within the process described in paragraph (i), and subdivision 5, paragraph
35.24 (a), clause (8), to ensure diversity of applicants throughout the process.

35.25 (h) Members of the Redistricting Advisory Group must participate in a nonpartisan
35.26 manner and serve without predisposition or bias on issues related to the state's representation
35.27 for redistricting boundaries. The Redistricting Advisory Group must work with the executive
35.28 director as outlined to foster diversity of applicant pools throughout the process and in their
35.29 role as experts on matters pertaining to their respective communities. It is not intended that
35.30 formulas or specific ratios be applied for this purpose.

35.31 (i) By April 1 of the year ending in zero, the executive director, in consultation with the
35.32 Redistricting Advisory Group shall jointly screen and sort the applicants into three applicant
35.33 pools: one pool for applicants identifying with the largest political party in this state; one

36.1 pool for applicants identifying with the second largest political party in the state; and one
36.2 pool for applicants identifying with no political party or a political party that is not the
36.3 largest or second largest political party in the state. The executive director must review the
36.4 applicants in each applicant pool and narrow each pool down to 40 applicants based on a
36.5 review of each applicant's relevant analytical skills, the ability to be impartial, and the ability
36.6 to promote consensus on the commission and appreciation for Minnesota's diverse
36.7 demographics, communities, and geography as documented in the application. To the extent
36.8 practicable, the executive director must ensure that each applicant pool reflects the gender,
36.9 socioeconomic, age, racial, language, ethnic, and geographic diversity of the state. Each
36.10 congressional district must be represented by at least two applicants in each applicant pool.

36.11 (j) If there is an insufficient number of available applicants to select a 40-applicant pool,
36.12 then the pool consists of only those applicants who did meet the requirements.

36.13 (k) By April 1 in each year ending in zero, the executive director must provide each
36.14 applicant pool list to the majority leaders and minority leaders of the house of representatives
36.15 and the senate. By April 15 of each year ending in zero, the majority leaders and minority
36.16 leaders of the house of representatives and the senate must each select five applicants from
36.17 their party's list and forward the names of the applicants to the Legislative Coordinating
36.18 Commission's executive director. The executive director must make the list and applications
36.19 available to all legislative leaders. In selecting applicants, the executive director or a leader
36.20 must not select more than one applicant from any congressional district.

36.21 (l) By April 29 of each year ending in zero, 12 names must be stricken from the list as
36.22 follows:

36.23 (1) the senate majority leader must strike three applicants from the applicants selected
36.24 by the senate minority leader;

36.25 (2) the senate minority leader must strike three applicants from the applicants selected
36.26 by the senate majority leader;

36.27 (3) the house majority leader must strike three applicants from the applicants selected
36.28 by the house minority leader; and

36.29 (4) the house minority leader must strike three applicants from the applicants selected
36.30 by the house majority leader.

36.31 (m) The legislative leaders must forward the eight remaining names consisting of four
36.32 applicants identifying with the largest political party in the state and four applicants

37.1 identifying with the second largest political party in the state to the executive director. These
37.2 eight individuals shall serve on the Citizens Advisory Redistricting Commission.

37.3 (n) By April 29 of each year ending in zero, the executive director must, by lottery,
37.4 select four applicants from the pool of 40 applicants who do not identify with a party or
37.5 identify with a party other than the first or second largest political party described in
37.6 paragraph (e). Together with the eight individuals selected by the legislative leaders, these
37.7 twelve individuals shall serve on the Citizens Advisory Redistricting Commission.

37.8 (o) No later than May 15 in each year ending in the number zero, the twelve advisory
37.9 commissioners shall convene and assess the commission's demographic diversity within
37.10 the twelve members and must review and select six more applicants from the remaining
37.11 applicants from the pool of 40 applicants originally selected by legislative leadership and
37.12 appoint six applicants to the commission as follows: two from the remaining pool of
37.13 applicants identifying with the largest political party in Minnesota, two from the remaining
37.14 pool of applicants identifying with the second largest political party in Minnesota, and two
37.15 from the remaining pool of applicants identifying with no political party or with a political
37.16 party that is not the largest or second largest political party in Minnesota. The six individuals
37.17 must be approved by at least two-thirds affirmative votes which must include at least two
37.18 votes of commissioners registered from each of the two largest parties and two votes from
37.19 commissioners who are not affiliated with either of the two largest political parties in
37.20 Minnesota. These six new appointees shall be chosen to ensure the Citizens Advisory
37.21 Redistricting Commission reflects this state's diversity, including but not limited to racial,
37.22 ethnic, geographic, and gender diversity. However, it is not intended that formulas or specific
37.23 ratios be applied for this purpose.

37.24 (p) The executive director of the Legislative Coordinating Commission shall report the
37.25 15 names selected to the secretary of the state. These 15 individuals shall serve as members
37.26 of the Citizens Advisory Redistricting Commission and shall not include more than two
37.27 commissioners from any one congressional district.

37.28 (q) The secretary of state's actions under this subdivision are not subject to chapter 14.

37.29 (r) Before serving on the Citizens Advisory Redistricting Commission, every person
37.30 shall take and subscribe an oath to faithfully perform the duties of that office. The oath must
37.31 be filed with the secretary of state.

37.32 Subd. 3. **Eligibility of public members.** (a) A person is eligible to serve if the person
37.33 has been a resident of Minnesota for at least a year at the time of the submission of the
37.34 application and is not an elected official.

