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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4598

- 03/07/2024 Authored by Long, Greenman, Freiberg, Pursell, Agbaje 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: Amended and re-referred to the Committee on State and Local Government Finance and Policy

1.1 A bill for an act

1.2 relating to the legislature; proposing an amendment to the Minnesota Constitution,

1.3 article IV, sections 3, 5, and 12; by adding an article XV; establishing an

1.4 Independent Redistricting Commission; establishing a Redistricting Commission

1.5 Applicant Review Panel; establishing principles to be used in adopting legislative

1.6 and congressional districts; prohibiting members of the legislature from being

1.7 employed or engaged for compensation as a lobbyist for a period of one year

1.8 following the end of their legislative service; amending requirements related to

1.9 the convening and conduct of regular legislative sessions; amending Minnesota

1.10 Statutes 2022, sections 2.031, by adding a subdivision; 2.731; 10A.01, subdivision

1.11 35; proposing coding for new law in Minnesota Statutes, chapters 2; 2A; repealing

1.12 Minnesota Statutes 2022, section 2.91.

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

1.14 **ARTICLE 1**

1.15 **CONSTITUTIONAL AMENDMENTS; INDEPENDENT REDISTRICTING**

1.16 **COMMISSION**

1.17 Section 1. **CONSTITUTIONAL AMENDMENTS PROPOSED.**

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

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

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

1.21 ~~by the authority of the United States, the legislature shall have the power to prescribe the~~

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

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

1.24 of a senate district. The senate districts shall be numbered in a regular series. A senate

1.25 district must consist of two whole representative districts, labeled "A" and "B," respectively.

1.26 Article IV, section 5, will read:

2.1 Sec. 5. No senator or representative shall hold any other office under the authority of
2.2 the United States or the state of Minnesota, except that of postmaster or of notary public.
2.3 If elected or appointed to another office, a legislator may resign from the legislature by
2.4 tendering his resignation to the governor.

2.5 No senator or representative may be employed as a lobbyist, or otherwise receive
2.6 compensation for services as a lobbyist, while seated in the legislature and for a period of
2.7 one year following the end of the senator or representative's legislative service. "Lobbyist"
2.8 shall be defined by law.

2.9 Article IV, section 12, will read:

2.10 Sec. 12. The legislature shall meet at the seat of government in regular session in each
2.11 biennium at the times prescribed by law ~~for not exceeding a total of 120 legislative days.~~
2.12 ~~The legislature shall not meet in regular session, nor in any adjournment thereof, after the~~
2.13 ~~first Monday following the third Saturday in May of any year.~~ After meeting at a time
2.14 prescribed by law, the legislature may adjourn to another time. "Legislative day" shall be
2.15 defined by law. A special session of the legislature may be called by the governor on
2.16 extraordinary occasions.

2.17 Neither house during a session of the legislature shall adjourn for more than three days
2.18 (Sundays excepted) nor to any other place than that in which the two houses shall be
2.19 assembled ~~without the consent of the other house~~ except upon notice by message to the
2.20 other house.

2.21 Article XV shall be added to read:

2.22 ARTICLE XV

2.23 INDEPENDENT REDISTRICTING COMMISSION

2.24 Section 1. By December 31, 2031, and each year following a federal decennial census
2.25 thereafter, an Independent Redistricting Commission shall adopt boundaries of congressional
2.26 and legislative districts. The commission is established within the legislative department
2.27 and consists of the following members:

2.28 (1) five members who support the first political party;

2.29 (2) five members who support the second political party; and

2.30 (3) five members who do not affiliate with either the first political party or the second
2.31 political party.

3.1 For purposes of this constitution and any subsequent enabling law, the "first political
3.2 party" means the political party receiving the highest number of combined votes for state
3.3 constitutional offices and United States Senate during the period since a statewide legislative
3.4 district plan was last ordered or adopted, aggregated across all elections conducted during
3.5 that period; and the "second political party" means the political party receiving the
3.6 second-highest number of combined votes for state constitutional offices and United States
3.7 Senate during the period since a statewide legislative district plan was last ordered or adopted,
3.8 aggregated across all elections conducted during that period.

3.9 Sec. 2. A commission member must be a resident of Minnesota, have continuously
3.10 resided in Minnesota during the current year and the immediately preceding six years, and
3.11 be eligible to vote in Minnesota.

3.12 The following individuals are ineligible to serve on the Independent Redistricting
3.13 Commission, on the Redistricting Commission Applicant Screening Panel, or as
3.14 administrative, professional, or technical staff or consultants to either the commission or
3.15 screening panel:

3.16 (1) current federal, state, or local elected officials, and their immediate family members;

3.17 (2) current appointed officials who are defined by law as public officials, and their
3.18 immediate family members;

3.19 (3) individuals who have served in any federal, state, or local elected office or appointed
3.20 position defined by law as a public official in Minnesota during the current year and
3.21 immediately preceding six years, and their immediate family members;

3.22 (4) individuals who have been a candidate for any federal, state, or local elective office
3.23 in Minnesota during the current year and the immediately preceding six years, and their
3.24 immediate family members;

3.25 (5) individuals who have served as an officer, paid consultant, or contractor to any
3.26 political party, political action committee, or campaign committee at the federal, state, or
3.27 local level for any period during the current year or the immediately preceding six years,
3.28 and their immediate family members;

3.29 (6) individuals who have served as a staff member, paid consultant, or contractor for
3.30 any elected official or candidate for any federal, state, or local office for any period during
3.31 the current year and the immediately preceding six years, and their immediate family
3.32 members; and

4.1 (7) individuals who have been a lobbyist registered with the state of Minnesota or the
4.2 federal government for any period during the current year and the immediately preceding
4.3 six years, and their immediate family members.

4.4 Sec. 3. No later than January 1 of the year of a decennial census, the chief justice of the
4.5 supreme court must appoint two retired judges who served a federal, state, or Tribal court
4.6 of jurisdiction in Minnesota to a Redistricting Commission Applicant Screening Panel. One
4.7 of these appointees must support the first political party, and one of these appointees must
4.8 support the second political party. The two appointees of the chief justice must mutually
4.9 agree on one additional retired federal, state, or Tribal court judge who is not affiliated with
4.10 either the first political party or the second political party, to serve as the third member of
4.11 the panel and as its chair. Each member of the panel must commit to conduct the work of
4.12 the panel in a fair and impartial manner, and must not attempt to create an advantage in the
4.13 applicant screening process for any political party. The purpose of the Redistricting
4.14 Commission Applicant Screening Panel is to solicit applications from members of the public
4.15 for service on the Independent Redistricting Commission, to review applications to determine
4.16 each applicant's qualifications, conflicts of interest, party affiliation, relevant experiences
4.17 and skills, community ties, and commitment to impartiality, compromise, and fairness, and
4.18 to establish pools of well-qualified candidates to be used in selecting commission members
4.19 by random lot.

4.20 No later than July 1 of the year of a decennial census, the screening panel must close
4.21 the application period and select, by majority vote of the panel, a pool of 30 qualified
4.22 applicants to serve in the role of a commission member supporting the first political party;
4.23 a pool of 30 qualified applicants to serve in the role of a commission member supporting
4.24 the second political party; and a pool of 30 qualified applicants to serve in the role of a
4.25 commission member who does not affiliate with either the first political party or the second
4.26 political party. To the extent practicable, the screening panel must ensure that each applicant
4.27 pool consists of well-qualified applicants and reflects the gender, socioeconomic, age, racial,
4.28 language, ethnic, and geographic diversity of the state. Each congressional district must be
4.29 represented by at least two applicants in each applicant pool. The panel must make public
4.30 the name, the current place of residence, and the partisan affiliation, if any, of each person
4.31 selected for an applicant pool. The panel must make this information available on its website
4.32 and provide a portal for the submission of public comments on each applicant. Submitted
4.33 comments may only be viewed by the panel's members. The panel must itself, or by contract
4.34 with a professional search firm, conduct and publicly broadcast individual screening
4.35 interviews with the applicants identified in each pool. The purpose of the screening interview

5.1 must be to examine the applicant's qualifications, conflicts of interest, party affiliation,
5.2 relevant experiences and skills, community ties, and commitment to impartiality, compromise,
5.3 and fairness.

