

MINNESOTA STATE SENATE

SUBCOMMITTEE ON REDISTRICTING OF THE COMMITTEE ON RULES AND ADMINISTRATION

Senator Roger D. Moe, Chairman of the Subcommittee on Redistricting of the Senate Committee on Rules and Administration, called the meeting to order on Wednesday, March 7, 2001, at 8:10 a.m. in room 107 of the State Capitol.

Members present:

| | |
|------------|------------|
| Moe, Chair | |
| Belanger | Hottinger |
| Cohen | Johnson DH |
| Kleis | Knutson |
| Neuville | Orfield |
| Pogemiller | Rest |

A quorum was present.

Senator Moe entered a letter from Congressman Gil Gutknecht, 1st District, MN, into the record. The subcommittee discussed the letter. (see attached, Document # 1) No action was taken.

Senator Pogemiller announced the Supreme Court's decision to consolidate the cases of *Cotlow v. Growe* and *Zachman v. Kiffmeyer*. (see attached, Document # 2). No action was taken.

Senator Pogemiller presented SF 1013 - Legislative and congressional districts redistricting principles (see attached, Document # 5) and SF 1326 - Joint legislative resolution establishing redistricting principles for legislative and congressional plans (see attached, Document # 12).

Senator Pogemiller moved to amend SF 1013: the A-2 amendment. (see attached, Document # 3). The **MOTION PREVAILED**.

Senator Pogemiller moved to amend SF 1013: the A-3 amendment. (see attached, Document # 4). The **MOTION PREVAILED**.

SF 1013 and SF 1326 are now identical in language. The subcommittee agreed to work off of SF 1326 for the sake of further amendments.

Senator Kleis moved to amend SF 1326: the A-1 amendment. (see attached, Document # 6).

At 9:05 a.m., the subcommittee recessed until 8:00 a.m. Thursday, March 8, 2001.

Senator Roger D. Moe, Chairman of the Subcommittee on Redistricting of the Senate Committee on Rules and Administration, reconvened the meeting on Thursday, March 8, 2001, at 8:15 a.m. in room 107 of the State Capitol.

Senator Kleis laid over the A-1 amendment to SF 1326.

Senator Kleis moved to amend SF 1326: the A-7 amendment. (see attached, Document # 7). Following discussion, Senator Kleis withdrew his motion.

Senator Kleis moved to amend SF 1326: the A-1 amendment. (see attached, Document # 6). Nancy Jorgenson of the Governor's Council on Redistricting offered testimony on the A-1 amendment.
Senator Kleis requested a roll call vote.

| | AYE | NAY | PASS | ABSENT |
|------------|-----|-----|------|--------|
| Moe R.D. | | X | | |
| Belanger | X | | | |
| Cohen | | X | | |
| Hottinger | | X | | |
| Johnson DH | | X | | |
| Kleis | X | | | |
| Knutson | X | | | |
| Neuville | X | | | |
| Orfield | | X | | |
| Pogemiller | | X | | |
| Rest | | | | X |

There being **4 AYES** and **6 NAYS** the **MOTION FAILED.**

Senator Belanger moved to amend SF 1326: the A-2 amendment. (see attached, Document # 8). Senator Belanger requested a roll call vote.

| | AYE | NAY | PASS | ABSENT |
|------------|-----|-----|------|--------|
| Moe R.D. | | X | | |
| Belanger | X | | | |
| Cohen | | X | | |
| Hottinger | | X | | |
| Johnson DH | | X | | |
| Kleis | X | | | |
| Knutson | X | | | |
| Neuville | X | | | |
| Orfield | | X | | |
| Pogemiller | | X | | |
| Rest | | | | X |

There being **4 AYES** and **6 NAYS** the **MOTION FAILED.**

Senator Knutson moved to amend SF 1326: the A-3 amendment. (see attached, Document # 9). Senator Knutson requested a roll call vote.