38.1 (b) The following persons are not eligible to serve as a commissioner:

38.2 (1) a person who is not eligible to vote in the state of Minnesota;

38.3 (2) a current member of the legislature or Congress;

38.4 (3) a person under contract with, who serves as a consultant or staff to, or who has or
38.5 has had an immediate family relationship with the governor, a member of the legislature,
38.6 or a member of Congress during the ten years immediately preceding the date of application;

38.7 (4) a person who serves or has served during the ten years immediately preceding the
38.8 date of application as a public official, as defined in section 10A.01, subdivision 35, clauses
38.9 (1) to (5), (12), (13), (16), (26), and (27); and

38.10 (5) a person, or member of the person's immediate family, who is or during the ten years
38.11 immediately preceding the date of application has:

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

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

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

38.18 (iv) registered as a lobbyist, registrant, or client with the federal government under the
38.19 Lobbying Disclosure Act of 1995 as amended or as a state lobbyist or principal with the
38.20 Campaign Finance and Public Disclosure Board under chapter 10A;

38.21 (v) served as paid congressional or legislative staff; or

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

38.24 (c) While serving on the Citizens Advisory Redistricting Commission, commissioners
38.25 must not campaign for elective office or actively participate in or contribute to a political
38.26 campaign nor run for state or local political office for a period of up to ten years after the
38.27 Citizens Advisory Redistricting Commission expires.

38.28 (d) For the purposes of this subdivision, a member of a person's immediate family means
38.29 a sibling, spouse, or parent, including half, step, and in-law relationships.

38.30 Subd. 4. **Removal; filling vacancies.** (a) Each commissioner shall serve for the entire
38.31 term of the commission unless the commissioner is removed or otherwise vacates the office.

39.1 (b) A commissioner's position on the Citizens Advisory Redistricting Commission is
39.2 deemed vacant if the commissioner, having been appointed as a registered elector who is
39.3 not affiliated with a political party, affiliates with a political party before the Minnesota
39.4 Legislature has approved a plan pursuant to subdivision 25. A commissioner's position on
39.5 the Citizens Advisory Redistricting Commission is also deemed vacant if the commissioner,
39.6 having been affiliated with one of the state's two largest political parties at the time of
39.7 appointment, affiliates with a different political party or becomes unaffiliated with any
39.8 political party before the Minnesota Legislature has approved a plan pursuant to subdivision
39.9 25.

39.10 (c) The removal of an officer from an officer position requires a two-thirds affirmative
39.11 vote with at least one commissioner identifying with the largest political party in the state,
39.12 one commissioner identifying with the second largest political party in the state, and one
39.13 commissioner identifying with no political party or with a political party that is not the
39.14 largest or second largest in the state.

39.15 (d) If the basis for the commissioner's removal is the commissioner's refusal to vote as
39.16 part of a collective effort to disrupt the process or vote of the commission, that member or
39.17 members may be removed after a finding by the chair as described in this section and a
39.18 two-thirds vote of those commissioners present.

39.19 (e) Removal of a member takes place immediately after a finding by the chair and must
39.20 be by a two-thirds vote of all members of the advisory commission, including at least one
39.21 member identifying with the largest political party in the state, one member identifying with
39.22 the second largest political party in the state, and one member identifying with no political
39.23 party or with a political party that is not the largest or second largest in the state.

39.24 (f) After notice and a hearing, the advisory commission may also remove a commissioner
39.25 for malfeasance or nonfeasance during the term of service in the performance of the duties
39.26 of the advisory commission, or for missing three consecutive meetings. After the second
39.27 consecutive missed meeting and before the next meeting, the chair or a designee must notify
39.28 the commissioner in writing that the member may be removed for missing the next meeting.
39.29 The definitions in section 211C.01 apply to this subdivision.

39.30 (g) The chair must submit a written notice to the Legislative Coordinating Commission
39.31 executive director, stating the grounds that another member's office should be declared
39.32 vacant under this subdivision. This written notice shall: (1) be dated and signed; and (2)
39.33 provide a detailed factual basis in support of the allegations causing the removal of another

40.1 member. The factual basis shall include the specific facts and factual foundation on which
40.2 the removal is based. Supporting documentation, if any, shall be included.

40.3 (h) Any vacancy on the advisory commission, including one that occurs due to death,
40.4 mental incapacity, resignation, criminal conviction of a serious crime, removal, failure to
40.5 meet the qualifications of appointment, refusal or inability to accept an appointment, or
40.6 having been found to have participated in a communication prohibited by subdivision 20
40.7 or 21 or conduct prohibited by subdivision 22, or otherwise, must be filled as soon as
40.8 possible, but no later than seven days after the vacancy occurred, by the executive director
40.9 from the designated pool of eligible applicants for that commissioner's position and in the
40.10 same manner as the originally chosen commissioner, except that no commissioner chosen
40.11 to fill a vacancy would be bypassed for appointment if all congressional districts are
40.12 represented by at least one commissioner. If no remaining finalists described in the same
40.13 pool under subdivision 2, paragraph (i), are available for service, the secretary of state shall
40.14 open the application process again and the executive director shall establish a new list of
40.15 applicants, as provided in subdivision 2.

40.16 Subd. 5. **Duties.** (a) Each commissioner shall perform their duties in a manner that is
40.17 impartial and reinforces public confidence in the integrity of the redistricting process.
40.18 Commissioners must disclose the presence of a conflict of interest, or raise a potential
40.19 conflict of interest when the agenda item is called, prior to the start of discussion or
40.20 deliberation. In addition to other duties prescribed by law, the advisory commission shall:

40.21 (1) attend nonpartisan redistricting training held by a nationally recognized nonpartisan
40.22 organization or the Legislative Coordinating Commission;

40.23 (2) attend training on the Minnesota Data Practices Act and Open Meetings Act;

40.24 (3) determine its own rules and order. Within ten weeks of being established, the Citizens
40.25 Advisory Redistricting Commission must adopt administrative rules to govern the
40.26 commission's process. The rules must be adopted at an open meeting, with advance notice
40.27 of the meeting, and members of the public must be provided with an opportunity to provide
40.28 comment on the rules. The procedures and rules referenced in this subdivision are not subject
40.29 to chapter 14 or section 14.386.

