CHAPTER 35–H.F.No. 1425

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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

HOUSE FILE NO. 1425

April 11, 2011
Authored by Anderson, S.; Fabian; Daudt; Loon; Garofalo and others
The bill was read for the first time and referred to the Committee on Redistricting
May 4, 2011
Committee Recommendation and Adoption of Report:
To Pass as Amended and re-referred to the Committee on Rules and Legislative Administration
May 5, 2011
Committee Recommendation and Adoption of Report:
To Pass
Read Second Time
May 6, 2011
Calendar For The Day, Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

A bill for an act

relating to redistricting; adopting a legislative districting plan for use in 2012 and thereafter; amending Minnesota Statutes 2010, sections 2.031, subdivision 1; 2.91, subdivision 1; repealing Minnesota Statutes 2010, sections 2.031, subdivision 2; 2.444; 2.484.

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

Section 1. Minnesota Statutes 2010, section 2.031, subdivision 1, is amended to read:

Subdivision 1. **Legislative districts.** (a) The representatives in the senate and house of representatives are apportioned throughout the state in 67 senate districts and 134 house of representatives districts. Each senate district is entitled to elect one senator and each house of representatives district is entitled to elect one representative.

(b) Legislative redistricting plan L1101-1, on file with the Geographic Information Services Office of the Legislative Coordinating Commission and published on its Web site on May 6, 2011, is adopted and describes the legislative districts within this state. Each senate district is composed of the two house districts, A and B, of the same number.

Sec. 2. Minnesota Statutes 2010, section 2.91, subdivision 1, is amended to read:

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, as established pursuant

2.1 to legislative enactment or court order, in Minnesota Statutes no later than the date of the
2.2 state primary in the year ending in two.

2.3 Sec. 3. **DISTRICTING PRINCIPLES.**

2.4 Subdivision 1. **Applicability.** The principles in this section apply to legislative
2.5 and congressional districts.

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

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

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

2.12 Subd. 4. **Contiguity; compactness.** The districts must be composed of convenient
2.13 contiguous territory. To the extent consistent with the other principles in this section,
2.14 districts should be compact. Contiguity by water is sufficient if the water is not a serious
2.15 obstacle to travel within the district. Point contiguity is not sufficient.

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

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

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

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

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

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

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

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

Subd. 8. **Preserving communities of interest.** (a) Districts should attempt to preserve identifiable communities of interest where that can be done in compliance with the preceding principles.

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

Subd. 9. **Data to be used.** The geographic areas and population counts used in maps, tables, and legal descriptions of the districts must be those used by the Geographic Information Services Office of the Legislative Coordinating Commission. The population counts will be the 2010 block population counts provided to the state under Public Law 94-171, subject to correction of any errors acknowledged by the United States Census Bureau.

Subd. 10. **Consideration of plans.** A redistricting plan must not be considered for adoption by the senate or house of representatives until a block equivalency file showing the district to which each census block has been assigned, in a form prescribed by the director of the Geographic Information Services Office, has been filed with the director.

Subd. 11. **Priority of principles.** Where it is not possible to fully comply with the principles contained in subdivisions 1 to 8, a redistricting plan must give priority to those principles in the order in which they are listed in this section, except to the extent that doing so would violate federal or state law.

EFFECTIVE DATE; EXPIRATION. This section is effective the day following final enactment and applies to any plan for districts enacted or established for use at the state primary in 2012 and thereafter. This section expires June 1, 2012.

Sec. 4. **REPEALER.**

Minnesota Statutes 2010, sections 2.031, subdivision 2; 2.444; and 2.484, are repealed.

Sec. 5. **EFFECTIVE DATE.**

Except where otherwise provided, this act is effective for the state primary election in 2012 and thereafter.

2.031 APPORTIONMENT.

Subd. 2. **Definition.** The terms "county," "town," "township," "city," "ward," "precinct," "census tract," "block," and "unorganized territory" when used in a description of a legislative district in section 2.444 or 2.484, mean a geographical area established as such by law and as it existed for purposes of the 2000 federal census.

2.444 FORTY-FIRST DISTRICT.

Subdivision 1. **Senate district.** Senate District 41 consists of that district as described in the order of the Minnesota Special Redistricting Panel in Zachman v. Kiffmeyer, No. CO-01-160 (March 19, 2002).

Subd. 2. **House of representatives district.** Notwithstanding the order of the Minnesota Special Redistricting Panel in Zachman v. Kiffmeyer, No. CO-01-160 (March 19, 2002), Senate District 41, as described in that order, is divided into two house of representatives districts as follows:

(a) House of Representatives District 41A consists of that portion of the city of Edina lying north of a line described as follows: commencing at the intersection of the western boundary of the city of Edina with Valley View Road, easterly along Valley View Road to the service road east of U.S. 169, southerly along the service road to Braemar Boulevard, easterly and northerly along Braemar Boulevard to Valley View Road, northeasterly along Valley View Road to Antrim Road, southerly along Antrim Road to West 70th Street, easterly along West 70th Street to France Avenue, southerly along France Avenue to Parklawn Avenue, easterly along Parklawn Avenue to York Avenue, northerly along York Avenue to the southern boundary of Independent School District No. 273, Edina, and easterly along the southern boundary of Independent School District No. 273 to the eastern boundary of the city of Edina.

(b) House of Representatives District 41B consists of that portion of Senate District 41 not included in House of Representatives District 41A.

2.484 FORTY-FIFTH DISTRICT.

Subdivision 1. **Senate district.** Senate District 45 consists of that district as described in the order of the Minnesota Special Redistricting Panel in Zachman v. Kiffmeyer, No. C0-01-160 (March 19, 2002).