| | AYE | NAY | PASS | ABSENT |
|------------|-----|-----|------|--------|
| Moe R.D. | | X | | |
| Belanger | X | | | |
| Cohen | | | | X |
| Hottinger | | X | | |
| Johnson DH | | X | | |
| Kleis | X | | | |
| Knutson | X | | | |
| Neuville | X | | | |
| Orfield | | X | | |
| Pogemiller | | X | | |
| Rest | | | | X |

There being **4 AYES** and **5 NAYS** the **MOTION FAILED.**


Senator Neuville moved to amend SF 1326: the A-10 amendment. (see attached, Document # 10). Senator Neuville requested a roll call vote.

| | AYE | NAY | PASS | ABSENT |
|------------|-----|-----|------|--------|
| Moe R.D. | | X | | |
| Belanger | X | | | |
| Cohen | | X | | |
| Hottinger | | X | | |
| Johnson DH | | X | | |
| Kleis | X | | | |
| Knutson | X | | | |
| Neuville | X | | | |
| Orfield | | X | | |
| Pogemiller | | X | | |
| Rest | | | | X |

There being **4 AYES** and **6 NAYS** the **MOTION FAILED.**

Senator Knutson moved to amend SF 1326: the A-4 amendment. (see attached, Document # 11). Joe Mansky, the Governor's Redistricting Project Manager, offered testimony on the A-4 amendment. The amendment was laid on the table.

The meeting adjourned at 9:30 a.m.



Senator Roger D. Moe, Chairman



Todd Olson, Committee Clerk

ROGER D. MOE
MAJORITY LEADER

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Senate

State of Minnesota

**SUBCOMMITTEE ON REDISTRICTING
OF THE
COMMITTEE ON RULES AND ADMINISTRATION**

Chair: Roger D. Moe
Wednesday, March 7, 2001
8:00 a.m.
Room 107, Capitol

A G E N D A

- I. Call to Order
- II. SF 1013 and SF1326 - Redistricting principles
- III. Discussion/Subcommittee Action
- IV. Adjournment



GIL GUTKNECHT
1ST DISTRICT, MINNESOTA



Congress of the United States
House of Representatives
Washington, DC 20515-2301

March 6, 2001

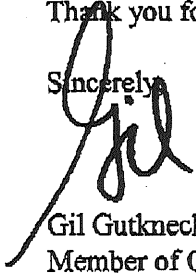
The Honorable Roger D. Moe
Chairman, Rules Subcommittee
on Redistricting
208 Capitol
75 Constitution Ave.
St. Paul, Minnesota 55155

Dear Roger:

I have recently learned that the Senate Rules Committee's Subcommittee on Redistricting will be voting tomorrow on the criteria used to create legislative and congressional redistricting plans. Because redistricting is a matter of concern to me and other members of Congress, I am writing to request that the enclosed statement be entered into the record.

Thank you for your attention to this request.

Sincerely,


Gil Gutknecht
Member of Congress

Enclosure

**Statement by U.S. Representative Gil Gutknecht (MN-01)
The Honorable Roger D. Moe, Chairman
Senate Rules and Administration Committee
Subcommittee on Redistricting
March 7, 2001**

Mr. Chairman,

It has been brought to my attention that your committee is voting on the criteria used to create legislative and congressional redistricting plans. It may surprise you to learn that I am somewhat interested in the impact of those redistricting plans and therefore the criteria used to create them.

I am concerned your committee is moving too quickly on criteria without seeking more input from the public at large, let alone members of Congress who will be affected by redistricting. I am also concerned you are moving forward on criteria before receiving and reviewing the US Census data for Minnesota. For instance, how can we judge the effect of redistricting on rural Minnesota without seeing the census data? The criteria discussion would be more appropriate after the data arrives in a few short weeks.

Having said that, I believe we should strive for a fair plan that recognizes the demographic changes that have occurred in our state over the last ten years. I also think we should maximize opportunities for minority representation at all levels.

I look forward to working with your committee in the future as you work your way through this important process. Please don't hesitate to call on my staff or me for any help in the future, including public testimony at the appropriate time.

Thank you for your consideration.