5.4 After reviewing the public comments and conducting interviews, but no later than
5.5 September 15 of the year of a decennial census, the screening panel must select and publish
5.6 a list of finalists who are well-qualified and collectively reflect a geographically and
5.7 demographically representative cross section of the state. The list of finalists must include
5.8 15 applicants who support the first political party, 15 applicants who support the second
5.9 political party, and 15 applicants who do not affiliate with either the first or second political
5.10 party.

5.11 No later than October 15 of the year of a decennial census, the chair of the screening
5.12 panel must choose, by random lot in a public meeting, three applicants from the pool of 15
5.13 finalists supporting the first political party, three applicants from the pool of 15 finalists
5.14 supporting the second political party, and three applicants from the pool of 15 finalists that
5.15 do not affiliate with either the first political party or the second political party. The chosen
5.16 applicants shall be seated as members of the Independent Redistricting Commission. The
5.17 chair of the screening panel must convene the first meeting of the commission no later than
5.18 30 days after the members chosen by random lot have been selected. No later than 60 days
5.19 following its first meeting, the seated Independent Redistricting Commission members must
5.20 convene and assess the demographic and geographic diversity of the nine members and
5.21 must review and select, by majority vote, a total of six additional members, two members
5.22 from each of the pools of applicants selected by the Redistricting Commission Applicant
5.23 Screening Panel to be seated. The six additional members shall be chosen to ensure the
5.24 commission reflects this state's diversity, including but not limited to racial, ethnic,
5.25 geographic, and gender diversity. It is not intended that formulas or specific ratios be applied
5.26 for this purpose. At least one member of the commission supporting the first party and one
5.27 member for the commission supporting the second party must vote in favor of each member
5.28 seated from the pool of applicants that do not affiliate with either the first political party or
5.29 the second political party. In the event of an impasse, the chair of the Redistricting
5.30 Commission Applicant Screening Panel must choose any remaining members by lot from
5.31 among the applicable pool of applicants established by the panel. The Independent
5.32 Redistricting Commission may not conduct further business until all commission members
5.33 have been chosen and seated.

5.34 A member of the commission may be removed, for cause, by a vote of 12 members,
5.35 including the affirmative vote of at least one member supporting the first political party,

6.1 one member supporting the second political party, and one member that is not affiliated
6.2 with either the first or second political party. Standards for removal and the ethical conduct
6.3 of commission members may be further provided by law. The chief justice of the supreme
6.4 court must fill a vacancy on the commission by random lot, from among the pool of
6.5 applicants selected by the screening panel that corresponds to the party affiliation of the
6.6 vacating member. The selection process must be open for public viewing.

6.7 A commission member may not be seated as a member of the house of representatives
6.8 or the senate during any year in which a district map adopted by the commission on which
6.9 the member served is in effect.

6.10 Sec. 4. The commission must elect a chair, vice-chair, and other officers from among
6.11 its members. A quorum of the commission is nine members.

6.12 The commission must adopt a schedule of public hearings and other hearing and
6.13 administrative procedures to guide the conduct of its work. The schedule and procedures
6.14 must be designed in favor of transparency, and to maximize opportunities for public
6.15 participation and public comment on the commission's work. The commission must solicit
6.16 public comment on the locations to be used for public hearings before a schedule is adopted.

6.17 The commission must solicit public comment on its map drawing process, its methods
6.18 of applying the required principles, and on the maps proposed by commission members. It
6.19 must also provide opportunities for members of the public to submit proposed maps and
6.20 proposed methods of applying the required principles and allow opportunities in a public
6.21 meeting for other members of the public to review and comment on those proposed maps
6.22 and methods of applying the required principles.

6.23 Consistent with available technology, the commission must provide opportunities for
6.24 the public to view and participate in commission meetings by electronic means, and to
6.25 access the work of the commission in multiple languages.

6.26 A redistricting plan must not be adopted unless the commission has conducted at least
6.27 two public hearings in each congressional district at which an opportunity for public comment
6.28 is provided, including one public hearing before any map is drawn, and one public hearing
6.29 after a proposed map is made public. To be adopted, a redistricting plan must be approved
6.30 in a public meeting by at least nine members, including at least two who support the first
6.31 political party, two who support the second political party, and one who does not affiliate
6.32 with either the first or second political parties. A vote on a final redistricting plan may not
6.33 occur unless the final plan has been publicly posted for at least 14 days. At a meeting where
6.34 a redistricting plan is proposed for final adoption, the commission may only amend the plan

7.1 for the purpose of making technical corrections. The meaning of a technical correction, and
7.2 procedures for adopting technical corrections after the commission has expired, may be
7.3 provided by law.

7.4 The commission must adopt a final redistricting plan no later than December 31 of the
7.5 year following a decennial census. Each adopted plan, along with a report summarizing the
7.6 commission's work on the plan, how it responds to public input received by the commission,
7.7 and how it adheres to the requirements of this constitution and other applicable law, must
7.8 be filed with the secretary of state no later than seven days following its adoption.

7.9 The commission must hire necessary administrative, professional, and technical staff to
7.10 assist the commission in its work. Any staff employed by the commission must report to
7.11 the commission and owe a duty of care and duty of loyalty to the commission as a whole.
7.12 Staff must be screened for potential biases or conflicts of interest and must demonstrate the
7.13 necessary experience, expertise, and skills in the conduct of redistricting.

7.14 A redistricting plan adopted by the commission is effective beginning at the state general
7.15 election held the second year following the federal decennial census and thereafter, until
7.16 new district plans are adopted. The commission expires when both legislative and
7.17 congressional redistricting plans have been adopted and filed with the secretary of state,
7.18 but may be reconstituted as required by this constitution.

7.19 Sec. 5. Congressional and legislative districts must be drawn in accordance with the
7.20 principles listed in this section. If districts cannot be drawn fully in accordance with all
7.21 principles, priority must be given to the principles in the order in which they are listed,
7.22 except when doing so would violate federal law, including requirements of the United States
7.23 Constitution and the federal Voting Rights Act of 1965, as amended.

7.24 Each congressional district must be as nearly equal in total population as practicable.
7.25 Each legislative district must be substantially equal in total population. The maximum
7.26 permissible deviation for a legislative district is three percent, plus or minus, from the total
7.27 population of the ideal district. The population counts used for purposes of drawing district
7.28 maps must be the block population counts provided to the state under Public Law 94-171,
7.29 or a successor law, after each decennial census, subject to the correction of any errors
7.30 acknowledged by the United States Census Bureau, and as adjusted to allocate each person
7.31 incarcerated in a state or federal correctional facility to the census block of the person's last
7.32 known address, if the person has a last known address in Minnesota, and to exclude
7.33 incarcerated persons whose last known address is not located in Minnesota or who do not

8.1 have a last known address. The legislature may provide procedures by law for the conduct
8.2 of these allocations and exclusions.