40.30 A member who has a conflict between a personal interest and the public interest in the
40.31 procurement process of securing staff, consultants, general counsel or any other professional
40.32 services, shall fully disclose to the commission in writing as soon as they learn of the
40.33 potential conflict of interest the nature of the conflict. A member shall not participate in the
40.34 discussion, or deliberation or vote upon any matter if a conflict exists;

41.1 (4) adopt procedures and rules to carry out the provisions of this section and any laws
41.2 enacted by the legislature, including the procurement of professional services such as GIS,
41.3 general counsel, and other subject matter expert staff. These procedures and rules are not
41.4 subject to chapter 14 or section 14.386;

41.5 (5) act as the legislature's recipient of the final redistricting data and other files relevant
41.6 to redistricting from the United States Census Bureau;

41.7 (6) comply with requirements to disclose and preserve public records, as specified in
41.8 the Data Practices Act, chapter 13, and section 138.17;

41.9 (7) hold open meetings and public hearings throughout the state pursuant to the Open
41.10 Meetings Law, chapter 13D;

41.11 (8) work with the Redistricting Advisory Group to host a minimum of eight statewide
41.12 informational town halls at community locations most likely to be known by individuals
41.13 living in the community and at a time most likely to reasonably yield the highest attendance,
41.14 allowing for basic information regarding the role of the advisory commission, how
41.15 commission members were selected, and why community member participation matters in
41.16 the redistricting process;

41.17 (9) provide public notice at least seven days in advance of any public meeting or public
41.18 hearing. The notice and agenda must be posted on the commission's website and published
41.19 in local news sources. The public notice shall also be disseminated leveraging social media,
41.20 media frequently used by disenfranchised Minnesotans, or other community-based
41.21 communication channels. The advisory commission may also partner with community-based
41.22 nonpartisan organizations in an effort to more widely disseminate the notice to directly
41.23 impacted communities. The notice and agenda must be provided in all languages required
41.24 for voting materials under the federal Voting Rights Act of 1965, United States Code, title
41.25 52, section 10503, in the congressional district in which the public meeting is scheduled;

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

41.27 (11) prepare and publish a report before any public meeting or hearing and no later than
41.28 ten weeks after all members of the advisory commission are appointed that describes the
41.29 commission's general priorities and intentions for utilizing redistricting criteria in its
41.30 decision-making process, including a discussion on how the commission will balance
41.31 competing requirements;

41.32 (12) adopt a schedule for interested persons to submit proposed plans and to respond to
41.33 plans proposed by others. The redistricting commission shall also adopt standards to govern

42.1 the format of plans submitted. Adoption of the schedule and standards under this subdivision
 42.2 is not subject to chapter 14 or section 14.386. The advisory commission must post submitted
 42.3 plans to its website as soon as practicable;

42.4 (13) subject to subdivisions 20 and 21, provide direction to commission staff on drawing
 42.5 maps;

42.6 (14) subject to subdivisions 20 and 21, review and direct modifications of maps to
 42.7 commission staff;

42.8 (15) prepare and publish reports on the following:

42.9 (i) all plans discussed by the full advisory commission, including all publicly submitted
 42.10 plans and draft plans;

42.11 (ii) a summary of all public input received in each comment period;

42.12 (iii) a summary of the data the advisory commission used to create those plans;

42.13 (iv) analysis of the maps using redistricting metrics; and

42.14 (v) any other information that provides the basis on which the advisory commission
 42.15 made decisions to achieve compliance with constitutional and statutory requirements;

42.16 (16) make reasonable efforts to schedule hearings in the evenings, on weekends, and at
 42.17 other times that most residents in that region are able to attend;

42.18 (17) whenever possible, use technology that allows for real-time virtual participation
 42.19 and feedback for all hearings. All audiovisual recordings of the advisory commission public
 42.20 meetings and public hearings must be maintained on the commission's website indefinitely;

42.21 (18) make reasonable efforts to make available translation and interpreter services for
 42.22 limited English-speaking individuals and those needing accommodations in compliance
 42.23 with the Americans with Disabilities Act. The redistricting commission may contract with
 42.24 an entity that provides interpreter services through telephonic and video remote technologies;
 42.25 and

42.26 (19) provide notices of the availability of both plans and reports in all languages required
 42.27 for voting materials under the federal Voting Rights Act of 1964, United States Code, title
 42.28 52, section 10503, and as required for compliance with the Americans with Disabilities Act
 42.29 for each congressional district.

42.30 Subd. 6. **Rules of order.** Advisory commission meetings shall be conducted according
 42.31 to the current edition of Robert's Rules of Order, subject to any procedures to the contrary
 42.32 set forth in these rules, applicable law, or such other rules adopted by the commission.

43.1 Subd. 7. **Quorum.** (a) A quorum must be present to conduct the business of the advisory
43.2 commission meetings and hold public hearings. The quorum shall consist of twelve members,
43.3 including at least one member affiliated with each of the major parties and one nonaffiliated
43.4 member.

43.5 (b) If there is not a quorum due to a collective effort by one or more commissioners to
43.6 disrupt the work, process, or vote of the commission, a quorum consists of the majority of
43.7 commissioners. The requirement for at least one member from each majority party and one
43.8 nonaffiliated member is not applicable under this circumstance.

43.9 Subd. 8. **Minutes.** Minutes of all meetings, including votes on all official actions taken
43.10 at those meetings shall be kept by the Legislative Coordinating Commission. All decisions
43.11 of the advisory commission shall be recorded, and the record of its decisions shall be readily
43.12 available to any member of the public as required by law and shall be provided without
43.13 charge.

43.14 Subd. 9. **Journal of proceedings.** An account of all proceedings and the public record
43.15 of the advisory commission shall be kept by the Legislative Coordinating Commission and
43.16 shall constitute the official record of the advisory commission and be posted to the
43.17 commission's website.

43.18 Subd. 10. **Right of floor.** Any member desiring to speak shall be recognized by the
43.19 chair, or vice-chair when the chair is not present, and shall confine their remarks to one
43.20 subject under consideration or to be considered.