Document # 2

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JO ANNE ZOFF SELLNER
DIRECTOR

Senate State of Minnesota

March 5, 2001

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AMY M. VENNEWITZ
MAJA WEIDMANN

To: Subcommittee on Redistricting

From: Peter S. Wattson, Senate Counsel *EDW*
651/296-3812

Subj: Decision in *Cotlow v. Growe* and *Zachman v. Kiffmeyer*

The Minnesota Supreme Court has consolidated the cases of *Cotlow v. Growe* (the case from the 1990s) and *Zachman v. Kiffmeyer* (the Wright County case). The Court's order, signed by Chief Justice Blatz, has found that the role of the three-judge special redistricting panel in *Cotlow v. Growe* was confined to cases based on the 1990 Census and that role has ended. The Court will appoint a new special redistricting panel "to hear and decide the *Zachman* case and any other redistricting challenges that may be filed based on the 2000 Census." In deference to the legislative process, the Court has stayed appointment of the new panel until "it is determined that panel action must commence in order that the judicial branch can fulfill its proper role in assuring that valid redistricting plans are in place in time for the 2002 state legislative and congressional elections"

A copy of the decision is enclosed.

PSW:ph
Enclosure

STATE OF MINNESOTA

IN SUPREME COURT

C8-91-985 and C0-01-160

OFFICE OF
APPELLATE COURTS

MAR - 2 2001

FILED

Patricia Cotlow, Phillip Krass, Sharon
LaComb, James Stein and Theodore
Suss, individually and on behalf of all
Citizens of Minnesota similarly situated,

Plaintiffs,

and

John Walker, Howard Miller,
Don Sudor, and Nkajlo Vangh,

Plaintiff-Intervenors,

vs. C8-91-985

Joan Growe, Secretary of State of Minnesota;
and Patrick O'Conner, Hennepin County
Auditor, individually and on behalf of all
Minnesota county chief election officers,

Defendants,

and

The Seventy-seventh Minnesota State House
of Representatives and the Seventy-seventh
Minnesota State Senate,

Defendant-Intervenors.

Susan M. Zachman, Maryland Lucky R.
Rosenbloom, Victor L.M. Gomez, Gregory
J. Edeen, Jeffrey E. Karlson, Diana V. Brattie,
Brian J. LeClair and Gregory J. Ravenhorst,

individually and on behalf of all citizens and
voting residents of Minnesota similarly situated,

Petitioners,

vs. C0-01-160

Mary Kiffmeyer, Secretary of State of
Minnesota, and Doug Gruber, Wright
County Auditor, individually and on behalf
of all Minnesota county chief election officers,

Respondent.

ORDER

Cotlow, et al. v. Growe, et al., No. C8-91-985, is an action that was commenced in Hennepin County District Court in January 1991 challenging the constitutionality of the then-existing state legislative and congressional districts based on population changes reported in the 1990 Census. After the 1991 legislative session at which the legislature enacted a state legislative redistricting plan, by order dated June 4, 1991, the Chief Justice appointed a three-judge special redistricting panel to hear and decide the *Cotlow* case. The panel found the plan enacted by the 1991 Legislature invalid in October 1991. The 1992 Legislature passed a revised state legislative plan and a congressional redistricting plan, both of which were vetoed by the governor. In the absence of legislatively-enacted redistricting plans, the panel entered final judgment adopting a revised state legislative redistricting plan on January 31, 1992, and in a Final Order dated April 15, 1992, adopted a plan for congressional redistricting, subject to a then-pending federal district court injunction.¹ The Supreme Court subsequently held that the redistricting plans adopted by the panel should be used in future elections, rather than the plans

¹ The panel issued several subsequent orders relating to costs and disbursements, culminating in a final Order on Costs Including Attorney Fees, and Disbursements dated May 17, 1992.

adopted by a federal judicial panel. *Grove v. Emison*, 507 U.S. 25 (1993). In the following legislative session, the legislature enacted into law the redistricting plans adopted by the *Cotlow* panel. See Act of April 11, 1994, ch. 406, 1994 Minn. Laws 94 (congressional redistricting); Act of May 9, 1994, ch. 612, 1994 Minn. Laws 130 (legislative redistricting).²