8.3 Districts must provide, at a minimum:

8.4 (1) the equal opportunity of racial, ethnic, and language minorities to participate in the
8.5 political process and to elect candidates of their choice, whether alone or in coalition with
8.6 others; and

8.7 (2) sizable racial, ethnic, and language minorities who constitute less than a voting-age
8.8 majority of a district with an opportunity to substantially influence the outcome of an election.

8.9 Federally recognized American Indian Tribal reservations may only be divided if:

8.10 (1) the division occurs because a portion of the reservation is not contiguous with another
8.11 portion of the reservation; or

8.12 (2) despite the division, the known population of the reservation remains wholly located
8.13 within a single district.

8.14 Districts must minimize the division of identifiable communities of interest. A community
8.15 of interest may include a racial, ethnic, or linguistic group or any group with shared
8.16 experiences or concerns, including but not limited to geographic, regional, social, cultural,
8.17 historic, socioeconomic, occupational, trade, or transportation interests. Communities of
8.18 interest do not include relationships with political parties, incumbents, or candidates. A
8.19 political subdivision is not, by itself, a community of interest. Where communities of interest
8.20 overlap, greater consideration must be given to those communities of interest whose
8.21 representational needs would be most benefited from the community's inclusion in a single
8.22 district.

8.23 Each district must be contiguous. Contiguity by water is sufficient if the water is not a
8.24 serious obstacle to travel within the district. A district with areas that touch only at a point
8.25 is not contiguous.

8.26 Districts must minimize the division of counties, cities, school districts, and towns to
8.27 the extent practicable.

8.28 Sec. 6. A redistricting plan must not purposely favor or disfavor a candidate or
8.29 incumbent. The statewide proportion of districts in each redistricting plan that favor a
8.30 political party must correspond closely to the statewide partisan preferences for the voters
8.31 of Minnesota for that party.

9.1 The statewide proportion of districts in each redistricting plan that favor a political party
9.2 must be determined by:

9.3 (1) calculating the number of districts in the redistricting plan that would have been won
9.4 by the candidates representing the first political party and the second political party using
9.5 the two-party vote in each statewide partisan general election held in the preceding six years
9.6 for which precinct-level data is available;

9.7 (2) dividing each of these numbers by the total number of districts in the redistricting
9.8 plan to obtain the proportion of districts in the redistricting plan that would have been won
9.9 by candidates representing the first political party and the second political party in each
9.10 general election; and

9.11 (3) calculating the median of these proportions for each political party.

9.12 The statewide partisan preferences of the voters of Minnesota must be determined by:

9.13 (1) calculating the proportion of the statewide two-party vote received by the candidates
9.14 representing the first political party and the second political party in each statewide partisan
9.15 general election held in the preceding six years for which precinct-level data is available;
9.16 and

9.17 (2) calculating the median of these proportions for each political party.

9.18 To "correspond closely" means that the statewide proportion of districts in each
9.19 redistricting plan that favor each political party deviates by no more than three percentage
9.20 points in either direction, or if this is arithmetically impossible, by the smallest possible
9.21 proportion that is larger than three percentage points, from the statewide partisan preferences
9.22 of the voters of Minnesota.

9.23 Sec. 7. If the Independent Redistricting Commission fails to adopt a final redistricting
9.24 plan by December 31 of the year following a decennial census, each member of the
9.25 commission may submit, within five business days, no more than one proposed redistricting
9.26 plan for each redistricting plan that is the subject of impasse for a total vote runoff process.
9.27 Each commissioner must rank all submitted redistricting plans in decreasing order of
9.28 preference. The submitted redistricting plan that wins a total vote runoff shall be the final
9.29 adopted redistricting plan. The chair of the commission must conduct the total vote runoff
9.30 process and select the final redistricting plan in a public meeting. In the event of a tie, the
9.31 chair must select, by lot, the final redistricting plan from among the tied plans, in the same
9.32 public meeting.

10.1 Sec. 8. The supreme court shall have exclusive, original jurisdiction in all cases alleging
10.2 that a redistricting plan adopted by the commission fails to comply with this article or other
10.3 applicable law. The commission shall have exclusive standing to defend any action
10.4 challenging the adoption of a redistricting plan, and notwithstanding its expiration, may
10.5 reconstitute itself under its own authority for this purpose.

10.6 If the supreme court or other court of jurisdiction determines that an adopted redistricting
10.7 plan does not comply with the requirements of this article or other applicable law, the
10.8 commission may be reconstituted by court order, or may reconstitute itself under its own
10.9 authority, for the purpose of adopting a compliant plan. The membership of the reconstituted
10.10 commission must be the same membership that adopted the noncompliant plan, subject to
10.11 the filling of vacancies as provided in this article. If, after the commission has been
10.12 reconstituted, the court finds that a newly adopted redistricting plan does not comply with
10.13 the requirements of this article, the court may order other appropriate relief, including
10.14 drawing and ordering new districts under its own authority. A redistricting plan ordered by
10.15 the supreme court must conform to the requirements of sections 5 and 6.

10.16 Sec. 9. The legislature must provide appropriations by law to sufficiently fund the work
10.17 of the Independent Redistricting Commission and the Redistricting Commission Applicant
10.18 Screening Panel, including necessary amounts for administrative, professional, and technical
10.19 services; litigation costs; and other reasonable expenses. Notwithstanding article XI, if
10.20 sufficient funds are not appropriated by law, the supreme court may order that money be
10.21 paid out of the state treasury for this purpose.

10.22 Sec. 10. If any provision of this article, or a subsequent enabling law, is found to be
10.23 unconstitutional and void, the remaining provisions of this article or the subsequent enabling
10.24 law remain valid, unless the court finds the valid provisions are so essentially and inseparably
10.25 connected with, and dependent upon, the void provisions that the court cannot presume the
10.26 remaining valid provisions would have been enacted without the void one, or unless the
10.27 court finds that the remaining valid provisions, standing alone, are incomplete and incapable
10.28 of being executed in accordance with their intent.

10.29 Sec. 2. **SUBMISSION TO VOTERS.**

10.30 (a) The proposed amendment must be submitted to the people at the 2024 general election.
10.31 The question submitted must be:

10.32 "Shall the Minnesota Constitution be amended to require an independent redistricting
10.33 commission to adopt boundaries for congressional and legislative districts following a
10.34 decennial census; to prohibit members of the legislature from serving as lobbyists while in

11.1 office and for a period of one year after leaving office; and to amend requirements related
11.2 to the timing and process for convening regular legislative sessions?

11.3 Yes

11.4 No "

11.5 (b) The ballot question title required under Minnesota Statutes, section 204D.15,
11.6 subdivision 1, must be "Conflict of Interest - Legislative Reform."

11.7 **ARTICLE 2**

11.8 **INDEPENDENT REDISTRICTING COMMISSION; STATUTORY**
11.9 **IMPLEMENTATION**

11.10 Section 1. Minnesota Statutes 2022, section 2.031, is amended by adding a subdivision
11.11 to read:

11.12 Subd. 3. **Numbering.** Legislative districts must be numbered in a regular series, beginning
11.13 with House of Representatives District 1A in the northwest corner of the state and proceeding
11.14 across the state from west to east, north to south. In a county that includes more than one
11.15 whole senate district, the districts must be numbered consecutively.

11.16 **EFFECTIVE DATE.** This section is effective January 1, 2030, if the constitutional
11.17 amendments in article 1 are adopted.

11.18 Sec. 2. Minnesota Statutes 2022, section 2.731, is amended to read:

11.19 **2.731 NUMBER OF DISTRICTS.**

11.20 The state of Minnesota is divided into eight congressional districts, each of which is
11.21 entitled to elect one representative to the Congress of the United States of America.
11.22 Congressional district numbers must begin with the first district in the southeast corner of
11.23 the state and end with the district with the highest number in the northeast corner of the
11.24 state.