43.21 Subd. 11. **Right to general counsel.** The Citizens Advisory Redistricting Commission
43.22 has a right to retain general counsel. The general counsel of the advisory commission shall
43.23 be experienced and knowledgeable in the area of election law and voting rights and attend
43.24 all meetings of the commission unless excused. The general counsel shall, upon request,
43.25 give an opinion, either written or oral, on questions of law. The general counsel may make
43.26 recommendations to the commission and shall have the right to take part in all public
43.27 discussions of the commission, but shall have no vote. General counsel shall act as
43.28 parliamentarian of the commission and serve as its designated data practices act responsible
43.29 authority, in lieu of the executive director.

43.30 Subd. 12. **Voting.** (a) Except as otherwise provided in these rules or by law,
43.31 administrative actions including calling to order, adjourning, scheduling hearings, and other
43.32 such actions shall require the approval of a majority of commissioners entitled to vote. The
43.33 vote is required for the following actions.

44.1 (b) A majority of the appointed commissioners must approve rules and procedural
44.2 decisions.

44.3 (c) Election of the chair and vice-chair requires a two-thirds affirmative vote with at
44.4 least one commissioner identifying with the largest political party in the state, one
44.5 commissioner identifying with the second largest political party in the state, and one
44.6 commissioner identifying with no political party or with a political party that is not the
44.7 largest or second largest in the state.

44.8 (d) Adoption of the final plan for submission to the Minnesota Legislature and the
44.9 adoption of a revised plan after a plan is returned to the advisory commission from the
44.10 Minnesota Legislature requires the affirmative vote of two-thirds of commissioners with at
44.11 least one commissioner identifying with the largest political party in the state, one
44.12 commissioner identifying with the second largest political party in the state, and one
44.13 commissioner identifying with no political party or with a political party that is not the
44.14 largest or second largest in the state.

44.15 Subd. 13. **Duty to vote; abstaining.** (a) Commissioners present at a meeting shall vote
44.16 on every matter before the commission, unless otherwise excused or prohibited from voting
44.17 as follows:

44.18 (1) a commissioner may abstain from voting if the commissioner:

44.19 (i) has a conflict of interest, as set forth in subdivision 5, paragraph (a), or as defined by
44.20 law. An individual commissioner shall disclose the presence of a conflict of interest or raise
44.21 a potential conflict of interest when the agenda item is called, prior to the start of discussion
44.22 or deliberation. Should a conflict of interest become clear during the discussion, the
44.23 commissioner shall raise the existence of an actual or potential conflict at that time. An
44.24 individual commissioner may seek the opinion of the general counsel with experience and
44.25 expertise in the area of election law and voting rights on whether a conflict exists. This
44.26 opinion shall not be binding on the commission. The Citizens Advisory Redistricting
44.27 Commission shall decide, by majority vote of commissioners present, whether a conflict of
44.28 interest exists. A vote may be tabled, if necessary, to obtain the opinion of the general
44.29 counsel. A commissioner with a conflict of interest is prohibited from participating in any
44.30 discussion, debate, or decision on that issue; or

44.31 (ii) lacks sufficient information about the issue to be decided. If a commissioner abstains
44.32 for this reason, they shall state for the record their intention to abstain and the reasons for
44.33 doing so prior to the vote. The abstaining commissioner shall not be restricted or prohibited
44.34 from participating in any discussion or debate on the issue; and

45.1 (2) if any commissioner abstains from voting, a roll call vote shall be required on that
45.2 issue. The reasons for the abstention shall be entered into the minutes of the meeting at
45.3 which the vote is taken and be part of the official record.

45.4 (b) The right to vote is limited to the commissioners present at the time the vote is taken.
45.5 Voting by proxy is prohibited.

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

45.7 (d) Prior to calling for a vote, the chair shall state the question being voted upon.

45.8 Subd. 14. **Manner of voting.** Except as otherwise provided in these rules or by law,
45.9 voting shall be by a two-thirds affirmative vote using voice vote, roll call, or show of hands.
45.10 Roll call votes shall be taken when required in this section or by law, at the request of any
45.11 commissioner, or when the chair cannot determine the results of a voice vote.

45.12 Subd. 15. **Chair and vice-chair.** (a) The Citizens Advisory Redistricting Commission
45.13 must elect a chair and vice-chair from among its members by a vote under subdivision 12,
45.14 paragraph (c). The chair and vice-chair shall not self-identify as belonging to the same
45.15 political party.

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

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

45.19 (d) The chair shall:

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

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

45.23 (3) decide all questions arising under this parliamentary authority in consultation with
45.24 the general counsel, subject to appeal and reversal by a majority of the commissioners
45.25 present;

45.26 (4) enforce rules of procedure;

45.27 (5) perform any other administrative or agenda duties as directed by the advisory
45.28 commission;

45.29 (6) have all the same rights as other commissioners with respect to procedural matters,
45.30 debate, and voting except that the chair shall not vote on the appeal of a parliamentary ruling
45.31 by the chair;

46.1 (7) approve expenditures associated with the commission for any individual expenditure
46.2 in excess of \$5,000;

46.3 (8) when both the chair and vice-chair are absent, the chair may designate another of its
46.4 commissioners to serve as acting chair during such absence or disability; and

46.5 (9) establish committees and subcommittees by a majority vote of the commission with
46.6 the support of at least one vote from a member identifying with the largest political party
46.7 in the state, one vote from a member identifying with the second largest political party in
46.8 the state, and one vote from a member identifying with no political party or with a political
46.9 party that is not the largest or second largest in the state.

46.10 (e) The vice-chair shall perform the duties of the chair when the chair is unavailable,
46.11 except as otherwise provided by law. The vice-chair shall act in the capacity of the chair in
46.12 the chair's absence. The vice-chair shall help facilitate group discussion on items before the
46.13 advisory commission. The vice-chair is also responsible for other duties as designated by
46.14 the chair.