On January 11, 2001, the plaintiffs in the *Cotlow* case filed a motion under Minn. R. Civ. P. 60.02(e) with the *Cotlow* special redistricting panel seeking to have the judgment in that case reopened and the injunction modified to hold the current legislative and congressional districts unconstitutional based on the 2000 Census. The presiding judge of the panel informed the *Cotlow* plaintiffs that the panel considered its appointment to be coextensive and coterminus with the legislative and congressional redistricting required by the 1990 Census and that its responsibility had therefore been concluded. The *Cotlow* plaintiffs have redirected their motion to the Chief Justice, requesting that the *Cotlow* special redistricting panel be reappointed or its appointment renewed for the purpose of hearing the Rule 60.02 motion.

Zachman, et al. v. Kiffmeyer, et al., No. CO-01-160, is a new action filed January 4, 2001, by a different set of plaintiffs in Wright County District Court alleging that the current legislative and congressional districts are unconstitutional based on the 2000 Census. The plaintiffs in *Zachman* have petitioned the Chief Justice to appoint a new three-judge special redistricting panel to hear and decide that case.

The Minnesota Attorney General has filed a motion in district court to dismiss the *Zachman* case as premature, on the grounds that the legislature has not yet had an opportunity

² The legislative redistricting plan enacted by the legislature in 1994 made three adjustments to the plan used in the 1992 elections to avoid dividing the cities of Willernie and New Hope and to simplify the division of Ham Lake. *Id.*

to adopt redistricting plans based on the 2000 Census.³ The plaintiffs in both *Cotlow* and *Zachman* take the position that a special redistricting panel should be appointed and should declare the current districts unconstitutional, but the panel should then wait to see if the legislature enacts redistricting plans.

With respect to the *Cotlow* plaintiffs' request for renewal of the appointment of the *Cotlow* special redistricting panel, the presiding judge of the panel is correct that the panel's appointment was coextensive and coterminus with the scope of that case. Based on the pleadings and the final orders and judgment of the panel, the *Cotlow* case concerned the validity of state legislative and congressional districts based on the 1990 Census. That matter was fully litigated and adjudicated. The Rule 60.02 motion and request for renewal of the *Cotlow* panel are based on population changes reported in the 2000 Census, changes not before the *Cotlow* panel and not within the scope of that action. Accordingly, the *Cotlow* plaintiffs' request for renewal or reappointment of the *Cotlow* special redistricting panel is denied.

The *Zachman* challenge to the current district boundaries and the related petition for appointment of a new special redistricting panel is also based on changes in population reported in the 2000 Census. The Chief Justice has authority to appoint a special redistricting panel under Minn. Stat. §§ 2.274⁷²⁴ and 480.16 (2000). No party has objected to adjudication of a court challenge to legislative and congressional redistricting based on the 2000 Census by a special redistricting panel. For reasons of judicial economy, as well as fairness and balance in the adjudication of the particularly important and sensitive issues inherent in redistricting, a three-judge panel should be appointed to hear and decide the *Zachman* case and any other redistricting challenges that may be filed based on the 2000 Census. Accordingly, the petition

³ Data from the 2000 Census necessary to complete redistricting is not expected to be available until some time in March, 2001.

of the *Zachman* plaintiffs for appointment of a three-judge special redistricting panel is granted.

As the parties acknowledge, however, redistricting is primarily a legislative function. See *Grove v. Emison*, 507 U.S. at 34 (“[R]eapportionment is primarily the duty and responsibility of the State through its legislative or other body * * * .”) (quoting *Chapman v. Meier*, 420 U.S. 1 (1975)). In 1991, the redistricting panel was not appointed until June, after the legislature had an opportunity to enact redistricting plans. At this point, the 2001 Legislature is still in session and has not had that opportunity.