11.25 **EFFECTIVE DATE.** This section is effective January 1, 2030, if the constitutional
11.26 amendments in article 1 are adopted.

11.27 Sec. 3. **[2.94] REDISTRICTING COMMISSION APPLICANT SCREENING PANEL.**

11.28 Subdivision 1. **Application.** This section establishes and implements the Redistricting
11.29 Applicant Screening Panel consistent with article XV of the Minnesota Constitution. Except
11.30 where otherwise provided, the terms used in this section are defined consistently with those
11.31 as used in the Minnesota Constitution, article XV.

12.1 Subd. 2. **Appointments; first meeting; compensation.** (a) No later than January 1 of
12.2 the year of a decennial census, the chief justice of the supreme court must appoint two
12.3 retired federal or state judges to serve on the Redistricting Commission Applicant Screening
12.4 Panel. The chief justice must designate one of the retired judges to convene the panel's first
12.5 meeting. The first meeting must be convened no later than February 15 of the year of a
12.6 decennial census. No later than March 1 of that year, the two appointees must agree on a
12.7 third retired federal or state judge to complete the panel's membership.

12.8 (b) Members of the panel may be compensated and receive expense reimbursement as
12.9 provided by section 15.0575, subdivision 3.

12.10 Subd. 3. **Ethics; conflicts of interest; ex parte communications.** (a) Members of the
12.11 panel are public officials for purposes of chapter 10A. In addition to the prohibitions in
12.12 section 10A.071, a member of the panel may not accept a gift as defined in that section
12.13 from a member of the legislature, a member of Congress, or a staff member to a member
12.14 of the legislature or Congress.

12.15 (b) Members of the panel may not communicate with a member of the legislature, a
12.16 member of Congress, or a staff member to a member of the legislature or Congress about
12.17 the panel's work.

12.18 (c) The prohibitions in this subdivision apply during the period beginning at the time of
12.19 the panel member's appointment and until the panel member has completed the panel
12.20 member's work. A member of the legislature, a member of Congress, or a staff member to
12.21 a member of the legislature or Congress must not give a gift, promise a future gift, or engage
12.22 in communication that a panel member is prohibited from receiving under this subdivision,
12.23 and must not request another person to give a gift, promise a future gift, or engage in
12.24 communication with a panel member, directly or indirectly, in an attempt to circumvent the
12.25 prohibitions of this subdivision.

12.26 Subd. 4. **Outreach and solicitation of applications.** The panel must develop and
12.27 implement an outreach plan to inform the public about the work of the Independent
12.28 Redistricting Commission and to encourage interested persons to apply for appointment.
12.29 The panel must make an application form available for this purpose. The panel must make
12.30 reasonable efforts to ensure the application process is widely publicized and distributed
12.31 through media and other available channels, with a goal of facilitating a large application
12.32 pool consisting of well-qualified individuals who reflect a geographically and
12.33 demographically representative cross section of the state. Information about the work of
12.34 the commission and the application process must be made available in multiple languages.

13.1 The panel must consult with the state demographer for the purpose of ensuring that materials
13.2 in accessible languages are targeted to appropriate regions of the state.

13.3 Subd. 5. **Application contents; required disclosures.** In addition to other information
13.4 as determined by the panel, the application for membership on the Independent Redistricting
13.5 Commission must require each applicant to disclose the information required by section
13.6 10A.09, and the following:

13.7 (1) contributions made by the applicant to federal, state, or local candidates for elective
13.8 office, political parties, and political committees, including direct and in-kind contributions
13.9 during the current year and immediately preceding six years;

13.10 (2) the applicant's history of partisan affiliations, including primary ballots voted,
13.11 nonmonetary contributions to political campaigns, and any other political engagement,
13.12 including but not limited to involvement in political campaigns or other political organizations
13.13 whether paid or volunteer;

13.14 (3) the identity of any family members who would be ineligible to serve on the
13.15 commission according to the requirements of this constitution;

13.16 (4) personal or professional relationships with persons during the current year or the
13.17 immediately preceding six years who would be ineligible to serve on the commission
13.18 according to the requirements of this constitution; and

13.19 (5) any financial or other information that may be required by law.

13.20 These disclosures must be posted on the panel's website.

13.21 Subd. 6. **Open meetings; data practices.** The panel is subject to chapters 13 and 13D.
13.22 Data on applicants for appointment to the commission are governed by section 13.601,
13.23 subdivision 3, except that data required to be disclosed under this section or the Minnesota
13.24 Constitution, article XV, is also public. Comments submitted by members of the public
13.25 about applicants for appointment to the commission are private data, as defined in section
13.26 13.02, subdivision 12, on the member of the public who submitted the comment.

13.27 Subd. 7. **General powers; staffing and professional services.** (a) The panel has the
13.28 powers necessary to carry out its responsibilities as required by the constitution and this
13.29 chapter. The panel may employ nonpartisan staff and enter other agreements to secure
13.30 necessary administrative, professional, and technical services as it deems necessary. Staff
13.31 employed by the panel serve in the unclassified service and owe a duty of care and duty of
13.32 loyalty to the panel as a whole. Staff, and any other person retained by the panel for the
13.33 purpose of providing professional support, must be screened for potential biases and conflicts

14.1 of interest and must demonstrate the experience, expertise, and skills necessary to assist the
14.2 panel in its work.

14.3 (b) Prior to January 1 in the year of the decennial census, the director of the Legislative
14.4 Coordinating Commission must contract with a consultant who will provide the panel with
14.5 operational and logistical support. The Legislative Coordinating Commission must assist
14.6 the panel in hiring additional staff and securing adequate office and meeting space.

14.7 Subd. 8. **Expiration.** The panel expires upon its certification to the chief justice of the
14.8 supreme court that it has established and transmitted to the chief justice and to the
14.9 Independent Redistricting Commission its pools of applicants for appointment to the
14.10 commission consistent with the requirements of this section and the Minnesota Constitution,
14.11 article XV, except that the panel chair must continue to perform any duties required by the
14.12 Minnesota Constitution, this section, and section 2.95, as applicable.

14.13 **EFFECTIVE DATE.** This section is effective January 1, 2030, and applies to the 2030
14.14 redistricting cycle and thereafter, if the constitutional amendments in article 1 are adopted.

14.15 Sec. 4. **[2.95] INDEPENDENT REDISTRICTING COMMISSION.**

14.16 Subdivision 1. **Application.** This section establishes and implements the Independent
14.17 Redistricting Commission consistent with article XV of the Minnesota Constitution. Except
14.18 where otherwise provided:

14.19 (1) the terms used in this section are defined consistently with those as used in the
14.20 Minnesota Constitution, article XV; and

14.21 (2) the dates referenced in this section refer to those dates in the year following a federal
14.22 decennial census.

14.23 Subd. 2. **Appointments; first meeting; compensation and removal.** (a) No later than
14.24 October 15 of the year of a decennial census, the chief justice of the supreme court must
14.25 select by random lot the members of the Independent Redistricting Commission from among
14.26 the applicant pools established by the Redistricting Commission Applicant Review Panel,
14.27 consistent with the requirements of the Minnesota Constitution, article XV.

14.28 (b) No later than November 15 of the year of a decennial census, the chair of the
14.29 Redistricting Commission Applicant Review Panel must convene the first meeting of the
14.30 commission. The panel chair must preside at commission meetings until a commission chair
14.31 is elected, but the panel chair is not a commission member and, except for ministerial
14.32 functions required by law and necessary to facilitate its organization, must not otherwise
14.33 participate in the commission's work. The commission must be fully seated and must elect

15.1 a chair and other officers from among all appointed members no later than 60 days following
15.2 its first meeting.