46.15 Subd. 16. **Secretary.** The executive director, or their designee, is secretary to the advisory
46.16 commission without vote, and in that capacity shall keep the official record of all proceedings
46.17 of the commission and furnish, under the direction of the commission, all technical services
46.18 that the commission deems necessary. The duties of the secretary shall also include:

46.19 (1) facilitating the process for the selection of commissioners pursuant to subdivision
46.20 2, paragraphs (e) to (p), and replacement of commissioners pursuant to subdivision 4,
46.21 paragraph (h);

46.22 (2) issuing a call convening the advisory commission by January 1st in the year of the
46.23 federal decennial census;

46.24 (3) publishing the redistricting plan for each type of district adopted under subdivision
46.25 25 within 30 days of the adoption of the plan. This publication shall include the plan and
46.26 the material reports, reference materials, and data used in drawing it, including any
46.27 programming information used to produce and test the plan. The published materials shall
46.28 be such that an independent person is able to replicate the conclusion without any
46.29 modification of any of the published materials;

46.30 (4) maintaining a public record of all proceedings of the advisory commission and
46.31 publishing and distributing each plan and required documentation. An adopted redistricting
46.32 plan shall become law upon submission to the secretary of state absent any legal action
46.33 resulting in a court finding constitutional violations and ordering new maps be drawn; and

47.1 (5) taking and maintaining minutes of all advisory commission meetings including votes
47.2 on all official actions taken at those meetings. All decisions of the commission shall be
47.3 recorded, and the record of its decisions shall be readily available to any member of the
47.4 public as required by law and shall be provided without charge.

47.5 Subd. 17. **Orientation and training.** (a) Orientation for members of the advisory
47.6 commission shall be coordinated by the Legislative Coordinating Commission.

47.7 (b) Commissioners shall receive nonpartisan orientation, ongoing education, and training
47.8 on the purposes and activities of the advisory commission. Information may be presented
47.9 in a manner most convenient or useful to the commission including the use of interactive
47.10 or subject-matter expert presentations. Training should include insights from other states
47.11 operating under advisory citizens commissions.

47.12 (c) Orientation shall be coordinated by nonpartisan Legislative Coordinating Commission
47.13 staff and must be completed within four weeks of the commission being formed.

47.14 Subd. 18. **Employment of personnel.** The advisory commission shall be compensated
47.15 as prescribed in law. The Legislative Coordination Commission must provide the commission
47.16 with the services of nonpartisan experts, consultants, and support staff, as necessary to carry
47.17 out its duties pursuant to this section.

47.18 Subd. 19. **Public hearings in diverse state regions.** (a) Prior to adopting a legislative
47.19 or congressional districting plan, the advisory commission must hold a minimum of 16
47.20 public hearings throughout the state, with at least eight hearings held before adopting
47.21 preliminary drafts of legislative or congressional district plans. The primary purpose of the
47.22 first eight public hearings is to request public input on how to define communities of interest
47.23 and to provide an opportunity for public comment from residents of that part of the state.
47.24 The commission must make reasonable efforts to schedule hearings in the evenings, on
47.25 weekends, and at other times that most residents of that region are able to attend.

47.26 (b) By February 15 of each year ending in one, the advisory commission must hold at
47.27 least eight public hearings in diverse regions of the state, including southern Minnesota,
47.28 central Minnesota, Northern Minnesota, and the Twin Cities Metro Area, before adopting
47.29 preliminary drafts of legislative or congressional district plans. The primary purpose of
47.30 these first public hearings in each location is to request advice on how to define communities
47.31 of interest and to provide an opportunity for public testimony from residents of that
47.32 community. The commission must make reasonable efforts to schedule hearings in the
47.33 evenings, on weekends, and at other times that most residents from that region are able to
47.34 attend.

48.1 (c) After completing the first round of public hearings to get public input on communities
48.2 of interest, the advisory commission must publish on its website preliminary drafts of the
48.3 legislative and congressional district plans. The commission also must publish the reports
48.4 for each preliminary draft prior to hearings discussing that draft. The advisory commission
48.5 must allow the public at least 14 days to submit comments to the commission after
48.6 publication. After those 14 days, the commission must then hold at least one additional
48.7 public hearing to allow for open public input and comment. Nonpartisan GIS experts,
48.8 consultants, and support staff shall be present to hear and consider public comment on the
48.9 proposed plans. The commission may require its general counsel to attend.

48.10 (d) The advisory commission must make reasonable efforts to allow the public to submit
48.11 written testimony prior to a hearing and make copies of that testimony available to all
48.12 commissioners and the public prior to and at the hearings.

48.13 Subd. 20. **Internal communications.** (a) The advisory commission may designate one
48.14 or more commission staff to communicate with commissioners regarding administrative
48.15 matters and may define the scope of the permitted communication. The designation must
48.16 be announced at the next public hearing following the designation.

48.17 (b) A commissioner must not direct, request, suggest, or recommend to staff an
48.18 interpretation of a districting principle or a change to a district boundary, except during an
48.19 open meeting of the commission. Communication between retained counsel and members
48.20 of the commission or the designated commission staff does not violate the provisions of
48.21 this section.

48.22 Subd. 21. **External communications.** (a) Except as provided in paragraph (b),
48.23 commissioners and staff must not communicate with anyone outside the commission
48.24 regarding the content of a plan, except at an open meeting of the commission or when
48.25 soliciting or receiving written communications regarding a plan that is the subject of a public
48.26 hearing.

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

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

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

48.32 (3) a report submitted under subdivision 5, paragraph (a), clause (11); and

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

49.1 Subd. 22. **Prohibitions on gifts and gratuities.** The advisory commission, individual
49.2 commissioners, staff, attorneys, experts, and consultants may not directly or indirectly solicit
49.3 or accept any gift or loan of money, goods, services, or other thing of value greater than \$5
49.4 for the benefit of any person or organization, which may influence the manner in which the
49.5 individual commissioner, staff, attorney, expert, or consultant performs their duties.

49.6 Subd. 23. **Reports of improper activity.** (a) Advisory commission staff shall report to
49.7 the commission any attempt to exert improper influence over the staff in drafting plans.

