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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 314

01/17/2017 Authored by Anderson, S.; Peterson and Pugh

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

02/09/2017 Adoption of Report: Amended and re-referred to the Committee on State Government Finance

1.1 A bill for an act
1.2 relating to redistricting; establishing districting principles for legislative and
1.3 congressional plans; proposing coding for new law in Minnesota Statutes, chapter
1.4 2.

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

1.6 Section 1. **[2.92] DISTRICTING PRINCIPLES.**

1.7 Subdivision 1. **Applicability; constitutional duty of legislature.** (a) The principles in
1.8 this section apply to legislative and congressional districts.

1.9 (b) Notwithstanding any laws to the contrary, legislative and congressional districts must
1.10 be drawn by the legislature, consistent with the requirements of the Minnesota Constitution,
1.11 article IV, section 3. The legislature may not delegate its duty to draw districts to any
1.12 commission, council, panel, or other entity that is not comprised solely of members of the
1.13 legislature.

1.14 Subd. 2. **Nesting.** A representative district may not be divided in the formation of a
1.15 senate district.

1.16 Subd. 3. **Equal population.** (a) Legislative districts must be substantially equal in
1.17 population. The population of a legislative district must not deviate from the ideal by more
1.18 than 0.5 percent, plus or minus.

1.19 (b) Congressional districts must be as nearly equal in population as practicable.

1.20 Subd. 4. **Contiguity; compactness.** The districts must be composed of convenient
1.21 contiguous territory. To the extent consistent with the other principles in this section, districts

2.1 should be compact. Contiguity by water is sufficient if the water is not a serious obstacle
2.2 to travel within the district. Point contiguity is not sufficient.

2.3 Subd. 5. **Numbering.** (a) Legislative districts must be numbered in a regular series,
2.4 beginning with house district 1A in the northwest corner of the state and proceeding across
2.5 the state from west to east, north to south, but bypassing the 11-county metropolitan area
2.6 until the southeast corner has been reached; then to the 11-county metropolitan area outside
2.7 the cities of Minneapolis and St. Paul; then in Minneapolis and St. Paul.

2.8 (b) Congressional district numbers must begin with district one in the southeast corner
2.9 of the state and end with district eight in the northeast corner of the state.

2.10 Subd. 6. **Minority representation.** (a) The dilution of racial or ethnic minority voting
2.11 strength is contrary to the laws of the United States and the state of Minnesota. These
2.12 principles must not be construed to supersede any provision of the Voting Rights Act of
2.13 1965, as amended.

2.14 (b) A redistricting plan must not have the intent or effect of dispersing or concentrating
2.15 minority population in a manner that prevents minority communities from electing their
2.16 candidates of choice.

2.17 Subd. 7. **Minor civil divisions.** (a) A county, city, or town must not be unduly divided
2.18 unless required to meet equal population requirements or to form districts composed of
2.19 convenient, contiguous territory.

2.20 (b) A county, city, or town is not unduly divided in the formation of a legislative or
2.21 congressional district if:

2.22 (1) the division occurs because a portion of a city or town is noncontiguous with another
2.23 portion of the same city or town; or

2.24 (2) despite the division, the known population of any affected county, city, or town
2.25 remains wholly located within a single district.

2.26 Subd. 8. **Preserving communities of interest.** (a) Districts should attempt to preserve
2.27 identifiable communities of interest where that can be done in compliance with the principles
2.28 under this section.

2.29 (b) For purposes of this subdivision, "communities of interest" means recognizable areas
2.30 with similarities of interests including, but not limited to, racial, ethnic, geographic, social,
2.31 or cultural interests.

3.1 Subd. 9. **Incumbents.** The districts must not be drawn for the purpose of protecting or
3.2 defeating an incumbent.

3.3 Subd. 10. **Data to be used.** (a) The geographic areas and population counts used in
3.4 maps, tables, and legal descriptions of the districts must be those used by the Geographic
3.5 Information Systems Office of the Legislative Coordinating Commission. The population
3.6 counts shall be the block population counts provided to the state under Public Law 94-171
3.7 after each decennial census, subject to correction of any errors acknowledged by the United
3.8 States Census Bureau.

3.9 (b) Nothing in this subdivision prohibits the use of additional data, as determined by the
3.10 legislature.

3.11 Subd. 11. **Consideration of plans.** A redistricting plan must not be considered for
3.12 adoption by the senate or house of representatives until a block equivalency file showing
3.13 the district to which each census block has been assigned, in a form prescribed by the director
3.14 of the Geographic Information Systems Office, has been filed with the director.

3.15 Subd. 12. **Priority of principles.** Where it is not possible to fully comply with the
3.16 principles contained in subdivisions 1 to 8, a redistricting plan must give priority to those
3.17 principles in the order in which they are listed in this section, except to the extent that doing
3.18 so would violate federal or state law.

3.19 **EFFECTIVE DATE.** This section is effective the day following final enactment and
3.20 applies to any plan for districts enacted or established for use on or after that date.