Both the *Collow* and *Zachman* plaintiffs urge the immediate appointment of a panel so that the existing district lines can be declared unconstitutional and the legislature thereby put on notice that new plans must be adopted. The legislature has established a Geographic Information Systems Office to maintain the data, facilities, and technical capacity to draw electoral boundaries, Minn. Stat. § 3.305, subd. 5 (2000), and has been making preparations for redistricting that would be required by the 2000 Census for more than a year. See Minnesota Geographic Information Systems Office, *Minnesota Redistricting Timetable*, at <http://www.commissions.leg.state.mn/gis/html/redtime.htm> (last updated Oct. 27, 2000). Accordingly, there is no need for an immediate declaration of unconstitutionality in order to apprise the legislature of the necessity for redistricting. While the need to have state legislative and congressional district lines drawn in time for the 2002 election cycle imposes undeniable time constraints on this process, it is important that the primacy of the legislative role in the redistricting process be honored and that the judiciary not be drawn prematurely into that process.

For these reasons, while the *Zachman* petition to appoint a special redistricting panel to hear and decide issues relating to redistricting that must ultimately be resolved by the judicial

branch is granted, the appointment of the panel is stayed. When it is determined that panel action must commence in order that the judicial branch can fulfill its proper role in assuring that valid redistricting plans are in place in time for the 2002 state legislative and congressional elections, the stay will be lifted and a panel appointed.

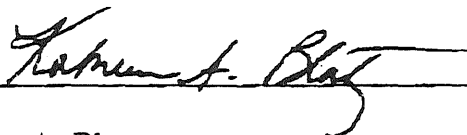
Based on all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The motion of the *Cotlow* plaintiffs for reappointment or renewal of the prior appointment of the *Cotlow* special redistricting panel be, and the same is, denied.
2. The motion of the *Zachman* plaintiffs for the appointment of a three-judge special redistricting panel to hear and decide challenges to the validity of state legislative and congressional districts based on the 2000 Census be, and the same is, granted.
3. Appointment of the special redistricting panel is stayed until further order of the Chief Justice.

Dated: *March 2, 2001*

BY THE COURT:



Kathleen A. Blatz
Chief Justice

Document # 3

03/05/01 POGEMILLER

[COUNSEL] PSW

SCS1013A-2

- 1 Senator moves to amend S.F. No. 1013 as follows:
- 2 Page 1, line 9, before the period, insert "that are based
- 3 on the 2000 census"

1 Senator moves to amend S.F. No. 1013 as follows:

2 Page 2, line 19, after the period, insert "For purposes of
3 this principle, "communities of interest" include, but are not
4 limited to, political subdivisions, neighborhoods, or other
5 geographic areas where there are clearly recognizable
6 similarities of social, political, cultural, ethnic, or economic
7 interests."

Senators Pogemiller; Moe, R.D. and Johnson, Dave introduced
S.F. No. 1013: Referred to the Committee on Rules and Administration.

A bill for an act

relating to redistricting; establishing districting
principles for legislative and congressional plans;
proposing coding for new law in Minnesota Statutes,
chapter 2.

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

Section 1. [2.025] [DISTRICTING PRINCIPLES.]

Subdivision 1. [APPLICATION.] The principles in this
section apply to legislative and congressional districts.

Subd. 2. [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 two percent, plus or minus.

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

Subd. 3. [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.

Subd. 4. [NUMBERING.] (a) The 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
seven-county metropolitan area until the southeast corner has

2 + 1000000
1 been reached; then to the seven-county metropolitan area outside
2 the cities of Minneapolis and St. Paul; then in Minneapolis and
3 St. Paul.

4 (b) The congressional district numbers must begin with
5 district one in the southeast corner of the state and end with
6 district eight in the northeast corner of the state.

7 Subd. 5. [MINORITY REPRESENTATION.] The districts must not
8 dilute the voting strength of racial or language minority
9 populations. Where a concentration of a racial or language
10 minority makes it possible, the districts must increase the
11 probability that members of the minority will be elected.

12 Subd. 6. [PRESERVING POLITICAL SUBDIVISIONS.] A county,
13 city, or town must not be divided into more than one district
14 except as necessary to meet equal-population requirements or to
15 form districts that are composed of convenient contiguous
16 territory.

17 Subd. 7. [COMMUNITIES OF INTEREST.] The districts should
18 attempt to preserve communities of interest where that can be
19 done in compliance with the preceding principles.