49.8 (b) A commissioner or commission staff shall report to the advisory commission chair
49.9 and vice-chair, any prohibited communication. The report must include a copy of a written
49.10 communication or a written summary of an oral communication.

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

49.16 Subd. 24. **Data used.** (a) The advisory commission shall use census data representing
49.17 the entire population of this state to draw congressional and legislative districts. Except
49.18 when required by law or for the purposes of drawing districts in compliance with provisions
49.19 of state or federal law, citizen voting age or citizen population, must not be used as the
49.20 method to calculate population equality. The commission may also consider demographic
49.21 trend data provided by the Minnesota state demographer and relevant election data.

49.22 (b) The advisory commission shall use population data that reflects incarcerated persons
49.23 at their last known residence before incarceration.

49.24 Subd. 25. **Deadlines.** (a) After completing the public hearings required by subdivision
49.25 19, but by May 1 of each year ending in one, the advisory commission shall submit plans
49.26 and its reports to the legislature for legislative and congressional districts. Each plan must
49.27 be accompanied by a report summarizing information and testimony received by the
49.28 redistricting commission in the course of the hearings and include any comments and
49.29 conclusions the advisory commission deems appropriate on the information and testimony
49.30 received at the hearings or otherwise presented. To submit a plan to the legislature, the
49.31 advisory commission must approve the plan by an affirmative vote of twelve members or
49.32 more, including at least one member identifying with the largest political party in the state,
49.33 one member identifying with the second largest political party in the state, and one member
49.34 identifying with no political party or with a political party that is not the largest or second

50.1 largest in the state. When the advisory commission approves a plan, the plan and its reports
50.2 must be published to the advisory commission's website.

50.3 (b) The legislature intends that a bill be introduced to enact each plan received from the
50.4 advisory commission and that the bill be brought to a vote within one week in either the
50.5 senate or the house of representatives under a procedure or rule permitting no amendment.
50.6 The legislature further intends that the bill be brought to a vote in the second house within
50.7 one week after final passage in the first house.

50.8 (c) If the secretary of the senate or chief clerk of the house of representatives notifies
50.9 the advisory commission that the first plan has failed, or the governor vetoes the first plan,
50.10 the commission shall submit a second plan within two weeks after it receives the notice. If
50.11 the legislature has adjourned the regular session in the year ending in one before the
50.12 commission submits a second plan, and no special session is called to consider the second
50.13 plan, then the commission must submit the second plan to the legislature at the opening of
50.14 its regular session in the year ending in two. The legislature intends that the second plan be
50.15 considered by the legislature under the same procedure provided for a first plan under
50.16 paragraph (b).

50.17 (d) If the secretary of the senate or the chief clerk of the house of representatives notifies
50.18 the advisory commission that a second plan has failed, or the governor vetoes a second plan,
50.19 the commission shall submit a third plan within two weeks after it receives the notice. If
50.20 the legislature has adjourned the regular session in the year ending in one, before the
50.21 commission submits a third plan, and there is no special session called to consider the third
50.22 plan, then the commission must submit the third plan to the legislature prior to the opening
50.23 of its regular session in the year ending in two. The legislature intends that the third plan
50.24 be considered by the legislature under the same procedure provided for the first and second
50.25 plans under paragraph (b) whether it is being considered during the regular or a special
50.26 session with the exception that amendments by the legislature may be proposed.

50.27 (e) If the advisory commission cannot reach an agreement on a plan for any reason, the
50.28 commission shall use the following procedure to adopt a plan for that type of district:

50.29 (1) each commissioner may submit one proposed plan for each type of district to the
50.30 full commission for consideration;

50.31 (2) each commissioner shall rank the plans submitted according to preference. Each plan
50.32 shall be assigned a point value inverse to its ranking among the number of choices, giving
50.33 the lowest ranked plan one point and the highest ranked plan a point value equal to the
50.34 number of plans submitted; and

51.1 (3) the advisory commission shall adopt the plan receiving the highest total points, that
51.2 is also ranked among the top half of plans by at least two commissioners not affiliated with
51.3 the party of the commissioner submitting the plan, or in the case of a plan submitted by
51.4 nonaffiliated commissioners, is ranked among the top half of plans by at least two
51.5 commissioners affiliated with a major party. If plans are tied for the highest point total, the
51.6 executive director shall by lottery select the final plan from those plans.

51.7 (f) If the legislature and governor have not approved a plan by October 1 of the year
51.8 ending in one, then the advisory commission must submit a map approved by the commission
51.9 to the Minnesota Supreme Court for review for adherence to state constitution and statutes.

51.10 (g) If the legislature and governor have neither rejected the commission plans three
51.11 times, nor approved the commission plans by the statutory required date for plan approval
51.12 as provided in section 204B.14, and the court has found the commission plan to meet all
51.13 legal requirements, then the court shall order implementation of the commission plan in the
51.14 absence of a legislative plan.

51.15 (h) Final approval of all plans, whether enacted by the legislature or as provided by court
51.16 order, must take place no later than the date provided in section 204B.14, subdivision 1a.

51.17 (i) Notwithstanding subdivision 30, the established advisory commission must complete
51.18 its activity by October 1 in each year ending in one. Upon final approval of the advisory
51.19 commission's adopted plan by the legislature and governor, the plan must be communicated
51.20 to the secretary of state. The plan becomes effective for the following election upon filing
51.21 with the secretary of state. The commission must also publish the adopted plans and the
51.22 related reports on the redistricting commission's website.

51.23 Subd. 26. **Activity and evaluation report.** Within 30 days of the enactment into law
51.24 or adoption by court order of both a legislative plan and a congressional plan, the advisory
51.25 commission must submit a report to the chief clerk of the house of representatives, the
51.26 secretary of the senate, the majority and minority leaders of each house of the legislature,
51.27 and the governor. At a minimum, the report must include a summary of the commission's
51.28 work, including the information required in subdivision 5, clause (15), and any recommended
51.29 changes to laws affecting redistricting. The report must also inform the legislature if the
51.30 commission determines that funds or other resources provided for the operation of the
51.31 commission were inadequate. A commissioner who voted against a redistricting plan may
51.32 submit a dissenting report, which shall be issued with the commission's report. The
51.33 commission must publish the report on its website.

