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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 3700

March 3, 2008

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The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections

1.1 A bill for an act
1.2 relating to elections; establishing districting principles for legislative and
1.3 congressional plans; providing for appointment of a commission to recommend
1.4 the boundaries of legislative and congressional districts; limiting redistricting to
1.5 once per decade; amending Minnesota Statutes 2006, section 2.021; proposing
1.6 coding for new law in Minnesota Statutes, chapter 2; repealing Minnesota
1.7 Statutes 2006, section 2.031.

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

1.9 Section 1. Minnesota Statutes 2006, section 2.021, is amended to read:

1.10 **2.021 NUMBER OF MEMBERS DISTRICTING PRINCIPLES.**

1.11 Subdivision 1. Number of districts. For each legislature, until a new apportionment
1.12 shall have been made; (a) The senate is composed of 67 members and the house of
1.13 representatives is composed of 134 members. The membership is apportioned throughout
1.14 the state in 67 senate districts and 134 house districts. Each senate district is entitled to
1.15 elect one senator and each house district is entitled to elect one representative.

1.16 (b) A plan for congressional districts must have eight districts, each entitled to
1.17 elect a single member.

1.18 Subd. 2. Political competition. The districts must be created to encourage political
1.19 competition, as defined by the commission established under section 2.025.

1.20 Subd. 3. Priority. The commission shall weigh equally the redistricting principles
1.21 required by state and federal law, so far as the United States Constitution and federal
1.22 law allow.

1.23 Sec. 2. **[2.025] REDISTRICTING COMMISSION.**

2.1 Subdivision 1. **Creation.** By March 1 of each year ending in one, a redistricting
2.2 commission is created to draw the boundaries of legislative and congressional districts in
2.3 accordance with the principles established in section 2.021. The commission consists of
2.4 five retired judges of the appellate or district courts of this state who have not served in
2.5 a party designated or party endorsed position, such as legislator. The majority leader of
2.6 the senate, the minority leader of the senate, the speaker of the house, and the minority
2.7 leader of the house shall each appoint one judge. The four judges thus appointed shall
2.8 choose the fifth judge. The five judges shall select one of their number to serve as chair
2.9 of the commission.

2.10 Subd. 2. **Code of conduct.** In performing their duties, the members of the
2.11 commission shall abide by the Code of Judicial Conduct and are considered judicial
2.12 officers within the meaning of section 609.415.

2.13 Subd. 3. **Compensation and expenses.** Members of the commission must be
2.14 compensated for their commission activity as provided in section 15.0575, subdivision 3.

2.15 Subd. 4. **Administrative support.** The Legislative Coordinating Commission shall
2.16 provide administrative support to the commission.

2.17 Subd. 5. **Deadlines.** The commission shall submit to the legislature for its approval
2.18 or rejection, but not for modification, redistricting plans for legislative and congressional
2.19 seats by May 15 of the year ending in one. If a plan submitted by the commission is
2.20 rejected by the legislature, the commission shall submit a second plan for approval or
2.21 rejection, but not for modification, by January 15 of the year ending in two. If a second
2.22 plan is rejected by the legislature, the commission shall submit a third plan, which may be
2.23 accepted, rejected, or modified by the legislature, by February 1 of the year ending in two.

2.24 Subd. 6. **Judicial review.** Upon enactment of a redistricting plan into law, the
2.25 secretary of state shall commence an action for a declaratory judgment that the plan
2.26 complies with federal law and the Minnesota Constitution. The Supreme Court shall have
2.27 original jurisdiction over the action, but may appoint a judicial panel or special master to
2.28 assist the court, as the court deems necessary.

2.29 Subd. 7. **Expiration.** The commission expires when both legislative and
2.30 congressional redistricting plans have been enacted into law and declared valid by the
2.31 Supreme Court, or adopted by court order, or upon adjournment sine die of the legislature
2.32 at its first regular session after each federal decennial census, whichever occurs first.

2.33 Sec. 3. **[2.026] ONCE PER DECADE.**

3.1 Once a valid redistricting plan for legislative or congressional districts has been
3.2 enacted or adopted and used in a state general election, no changes to that plan may be
3.3 enacted or adopted during the remainder of that decade.

3.4 Sec. 4. **REPEALER.**

3.5 Minnesota Statutes 2006, section 2.031, is repealed.