20 Subd. 8. [POLITICAL COMPETITIVENESS.] The districts should
21 be politically competitive, where that can be done in compliance
22 with the preceding principles. Where a concentration of third
23 party supporters makes it possible, a district should increase
24 the probability that the candidate of a third party will be
25 elected.

26 Subd. 9. [DATA TO BE USED.] The geographic areas and
27 population counts used in maps, tables, and legal descriptions
28 of the districts must be those used by the geographic
29 information systems office of the legislative coordinating
30 commission. The population counts will be the block population
31 counts provided under Public Law Number 94-171, subject to
32 correction of any errors acknowledged by the United States
33 Census Bureau.

34 Subd. 10. [DATA READY; PLANS POSTED.] The director of
35 geographic information systems shall notify the president of the
36 senate and the speaker of the house of representatives when the

1 necessary census data has been received from the United States
2 Census Bureau, loaded into the legislature's computerized
3 redistricting system, and verified as ready for use in
4 redistricting. A redistricting plan must not be considered for
5 adoption by the senate or house of representatives until:

6 (1) the notice has been given;

7 (2) a block equivalency file showing the district to which
8 each census block has been assigned, in a form prescribed by the
9 director of geographic information systems, has been filed with
10 the director; and

11 (3) a copy of the plan has been posted on the Web site of
12 the geographic information systems office.

13 Sec. 2. [EFFECTIVE DATE.]

14 This act is effective the day following final enactment.

- 1 Senator ^{Kles}..... moves to amend S.F. No. 1326 as follows:
- 2 Page 1, delete lines 17 to 22 and insert:
- 3 "(3) [EQUAL POPULATION.] Districts must be as nearly equal
- 4 in population as practicable."

1 Senator ^{Klein} moves to amend S.F. No. 1326 as follows:

2 Page 2, delete lines 5 to 15 and insert:

3 "(5) [NUMBERING.] (a) The legislative districts must be
4 numbered in a regular series, beginning with Senate district one
5 in the capital city of the state and proceeding from east to
6 west, north to south, throughout the cities of Minneapolis and
7 St. Paul, then east to west, north to south, throughout the
8 remainder of the 11-county metropolitan area, then throughout
9 the remainder of the state beginning in the northeast corner of
10 the state and proceeding from east to west, north to south, to
11 the southwest corner of the state. Senate districts must then
12 be divided in half to form the House districts, which must be
13 numbered A and B of the Senate district.

14 (b) The congressional district numbers must begin with
15 district one in the capital city of the state and proceed east
16 to west, north to south, throughout the cities of Minneapolis
17 and St. Paul, then throughout the remainder of the 11-county
18 metropolitan area, then throughout the remainder of the state,
19 beginning in the northeast corner of the state and continuing
20 counter clockwise to the southeast corner of the state."

03/06/01

Document #8

[COUNSEL] KP

SCS1326A-2

Belanger

- 1 Senator moves to amend S.F. No. 1326 as follows:
- 2 Page 1, line 20, delete "two" and insert "one-half of one"

03/06/01

Document #9

[COUNSEL]

KP

SCS1326A-3

- 1 Senator ^{Knutson} moves to amend S.F. No. 1326 as follows:
- 2 Page 1, line 20, delete "two" and insert "one"

1 Senator *Neuville* moves to amend S.F. No. 1326 as follows:
2 Page 1, line 20, before the period, insert ", provided that:
3 (i) a legislative district may deviate downward from the
4 ideal only if the projected growth rate of the district for the
5 current decade is greater than the projected growth rate for the
6 state as a whole, based on current estimates from the state
7 demographer; and
8 (ii) a legislative district may deviate upward from the
9 ideal only if the projected growth rate of the district for the
10 current decade is less than the projected growth rate for the
11 state as a whole, based on current estimates from the state
12 demographer"

1 Senator ^{Knudson} moves to amend S.F. No. 1326 as follows:
2 Page 2, delete lines 33 to 26
3 Page 3, delete lines 1 and 2 and insert:
4 "(9) [POLITICAL COMPETITIVENESS.] (a) The districts must
5 not be created to unduly favor any political party.
6 (b) The districts must not be drawn for the purpose of
7 protecting an incumbent."