52.1 Subd. 27. **Criminal liability as public officers.** Members of the advisory commission
 52.2 exercise the functions of a public officer for the purposes of sections 609.415 to 609.4751.

52.3 Subd. 28. **Data.** The advisory commission is subject to chapter 13, except that a plan is
 52.4 not public data until it has been submitted to the advisory commission for its consideration.

52.5 Subd. 29. **Lobbyist registration.** Action by the redistricting commission is administrative
 52.6 action for the purposes of section 10A.01, subdivisions 2 and 21.

52.7 Subd. 30. **Expiration.** (a) The advisory commission expires 45 days after:

52.8 (1) both a legislative and a congressional redistricting plan have been enacted into law
 52.9 or adopted by court order; and

52.10 (2) any legal challenges to the plans have been resolved.

52.11 (b) If a court enjoins the use of a plan after the advisory commission expires, the court
 52.12 enjoining the plan may direct a new commission to be appointed under this section to draft
 52.13 a remedial plan for presentation to the legislature in accordance with deadlines established
 52.14 by the court's order.

52.15 Sec. 3. **[2A.32] REDISTRICTING PRINCIPLES.**

52.16 Subdivision 1. **Districting principles.** The prohibitions and principles in this section
 52.17 apply to both legislative and congressional districts.

52.18 Subd. 2. **Prohibitions** (a) Districts must not be drawn to violate the Fourteenth and
 52.19 Fifteenth Amendments of the United States Constitution or the Voting Rights Act of 1965,
 52.20 as amended.

52.21 (b) Districts must not be drawn to purposefully favor or disfavor a candidate or incumbent.

52.22 (c) Districts must not be drawn using voter registration, voter turnout, voting history, or
 52.23 party preference, including participation in the presidential nominating primary, general
 52.24 election, voting patterns, and primary voting patterns, except for the purposes of verifying
 52.25 the compliance of maps with the requirements of this section and of issuing the reports
 52.26 required by section 2A.23.

52.27 (d) Districts must not be drawn using the location of incumbents' or candidates' residences.

52.28 (e) Districts must not be drawn using data subject to reporting or regulation under chapter
 52.29 10A; section 201.091, subdivision 4a; United States Code, title 52, subtitle III; or United
 52.30 States Code, title 26, subtitle H.

53.1 (f) Districts must not be drawn with the effect of unduly favoring or disfavoring any
53.2 political party. Districts shall be subjected to a test of partisan fairness using the standard
53.3 of proportionality as the benchmark for fairness. Using four recent statewide elections, any
53.4 proposed Congressional or legislative plan must be close to achieving major-party seat share
53.5 proportional to the corresponding share of the popular vote in at least three out of the four
53.6 contests. The standard of closeness is one seat for Congressional contests and seven
53.7 percentage points for legislative contests. If a plan fails to meet this standard, it triggers a
53.8 rebuttable presumption of excessive partisan advantage. This may be rebutted if a court
53.9 determines that the degree of disproportionality was necessary in order to reasonably balance
53.10 the rules and criteria in effect for redistricting.

53.11 Subd. 3. **Priority of principles.** Districts must be drawn in accordance with the principles
53.12 in this section. If districts cannot be drawn fully in accordance with the principles, a
53.13 districting plan must give priority to those principles in the order in which they are listed,
53.14 except when doing so would violate federal or state law.

53.15 Subd. 4. **Population equality.** (a) Each congressional district must be as nearly equal
53.16 in population as practicable.

53.17 (b) Each legislative district must be substantially equal in population. The population
53.18 of a legislative district must not deviate by more than plus or minus five percent from the
53.19 population of the ideal district.

53.20 Subd. 5. **Minority representation.** (a) Districts must not dilute or diminish the equal
53.21 opportunity of racial, ethnic, and language minorities to participate in the political process
53.22 and to elect candidates of their choice, whether alone or in coalition with others.

53.23 (b) Districts must provide racial minorities and language minorities who constitute less
53.24 than a voting-age majority of a district with an equal opportunity to substantially influence
53.25 the outcome of an election.

53.26 Subd. 6. **Preservation of Native Nations.** The reservation lands of a federally recognized
53.27 Native Nation must be preserved to the extent practicable. Discontiguous portions of a
53.28 federally recognized Native Nation's reservation lands must be included in the same district,
53.29 and must not be divided more than necessary to meet constitutional requirements.

53.30 Subd. 7. **Communities of interest.** Districts must minimize the division of identifiable
53.31 communities of interest. A community of interest may include a racial, ethnic, or linguistic
53.32 group or any group with shared experiences and concerns, including but not limited to
53.33 geographic, governmental, regional, social, cultural, historic, socioeconomic, occupational,

54.1 trade, environmental, or transportation interests. Communities of interest shall not include
54.2 relationships with political parties, incumbents, or candidates.

54.3 Subd. 8. **Convenience and contiguity.** Each district must be convenient and contiguous.
54.4 A district is convenient if it allows reasonable ease of travel within the district. Contiguity
54.5 by water is sufficient if the water is not a serious obstacle to travel within the district. A
54.6 district with areas that touch only at a point is not contiguous.

54.7 Subd. 9. **Nesting.** A representative district must not be divided in the formation of a
54.8 senate district.

54.9 Subd. 10. **Political subdivisions.** Districts must minimize the division of counties, cities,
54.10 towns except when (1) the division occurs because a portion of a city or town is not
54.11 contiguous with another portion of the same city or town, or (2) despite the division, the
54.12 known population of any affected county, city, or town, remains wholly located within a
54.13 single district.

54.14 Subd. 11. **Compactness.** Districts must be reasonably compact. More than one measure
54.15 must be used to evaluate compactness of districts.