Subd. 2. **House of representatives districts.** Notwithstanding the order of the Minnesota Special Redistricting Panel in Zachman v. Kiffmeyer, No. C0-01-160 (March 19, 2002), Senate District 45, as described in that order, is divided into two house of representatives districts as follows:

(a) House of Representatives District 45A consists of House of Representatives District 45A as described in that order, except for the portion of that House of Representatives District 45A described as follows:

Beginning at the intersection of the center lines of 35th Avenue North and Nevada Avenue North, then south along the center line of Nevada Avenue North to the center line of 34th Avenue North, then west along the center line of 34th Avenue North to the center line of Winpark Drive, then north along the center line of Winpark Drive to the center line of 35th Avenue North, then west along the center line of 35th Avenue North to the center line of Winnetka Avenue North, then north along the center line of Winnetka Avenue North to the north municipal boundary line of Crystal, then west along that municipal boundary line to the west municipal boundary line of Crystal, then south along that municipal boundary line to the center line of 33rd Avenue North, then east along the center line of 33rd Avenue North to the center line of Wisconsin Avenue North, then north along the center line of Wisconsin Avenue North to the center line of 35th Avenue North, then east along the center line of 35th Avenue North to the center line of Utah Avenue North, then south along the center line of Utah Avenue North to the center line of 33rd Place North, then east along the center line of 33rd Place North to the center line of Winnetka Avenue North, then south along the center line of Winnetka Avenue North to the center line of 32nd Avenue North, then east along the center line of 32nd Avenue North to the center line of Nevada Avenue, then north along the center line of Nevada Avenue to the center line of Valley Place, then east along the center line of Valley Place to the center line of Louisiana Avenue North, then north along the center line of Louisiana Avenue North to the center line of 35th Avenue North, then west along the center line of 35th Avenue North to the center line of Nevada Avenue North, which was the place of beginning.

APPENDIX

Repealed Minnesota Statutes: H1425-2

(b) House of Representatives District 45B consists of that portion of Senate District 45 not included in House of Representatives District 45A.

CHAPTER 36–H.F.No. 1426

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HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

HOUSE FILE NO. 1426

April 11, 2011
Authored by Anderson, S.; Fabian; Daudt; Loon; Garofalo and others
The bill was read for the first time and referred to the Committee on Redistricting
May 11, 2011
Committee Recommendation and Adoption of Report:
To Pass as Amended and re-referred to the Committee on Rules and Legislative Administration
May 12, 2011
Committee Recommendation and Adoption of Report:
To Pass
Read Second Time

A bill for an act

relating to redistricting; adopting a congressional districting plan for use in 2012 and thereafter; adopting districting principles for legislative and congressional districts; amending Minnesota Statutes 2010, sections 2.731; 2.91, subdivision 1; repealing Minnesota Statutes 2010, section 2.031, subdivision 2.

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

Section 1. Minnesota Statutes 2010, section 2.731, is amended to read:

2.731 NUMBER OF DISTRICTS.

(a) The state of Minnesota is divided into eight congressional districts, each of which is entitled to elect one representative to the Congress of the United States of America.

(b) Congressional redistricting plan C1101-0, on file with the Geographic Information Services Office of the Legislative Coordinating Commission and published on its Web site on May 9, 2011, is adopted and describes the congressional districts within this state.

Sec. 2. Minnesota Statutes 2010, section 2.91, subdivision 1, is amended to read:

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, as established pursuant

to legislative enactment or court order, in Minnesota Statutes no later than the date of the state primary in the year ending in two.

Sec. 3. **DISTRICTING PRINCIPLES.**

Subdivision 1. **Applicability.** The principles in this section apply to legislative and congressional districts.

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

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

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

Subd. 4. **Contiguity; compactness.** The districts must be composed of convenient contiguous territory. To the extent consistent with the other principles in this section, districts should be compact. Contiguity by water is sufficient if the water is not a serious obstacle to travel within the district. Point contiguity is not sufficient.

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

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

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

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

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

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

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

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

Subd. 8. **Preserving communities of interest.** (a) Districts should attempt to preserve identifiable communities of interest where that can be done in compliance with the preceding principles.

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

Subd. 9. **Data to be used.** The geographic areas and population counts used in maps, tables, and legal descriptions of the districts must be those used by the Geographic Information Services Office of the Legislative Coordinating Commission. The population counts will be the 2010 block population counts provided to the state under Public Law 94-171, subject to correction of any errors acknowledged by the United States Census Bureau.

Subd. 10. **Consideration of plans.** A redistricting plan must not be considered for adoption by the senate or house of representatives until a block equivalency file showing the district to which each census block has been assigned, in a form prescribed by the director of the Geographic Information Services Office, has been filed with the director.

Subd. 11. **Priority of principles.** Where it is not possible to fully comply with the principles contained in subdivisions 1 to 8, a redistricting plan must give priority to those principles in the order in which they are listed in this section, except to the extent that doing so would violate federal or state law.

EFFECTIVE DATE; EXPIRATION. This section is effective the day following final enactment and applies to any plan for districts enacted or established for use at the state primary in 2012 and thereafter. This section expires June 1, 2012.

Sec. 4. **REPEALER.**

Minnesota Statutes 2010, section 2.031, subdivision 2, is repealed.

Sec. 5. **EFFECTIVE DATE.**

Except where otherwise provided, this act is effective for the state primary election in 2012 and thereafter.

APPENDIX
Repealed Minnesota Statutes: H1426-1

2.031 APPORTIONMENT.

Subd. 2. **Definition.** The terms "county," "town," "township," "city," "ward," "precinct," "census tract," "block," and "unorganized territory" when used in a description of a legislative district in section 2.444 or 2.484, mean a geographical area established as such by law and as it existed for purposes of the 2000 federal census.