15.3 (c) Members of the commission are entitled to compensation and expense reimbursement,
15.4 consistent with the amounts provided by section 15.0575, subdivision 3.

15.5 (d) A member of the commission may only be removed for cause by a vote of 12
15.6 members, including the vote of at least one member supporting the first political party, one
15.7 member supporting the second political party, and one member that is not affiliated with
15.8 either the first or second political party. Prior to a vote to remove a member, the commission
15.9 must provide notice, a public hearing, and an opportunity for members of the public to
15.10 comment on the proposed removal. Cause for removal includes but is not limited to the
15.11 following:

15.12 (1) knowing failure to disclose information required by law;

15.13 (2) willful disregard for the requirements governing the conduct of redistricting provided
15.14 by the constitution or applicable law;

15.15 (3) wanton and willful neglect of duty or gross misconduct or malfeasance in office;

15.16 (4) a member's incapacity or inability to perform required duties;

15.17 (5) any action that undermines the public's trust in the commission or in the conduct of
15.18 a fair redistricting process;

15.19 (6) engaging in ex parte communication about the work of the commission with a member
15.20 of the legislature, a member of Congress, or a staff member to a member of the legislature
15.21 or Congress, in violation of this section; and

15.22 (7) missing three consecutive commission meetings.

15.23 **Subd. 3. Ethics; conflicts of interest; ex parte communications.** (a) Members of the
15.24 commission are public officials for purposes of chapter 10A. In addition to the prohibitions
15.25 in section 10A.071, a member of the commission may not accept a gift as defined in that
15.26 section from a member of the legislature, a member of Congress, or a staff member to a
15.27 member of the legislature or Congress.

15.28 (b) Members of the commission may not communicate with a member of the legislature,
15.29 a member of Congress, or a staff member to a member of the legislature or Congress, about
15.30 the commission's work. A staff member to a member of the legislature may communicate
15.31 with a staff member to the commission to the extent required to fulfill a duty of the
15.32 constitution or this chapter.

16.1 (c) The prohibitions in this subdivision apply during the period beginning at the time of
16.2 the member's appointment and until the commission has adopted and filed its redistricting
16.3 plans with the secretary of state, and during any period in which the commission is
16.4 reconstituted pursuant to its own authority or by court order. A member of the legislature,
16.5 a member of Congress, or a staff member to a member of the legislature or Congress may
16.6 not give a gift, promise a future gift, or engage in communication that a commission member
16.7 is prohibited from receiving under this subdivision, and may not request another person to
16.8 give a gift, promise a future gift, or engage in communication with a commission member,
16.9 directly or indirectly, in an attempt to circumvent the prohibitions of this subdivision.

16.10 Subd. 4. **Open meetings; data practices; language access.** (a) The commission is
16.11 subject to chapters 13 and 13D. A map proposal that is created by the commission or its
16.12 staff, and any communications or supporting data associated with a map proposal, are
16.13 nonpublic data as defined in section 13.02, subdivision 9, until the map proposal is presented
16.14 to the commission in a public meeting. Supporting data do not include preliminary drafts
16.15 of a map proposal or communications related to a preliminary draft. The commission may
16.16 disclose any of its data at any time if disclosure would aid the commission in considering
16.17 and preparing its proposals.

16.18 (b) Consistent with section 13D.015, the commission may permit its members to
16.19 participate in a congressional district hearing by interactive technology, provided that at
16.20 least one member of the commission is physically present at a meeting location in the
16.21 designated congressional district. Notwithstanding section 13D.015, a commission member
16.22 need not be present at the commission's regular meeting location during a congressional
16.23 district hearing.

16.24 (c) At a minimum, commission materials must be made available in all languages in
16.25 which voting materials in any jurisdiction of the state are required to be distributed under
16.26 section 204B.295 or other applicable federal or state law.

16.27 Subd. 5. **Schedule of hearings; public hearing and administrative procedures.** The
16.28 commission must adopt a schedule of public hearings and necessary hearing and
16.29 administrative procedures to guide the conduct of its work. The schedule and procedures
16.30 must be posted on the commission's website. The schedule and procedures are not rules for
16.31 purposes of chapter 14, and section 14.386 does not apply.

16.32 Subd. 6. **General powers; staffing and professional services.** (a) The commission has
16.33 the powers necessary to carry out its responsibilities as required by the constitution and this
16.34 chapter. The commission may employ nonpartisan staff and enter other agreements to secure

17.1 necessary legal counsel, information technology, geographic information systems, and other
17.2 administrative, professional, and technical services as it deems necessary. Staff employed
17.3 by the commission serve in the unclassified service, and owe a duty of care and duty of
17.4 loyalty to the commission as a whole. Commission staff, and any other person retained by
17.5 the commission for the purpose of providing professional support, must be screened for
17.6 potential biases and conflicts of interest and must demonstrate the experience, expertise,
17.7 and skills necessary to assist the commission in its work.

17.8 (b) Prior to January 1 in the year of the decennial census, the director of the Legislative
17.9 Coordinating Commission must contract with a consultant who will provide the commission
17.10 with operational and logistical support. The Legislative Coordinating Commission must
17.11 assist the commission in hiring additional staff and securing adequate office and meeting
17.12 space.

17.13 Subd. 7. **Data to be used.** (a) The geographic areas and population counts used in maps,
17.14 tables, and legal descriptions of legislative and congressional districts must be those used
17.15 by the Geographic Information Services (GIS) Office of the Legislative Coordinating
17.16 Commission. The population counts must be the block population counts provided to the
17.17 state under Public Law 94-171 after each decennial census, subject to correction of any
17.18 errors acknowledged by the United States Census Bureau, and subject to any other
17.19 adjustments and exclusions required by law. Both the commission and the GIS Office must
17.20 make this data available to the public on their websites.

17.21 (b) A redistricting plan must not be considered for adoption until the plan's block
17.22 equivalency file has been submitted to the GIS Office in a form prescribed by the GIS
17.23 Office. The block equivalency file must show the district to which each census block has
17.24 been assigned.

17.25 Subd. 8. **Technical review and corrections.** (a) Prior to final adoption of a redistricting
17.26 plan, the commission must engage in a technical review of the plan. A technical review
17.27 includes ensuring that the plan encompasses all the territory of this state, and that no territory
17.28 is omitted or duplicated. At a meeting where a redistricting plan is proposed for final
17.29 adoption, the commission may amend the plan for the purpose of making technical corrections
17.30 as necessary to meet the following principles:

17.31 (1) if a territory in this state is not named in the redistricting plan but lies within the
17.32 boundaries of a district, it is a part of the district within which it lies;

18.1 (2) if a territory in this state is not named in the redistricting plan but lies between the
18.2 boundaries of two or more districts, it is a part of the contiguous district having the smallest
18.3 population;

18.4 (3) if a territory in this state is assigned in the redistricting plan to two or more districts,
18.5 it is a part of the district having the smallest population;

18.6 (4) if a territory in this state is assigned to a district that consists of other territory
18.7 containing a majority of the population of the district but with which it is not contiguous,
18.8 the territory is a part of the contiguous district having the smallest population; and

18.9 (5) if the description of a district boundary line that divides a political subdivision is
18.10 ambiguous because a highway, street, railroad track, power transmission line, river, creek,
18.11 or other physical feature or census block boundary that forms part of the district boundary
18.12 is omitted or is not properly named or has been changed, or because a compass direction
18.13 for the boundary line is wrong, the commission may add or correct the name or compass
18.14 direction and resolve the ambiguity in favor of creating districts of contiguous territory of
18.15 substantially equal population that do not divide political subdivisions more than is necessary
18.16 to meet constitutional requirements.