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

54.19 Subd. 13. **Numbering.** (a) Congressional district numbers must begin with district one
54.20 in the southeast corner of the state and end with the district with the highest number in the
54.21 northeast corner of the state.

54.22 (b) Legislative districts must be numbered in a regular series, beginning with house of
54.23 representatives district 1A in the northwest corner of the state and proceeding across the
54.24 state from west to east, north to south. In a county that includes more than one whole senate
54.25 district, the districts must be numbered consecutively.

54.26 Subd. 14. **Additional principles.** The advisory commission established in section 2A.20
54.27 may adopt additional principles by a two-thirds vote, but the additional principles must not
54.28 be prioritized above the principles in the Constitution of Minnesota or in this section.

54.29 Subd. 15. **Severability.** The provisions of this section are severable. If any provision of
54.30 this section or its application is held to be invalid, that invalidity shall not affect other
54.31 provisions of this section, which shall be given the maximum possible effect in the absence
54.32 of the invalid provision.

55.1 Sec. 4. **[2A.33] LEGISLATIVE COORDINATING COMMISSION;**
55.2 **REDISTRICTING .**

55.3 **Subdivision 1. Administrative and professional support.** The Legislative Coordinating
55.4 Commission shall provide administrative, professional, and support services to the
55.5 commission established in section 2A.31. The responsibilities assigned to the Legislative
55.6 Coordinating Commission executive director may be implemented through a process or
55.7 delegation to an individual responsible to the executive director to carry out the assigned
55.8 activities.

55.9 **Subd. 2. Data used.** (a) The geographic areas and population counts used in maps, tables,
55.10 and legal descriptions of legislative and congressional districts considered by the legislature
55.11 and the redistricting commission must be those used by the GIS Office. The population
55.12 counts shall be the block population counts provided to the state under Public Law 94-171
55.13 after each decennial census, subject to correction of any errors acknowledged by the United
55.14 States Census Bureau.

55.15 (b) Nothing in this subdivision prohibits the use of additional data, except as provided
55.16 by sections 2A.31 and 2A.32.

55.17 (c) The GIS Office must make this data available to the public on the GIS Office's
55.18 website.

55.19 **Subd. 3. Publication; consideration of plans.** A plan must not be finalized until the
55.20 plan's block equivalency file has been submitted to the GIS Office in a form prescribed by
55.21 the GIS Office. The block equivalency file must show the district to which each census
55.22 block has been assigned. The GIS Office shall publish each plan submitted to it on the GIS
55.23 Office website.

55.24 **Subd. 4. Reports.** Publication of a plan shall include the reports described as follows:

55.25 (1) a population equality report that lists each district in the plan, its population as the
55.26 total number of persons, and deviations from the ideal as both the number of persons and
55.27 as a percentage of the population. The report must also show the populations of the largest
55.28 and smallest districts and the overall range of deviations of districts;

55.29 (2) a minority voting-age population report that lists for each district the voting age
55.30 population of each racial, ethnic, or language minority and the total minority voting age
55.31 population, according to the categories recommended by the United States Department of
55.32 Justice. The report must also specify each district with 30 percent or more total minority
55.33 population;

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

56.3 (4) if a plan preserves a community of interest, a communities of interest report that
 56.4 includes maps of the plan with a layer identifying the census blocks within each preserved
 56.5 community of interest and includes a description of the research process used to identify
 56.6 each community of interest. The report must also list each district to which a community
 56.7 of interest has been assigned, the number of communities of interest that are split, and the
 56.8 number of times communities of interest were split;

56.9 (5) a political subdivision and Native Nation reservation splits report that lists each split
 56.10 of a county, city, township, federally recognized Native Nation reservation, unorganized
 56.11 territory, and precinct, and the district to which each portion of a split division is assigned.
 56.12 The report also must show the number of subdivisions split and the number of times a
 56.13 subdivision is split;

56.14 (6) a plan components report that lists for each district the names and populations of the
 56.15 counties within it and, if a county is split between or among districts, the names and
 56.16 populations of the portion of the split county and each of the split county's whole or partial
 56.17 cities, townships, unorganized territories, and precincts within each district;

56.18 (7) a measures of compactness report that lists for each district the results of the multiple
 56.19 measures of compactness, including but not limited to Reock, Polsby-Popper, Minimum
 56.20 Convex Hull, Population Polygon, Population Circle, Ehrenburg, Perimeter, and
 56.21 Length-Width measures. The report must also state for each district the sum of the district's
 56.22 perimeter and the mean of the measurements. The report may list additional tests of
 56.23 compactness that are accepted in political science and statistics literature; and

56.24 (8) a partisanship report that lists multiple measures of partisan symmetry. The report
 56.25 may list additional tests of partisan bias that are accepted in political science and statistics
 56.26 literature.

56.27 **Sec. 5. [204B.136] REDISTRICTING OF LOCAL ELECTION DISTRICTS.**

56.28 Subdivision 1. Redistricting principles. The principles provided in section 2A.32 must
 56.29 be applied to the redistricting of:

56.30 (1) county commissioner districts, park districts, and soil and water conservation
 56.31 supervisor districts in counties with a population greater than 100,000;

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

57.1 (3) Metropolitan Council districts.

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

57.5 Sec. 6. **APPROPRIATIONS; LEGISLATIVE COORDINATING COMMISSION.**

57.6 \$..... in fiscal year and \$..... in fiscal year are appropriated from the general fund
57.7 to the Legislative Coordinating Commission for costs associated with implementation of
57.8 this act, including costs to support the redistricting commission established in Minnesota
57.9 Statutes, chapter 2A. These are onetime appropriations.

57.10 Sec. 7. **REPEALER.**

57.11 Minnesota Statutes 2022, section 2.91, subdivision 1, is repealed.

57.12 Sec. 8. **EFFECTIVE DATE.**

57.13 This article is effective January 1, 2025, if the constitutional amendment proposed in
57.14 article 1 is not ratified.

2.91 REDISTRICTING PLANS.

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

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