Senator Pogemiller introduced--

S.F. No. 1326: Referred to the Committee on Rules and Administration.

1 A joint resolution

2 relating to redistricting; establishing districting
3 principles for legislative and congressional plans.

4
5 BE IT RESOLVED, by the Legislature of the State of
6 Minnesota that a plan presented to the Senate or House of
7 Representatives for redistricting seats in the Legislature or
8 the United States House of Representatives must adhere to the
9 following principles:

10 (1) [NUMBER OF DISTRICTS.] (a) The Senate must be composed
11 of 67 members. The House of Representatives must be composed of
12 134 members. Each district is entitled to elect a single member.

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

15 (2) [NESTING.] A representative district may not be divided
16 in the formation of a Senate district.

17 (3) [EQUAL POPULATION.] (a) Legislative districts must be
18 substantially equal in population. The population of a
19 legislative district must not deviate from the ideal by more
20 than two percent, plus or minus.

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

23 (4) [CONTIGUITY; COMPACTNESS.] The districts must be
24 composed of convenient contiguous territory. To the extent

1 consistent with the other principles in this resolution,
2 districts should be compact. Contiguity by water is sufficient
3 if the water is not a serious obstacle to travel within the
4 district.

5 (5) [NUMBERING.] (a) The legislative districts must be
6 numbered in a regular series, beginning with House district 1A
7 in the northwest corner of the state and proceeding across the
8 state from west to east, north to south, but bypassing the
9 seven-county metropolitan area until the southeast corner has
10 been reached; then to the seven-county metropolitan area outside
11 the cities of Minneapolis and St. Paul; then in Minneapolis and
12 St. Paul.

13 (b) The congressional district numbers must begin with
14 district one in the southeast corner of the state and end with
15 district eight in the northeast corner of the state.

16 (6) [MINORITY REPRESENTATION.] The districts must not
17 dilute the voting strength of racial or language minority
18 populations. Where a concentration of a racial or language
19 minority makes it possible, the districts must increase the
20 probability that members of the minority will be elected.

21 (7) [PRESERVING POLITICAL SUBDIVISIONS.] A county, city, or
22 town must not be divided into more than one district except as
23 necessary to meet equal population requirements or to form
24 districts that are composed of convenient contiguous territory.

25 (8) [COMMUNITIES OF INTEREST.] The districts should attempt
26 to preserve communities of interest where that can be done in
27 compliance with the preceding principles. For purposes of this
28 principle, "communities of interest" include, but are not
29 limited to, political subdivisions, neighborhoods, or other
30 geographic areas where there are clearly recognizable
31 similarities of social, political, cultural, ethnic, or economic
32 interests.

33 (9) [POLITICAL COMPETITIVENESS.] The districts should be
34 politically competitive, where that can be done in compliance
35 with the preceding principles. Where a concentration of
36 third-party supporters makes it possible, a district should

1 increase the probability that the candidate of a third party
2 will be elected.

3 (10) [DATA TO BE USED.] The geographic areas and population
4 counts used in maps, tables, and legal descriptions of the
5 districts must be those used by the Geographic Information
6 Systems Office of the Legislative Coordinating Commission. The
7 population counts will be the block population counts provided
8 under Public Law Number 94-171, subject to correction of any
9 errors acknowledged by the United States Census Bureau.

10 (11) [DATA READY; PLANS POSTED.] The director of Geographic
11 Information Systems shall notify the President of the Senate and
12 the Speaker of the House of Representatives when the necessary
13 census data has been received from the United States Census
14 Bureau, loaded into the Legislature's computerized redistricting
15 system, and verified as ready for use in redistricting. A
16 redistricting plan must not be considered for adoption by the
17 Senate or House of Representatives until:

18 (a) the notice has been given;

19 (b) a block equivalency file showing the district to which
20 each census block has been assigned, in a form prescribed by the
21 director of Geographic Information Systems, has been filed with
22 the director; and

23 (c) a copy of the plan has been posted on the Web site of
24 the Geographic Information Systems Office.