18.17 (b) In addition to meeting the principles described in paragraph (a), at a meeting where
18.18 a redistricting plan is proposed for final adoption, the commission may adopt amendments
18.19 to the plan for the purpose of incorporating any technical corrections that may be
18.20 recommended by the secretary of state.

18.21 (c) If a technical error in a redistricting plan is discovered after the commission has
18.22 dissolved, the chief administrative law judge, after notifying the secretary of state, the
18.23 Legislative Coordinating Commission, and the chief justice of the supreme court, may order
18.24 a correction consistent with the principles listed in this subdivision. The chief administrative
18.25 law judge must provide a copy of each correction order to each affected county auditor and
18.26 municipal clerk.

18.27 Subd. 9. **Duty of secretary of state.** The secretary of state shall provide copies of the
18.28 relevant portions of a filed redistricting plan to each county auditor, who shall provide a
18.29 copy of the relevant portions of the plan to each municipal clerk within the county. The
18.30 secretary of state, with the cooperation of the commissioner of administration, shall make
18.31 copies of the plan file, maps, and tables available to the public for the cost of publication.

18.32 **EFFECTIVE DATE.** This section is effective January 1, 2030, and applies to the 2030
18.33 redistricting cycle and thereafter, if the constitutional amendments in article 1 are adopted.

19.1 Sec. 5. Minnesota Statutes 2022, section 10A.01, subdivision 35, is amended to read:

19.2 Subd. 35. **Public official.** "Public official" means any:

19.3 (1) member of the legislature;

19.4 (2) individual employed by the legislature as secretary of the senate, legislative auditor,
19.5 director of the Legislative Budget Office, chief clerk of the house of representatives, revisor
19.6 of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of
19.7 Senate Counsel, Research and Fiscal Analysis, House Research, or the House Fiscal Analysis
19.8 Department;

19.9 (3) constitutional officer in the executive branch and the officer's chief administrative
19.10 deputy;

19.11 (4) solicitor general or deputy, assistant, or special assistant attorney general;

19.12 (5) commissioner, deputy commissioner, or assistant commissioner of any state
19.13 department or agency as listed in section 15.01 or 15.06, or the state chief information
19.14 officer;

19.15 (6) member, chief administrative officer, or deputy chief administrative officer of a state
19.16 board or commission that has either the power to adopt, amend, or repeal rules under chapter
19.17 14, or the power to adjudicate contested cases or appeals under chapter 14;

19.18 (7) individual employed in the executive branch who is authorized to adopt, amend, or
19.19 repeal rules under chapter 14 or adjudicate contested cases under chapter 14;

19.20 (8) executive director of the State Board of Investment;

19.21 (9) deputy of any official listed in clauses (7) and (8);

19.22 (10) judge of the Workers' Compensation Court of Appeals;

19.23 (11) administrative law judge or compensation judge in the State Office of Administrative
19.24 Hearings or unemployment law judge in the Department of Employment and Economic
19.25 Development;

19.26 (12) member, regional administrator, division director, general counsel, or operations
19.27 manager of the Metropolitan Council;

19.28 (13) member or chief administrator of a metropolitan agency;

19.29 (14) director of the Division of Alcohol and Gambling Enforcement in the Department
19.30 of Public Safety;

19.31 (15) member or executive director of the Higher Education Facilities Authority;

- 20.1 (16) member of the board of directors or president of Enterprise Minnesota, Inc.;
- 20.2 (17) member of the board of directors or executive director of the Minnesota State High
20.3 School League;
- 20.4 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 20.5 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- 20.6 (20) manager of a watershed district, or member of a watershed management organization
20.7 as defined under section 103B.205, subdivision 13;
- 20.8 (21) supervisor of a soil and water conservation district;
- 20.9 (22) director of Explore Minnesota Tourism;
- 20.10 (23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section
20.11 97A.056;
- 20.12 (24) citizen member of the Clean Water Council established in section 114D.30;
- 20.13 (25) member or chief executive of the Minnesota Sports Facilities Authority established
20.14 in section 473J.07;
- 20.15 (26) district court judge, appeals court judge, or supreme court justice;
- 20.16 (27) county commissioner;
- 20.17 (28) member of the Greater Minnesota Regional Parks and Trails Commission;
- 20.18 (29) member of the Destination Medical Center Corporation established in section
20.19 469.41; ~~or~~
- 20.20 (30) chancellor or member of the Board of Trustees of the Minnesota State Colleges
20.21 and Universities; or
- 20.22 (31) member of the Redistricting Commission Applicant Screening Panel, or member
20.23 of the Independent Redistricting Commission.
- 20.24 **EFFECTIVE DATE.** This section is effective January 1, 2030, and applies to the 2030
20.25 redistricting cycle and thereafter, if the constitutional amendments in article 1 are adopted.
- 20.26 **Sec. 6. REPEALER.**
- 20.27 Minnesota Statutes 2022, section 2.91, is repealed.
- 20.28 **EFFECTIVE DATE.** This section is effective January 1, 2030, and applies to the 2030
20.29 redistricting cycle and thereafter, if the constitutional amendments in article 1 are adopted.

ARTICLE 3

CITIZENS ADVISORY REDISTRICTING COMMISSION.

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

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

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

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

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

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

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

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

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

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

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

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

(b) By January 1 of each year ending in zero, the secretary of state shall open a widely publicized process and circulate applications in a manner that encourages wide public

22.1 participation of eligible residents from different regions of the state to apply for membership
22.2 on the commission. Applications are public data under chapter 13 and shall be made available
22.3 on the secretary of state's website or a comparable means of communicating with the public.
22.4 Applications must be received by March 1 of the year ending in zero.

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

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

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

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

22.13 (4) the applicant's professional background;

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

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

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

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

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

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

22.24 (d) The secretary of state must review applications as they are received to ensure that
22.25 each application is complete and each applicant has signed the oath attesting to the
22.26 truthfulness of the information contained in the application. No later than March 15 of the
22.27 year ending in zero, the secretary of state must forward the completed application of each
22.28 eligible person to the executive director. The secretary of state must not forward any
22.29 application that is incomplete or any application by a person who has not signed off on the
22.30 oath attesting to the accuracy of the information contained in the application. If the secretary
22.31 of state does not forward an application, the secretary of state must notify the applicant that
22.32 the applicant's application was not forwarded and the reason why.

23.1 (e) The Legislative Coordinating Commission executive director shall remove from the
23.2 applicant pool individuals who do not qualify including:

23.3 (1) a person who has not resided in Minnesota for at least one year prior to their
23.4 application submission or is not eligible to vote;

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

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

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

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

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

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

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

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

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

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

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

23.31 (f) By February 15 in the year ending in zero the executive director of the Legislative
23.32 Coordinating Commission shall appoint a redistricting advisory group consisting of, at a

24.1 minimum, the executive directors of the Minnesota Latino Affairs Council, Council for
24.2 Minnesotans of African Heritage, Minnesota Indian Affairs Council, the Council on Asian
24.3 Pacific Minnesotans, the Council on LGBTQIA2S+ Minnesotans, the Minnesota Youth
24.4 Council, the Minnesota Council on Disabilities, and the Minnesota Commission of Deaf,
24.5 DeafBlind and Hard of Hearing.

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

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

24.15 (i) By April 1 of the year ending in zero, the executive director, in consultation with the
24.16 Redistricting Advisory Group shall jointly screen and sort the applicants into three applicant
24.17 pools: one pool for applicants identifying with the largest political party in this state; one
24.18 pool for applicants identifying with the second largest political party in the state; and one
24.19 pool for applicants identifying with no political party or a political party that is not the
24.20 largest or second largest political party in the state. The executive director must review the
24.21 applicants in each applicant pool and narrow each pool down to 40 applicants based on a
24.22 review of each applicant's relevant analytical skills, the ability to be impartial, and the ability
24.23 to promote consensus on the commission and appreciation for Minnesota's diverse
24.24 demographics, communities, and geography as documented in the application. To the extent
24.25 practicable, the executive director must ensure that each applicant pool reflects the gender,
24.26 socioeconomic, age, racial, language, ethnic, and geographic diversity of the state. Each
24.27 congressional district must be represented by at least two applicants in each applicant pool.

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

24.30 (k) By April 1 in each year ending in zero, the executive director must provide each
24.31 applicant pool list to the majority leaders and minority leaders of the house of representatives
24.32 and the senate. By April 15 of each year ending in zero, the majority leaders and minority
24.33 leaders of the house of representatives and the senate must each select five applicants from
24.34 their party's list and forward the names of the applicants to the Legislative Coordinating

25.1 Commission's executive director. The executive director must make the list and applications
25.2 available to all legislative leaders. In selecting applicants, the executive director or a leader
25.3 must not select more than one applicant from any congressional district.

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

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

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

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

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

25.14 (m) The legislative leaders must forward the eight remaining names consisting of four
25.15 applicants identifying with the largest political party in the state and four applicants
25.16 identifying with the second largest political party in the state to the executive director. These
25.17 eight individuals shall serve on the Citizens Advisory Redistricting Commission.

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

25.23 (o) No later than May 15 in each year ending in the number zero, the twelve advisory
25.24 commissioners shall convene and assess the commission's demographic diversity within
25.25 the twelve members and must review and select six more applicants from the remaining
25.26 applicants from the pool of 40 applicants originally selected by legislative leadership and
25.27 appoint six applicants to the commission as follows: two from the remaining pool of
25.28 applicants identifying with the largest political party in Minnesota, two from the remaining
25.29 pool of applicants identifying with the second largest political party in Minnesota, and two
25.30 from the remaining pool of applicants identifying with no political party or with a political
25.31 party that is not the largest or second largest political party in Minnesota. The six individuals
25.32 must be approved by at least two-thirds affirmative votes which must include at least two
25.33 votes of commissioners registered from each of the two largest parties and two votes from

26.1 commissioners who are not affiliated with either of the two largest political parties in
26.2 Minnesota. These six new appointees shall be chosen to ensure the Citizens Advisory
26.3 Redistricting Commission reflects this state's diversity, including but not limited to racial,
26.4 ethnic, geographic, and gender diversity. However, it is not intended that formulas or specific
26.5 ratios be applied for this purpose.

26.6 (p) The executive director of the Legislative Coordinating Commission shall report the
26.7 15 names selected to the secretary of state. These 15 individuals shall serve as members of
26.8 the Citizens Advisory Redistricting Commission and shall not include more than two
26.9 commissioners from any one congressional district.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27.18 (b) A commissioner's position on the Citizens Advisory Redistricting Commission is
27.19 deemed vacant if the commissioner, having been appointed as a registered elector who is
27.20 not affiliated with a political party, affiliates with a political party before the Minnesota
27.21 Legislature has approved a plan pursuant to subdivision 25. A commissioner's position on
27.22 the Citizens Advisory Redistricting Commission is also deemed vacant if the commissioner,
27.23 having been affiliated with one of the state's two largest political parties at the time of
27.24 appointment, affiliates with a different political party or becomes unaffiliated with any
27.25 political party before the Minnesota Legislature has approved a plan pursuant to subdivision
27.26 25.

27.27 (c) The removal of an officer from an officer position requires a two-thirds affirmative
27.28 vote with at least one commissioner identifying with the largest political party in the state,
27.29 one commissioner identifying with the second largest political party in the state, and one
27.30 commissioner identifying with no political party or with a political party that is not the
27.31 largest or second largest in the state.

27.32 (d) If the basis for the commissioner's removal is the commissioner's refusal to vote as
27.33 part of a collective effort to disrupt the process or vote of the commission, that member or

28.1 members may be removed after a finding by the chair as described in this section and a
28.2 two-thirds vote of those commissioners present.

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

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

28.14 (g) The chair must submit a written notice to the Legislative Coordinating Commission
28.15 executive director stating the grounds that another member's office should be declared vacant
28.16 under this subdivision. This written notice shall: (1) be dated and signed; and (2) provide
28.17 a detailed factual basis in support of the allegations causing the removal of another member.
28.18 The factual basis shall include the specific facts and factual foundation on which the removal
28.19 is based. Supporting documentation, if any, shall be included.

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

28.33 Subd. 5. **Duties.** Each commissioner shall perform their duties in a manner that is
28.34 impartial and reinforces public confidence in the integrity of the redistricting process.

29.1 Commissioners must disclose the presence of a conflict of interest, or raise a potential
29.2 conflict of interest when the agenda item is called, prior to the start of discussion or
29.3 deliberation. In addition to other duties prescribed by law, the advisory commission shall:

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

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

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

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

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

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

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

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

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

30.1 (9) provide public notice at least seven days in advance of any public meeting or public
30.2 hearing. The notice and agenda must be posted on the commission's website and published
30.3 in local news sources. The public notice shall also be disseminated leveraging social media,
30.4 media frequently used by disenfranchised Minnesotans, or other community-based
30.5 communication channels. The advisory commission may also partner with community-based
30.6 nonpartisan organizations in an effort to more widely disseminate the notice to directly
30.7 impacted communities. The notice and agenda must be provided in all languages required
30.8 for voting materials under the federal Voting Rights Act of 1965, United States Code, title
30.9 52, section 10503, in the congressional district in which the public meeting is scheduled;

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

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

30.16 (12) adopt a schedule for interested persons to submit proposed plans and to respond to
30.17 plans proposed by others. The redistricting commission shall also adopt standards to govern
30.18 the format of plans submitted. Adoption of the schedule and standards under this subdivision
30.19 is not subject to chapter 14 or section 14.386. The advisory commission must post submitted
30.20 plans to its website as soon as practicable;

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

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

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

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

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

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

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

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

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

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

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

31.11 (19) provide notices of the availability of both plans and reports in all languages required
31.12 for voting materials under the federal Voting Rights Act of 1964, United States Code, title
31.13 52, section 10503, and as required for compliance with the Americans with Disabilities Act
31.14 for each congressional district.

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

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

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

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

31.31 Subd. 9. **Journal of proceedings.** An account of all proceedings and the public record
31.32 of the advisory commission shall be kept by the Legislative Coordinating Commission and

32.1 shall constitute the official record of the advisory commission and be posted to the
32.2 commission's website.

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

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

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

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

32.21 (c) Election of the chair and vice-chair requires a two-thirds affirmative vote with at
32.22 least one commissioner identifying with the largest political party in the state, one
32.23 commissioner identifying with the second largest political party in the state, and one
32.24 commissioner identifying with no political party or with a political party that is not the
32.25 largest or second largest in the state.

32.26 (d) Adoption of the final plan for submission to the Minnesota Legislature and the
32.27 adoption of a revised plan after a plan is returned to the advisory commission from the
32.28 Minnesota Legislature require the affirmative vote of two-thirds of commissioners with at
32.29 least one commissioner identifying with the largest political party in the state, one
32.30 commissioner identifying with the second largest political party in the state, and one
32.31 commissioner identifying with no political party or with a political party that is not the
32.32 largest or second largest in the state.

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

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

33.5 (i) has a conflict of interest, as set forth in subdivision 5, paragraph (a), or as defined by
33.6 law. An individual commissioner shall disclose the presence of a conflict of interest or raise
33.7 a potential conflict of interest when the agenda item is called, prior to the start of discussion
33.8 or deliberation. Should a conflict of interest become clear during the discussion, the
33.9 commissioner shall raise the existence of an actual or potential conflict at that time. An
33.10 individual commissioner may seek the opinion of the general counsel with experience and
33.11 expertise in the area of election law and voting rights on whether a conflict exists. This
33.12 opinion shall not be binding on the commission. The Citizens Advisory Redistricting
33.13 Commission shall decide, by majority vote of commissioners present, whether a conflict of
33.14 interest exists. A vote may be tabled, if necessary, to obtain the opinion of the general
33.15 counsel. A commissioner with a conflict of interest is prohibited from participating in any
33.16 discussion, debate, or decision on that issue; or

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

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

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

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

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

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

33.32 Subd. 15. **Chair and vice-chair.** (a) The Citizens Advisory Redistricting Commission
33.33 must elect a chair and vice-chair from among its members by a vote under subdivision 12,

34.1 paragraph (c). The chair and vice-chair shall not self-identify as belonging to the same
34.2 political party.

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

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

34.6 (d) The chair shall:

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

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

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

34.13 (4) enforce rules of procedure;

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

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

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

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

34.23 (9) establish committees and subcommittees by a majority vote of the commission with
34.24 the support of at least one vote from a member identifying with the largest political party
34.25 in the state, one vote from a member identifying with the second largest political party in
34.26 the state, and one vote from a member identifying with no political party or with a political
34.27 party that is not the largest or second largest in the state.

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

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

35.5 (1) facilitating the process for the selection of commissioners pursuant to subdivision
35.6 2, paragraphs (e) to (p), and replacement of commissioners pursuant to subdivision 4,
35.7 paragraph (h);

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

35.10 (3) publishing the redistricting plan for each type of district adopted under subdivision
35.11 25 within 30 days of the adoption of the plan. This publication shall include the plan and
35.12 the material reports, reference materials, and data used in drawing it, including any
35.13 programming information used to produce and test the plan. The published materials shall
35.14 be such that an independent person is able to replicate the conclusion without any
35.15 modification of any of the published materials;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

38.14 Subd. 25. **Deadlines.** (a) After completing the public hearings required by subdivision
38.15 19, but by May 1 of each year ending in one, the advisory commission shall submit plans
38.16 and its reports to the legislature for legislative and congressional districts. Each plan must
38.17 be accompanied by a report summarizing information and testimony received by the
38.18 redistricting commission in the course of the hearings and include any comments and
38.19 conclusions the advisory commission deems appropriate on the information and testimony
38.20 received at the hearings or otherwise presented. To submit a plan to the legislature, the
38.21 advisory commission must approve the plan by an affirmative vote of twelve members or
38.22 more, including at least one member identifying with the largest political party in the state,
38.23 one member identifying with the second largest political party in the state, and one member
38.24 identifying with no political party or with a political party that is not the largest or second
38.25 largest in the state. When the advisory commission approves a plan, the plan and its reports
38.26 must be published to the advisory commission's website.

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

38.32 (c) If the secretary of the senate or chief clerk of the house of representatives notifies
38.33 the advisory commission that the first plan has failed, or the governor vetoes the first plan,
38.34 the commission shall submit a second plan within two weeks after it receives the notice. If

39.1 the legislature has adjourned the regular session in the year ending in one before the
39.2 commission submits a second plan, and no special session is called to consider the second
39.3 plan, then the commission must submit the second plan to the legislature at the opening of
39.4 its regular session in the year ending in two. The legislature intends that the second plan be
39.5 considered by the legislature under the same procedure provided for a first plan under
39.6 paragraph (b).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41.19 (e) Districts must not be drawn using data subject to reporting or regulation under chapter
41.20 10A; section 201.091, subdivision 4a; United States Code, title 52, subtitle III; or United
41.21 States Code, title 26, subtitle H.

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

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

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

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

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

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

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

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

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

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

42.32 Subd. 10. **Political subdivisions.** Districts must minimize the division of counties, cities,
42.33 and towns except when (1) the division occurs because a portion of a city or town is not

43.1 contiguous with another portion of the same city or town, or (2) despite the division, the
43.2 known population of any affected county, city, or town remains wholly located within a
43.3 single district.

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

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

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

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

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

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

43.23 Sec. 4. **[2A.33] LEGISLATIVE COORDINATING COMMISSION;**
43.24 **REDISTRICTING .**

43.25 Subdivision 1. **Administrative and professional support.** The Legislative Coordinating
43.26 Commission shall provide administrative, professional, and support services to the
43.27 commission established in section 2A.31. The responsibilities assigned to the Legislative
43.28 Coordinating Commission executive director may be implemented through a process or
43.29 delegation to an individual responsible to the executive director to carry out the assigned
43.30 activities.

43.31 Subd. 2. **Data used.** (a) The geographic areas and population counts used in maps, tables,
43.32 and legal descriptions of legislative and congressional districts considered by the legislature
43.33 and the redistricting commission must be those used by the GIS Office. The population

44.1 counts shall be the block population counts provided to the state under Public Law 94-171
44.2 after each decennial census, subject to correction of any errors acknowledged by the United
44.3 States Census Bureau.

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

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

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

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

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

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

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

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

44.31 (5) a political subdivision and Native Nation reservation splits report that lists each split
44.32 of a county, city, township, federally recognized Native Nation reservation, unorganized
44.33 territory, and precinct, and the district to which each portion of a split division is assigned.

45.1 The report also must show the number of subdivisions split and the number of times a
45.2 subdivision is split;

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

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

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

45.16 Sec. 5. **EFFECTIVE DATE.**

45.17 This article is effective January 1, 2025, if the constitutional amendments proposed in
45.18 article 1 are 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.

Subd. 2. **Corrections.** The legislature intends that a redistricting plan encompass all the territory of this state, that no territory be omitted or duplicated, that all districts consist of convenient contiguous territory substantially equal in population, and that political subdivisions not be divided more than necessary to meet constitutional requirements. Therefore, in implementing a redistricting plan for the legislature or for Congress, the secretary of state, after notifying the Legislative Coordinating Commission and the revisor of statutes, shall order the following corrections:

(a) If a territory in this state is not named in the redistricting plan but lies within the boundaries of a district, it is a part of the district within which it lies.

(b) If a territory in this state is not named in the redistricting plan but lies between the boundaries of two or more districts, it is a part of the contiguous district having the smallest population.

(c) If a territory in this state is assigned in the redistricting plan to two or more districts, it is part of the district having the smallest population.

(d) If a territory in this state is assigned to a district that consists of other territory containing a majority of the population of the district but with which it is not contiguous, the territory is a part of the contiguous district having the smallest population.

(e) If the description of a district boundary line that divides a political subdivision is ambiguous because a highway, street, railroad track, power transmission line, river, creek, or other physical feature or census block boundary that forms part of the district boundary is omitted or is not properly named or has been changed, or because a compass direction for the boundary line is wrong, the secretary of state shall add or correct the name or compass direction and resolve the ambiguity in favor of creating districts of convenient, contiguous territory of substantially equal population that do not divide political subdivisions more than is necessary to meet constitutional requirements.

Subd. 3. **Notice of corrections.** The secretary of state shall provide a copy of each correction order to each affected county auditor, municipal clerk, and candidate.

Subd. 4. **Recommendations to legislature.** The secretary of state and the revisor of statutes shall recommend to the legislature any additional technical corrections to the redistricting plan they deem necessary or desirable.