HF550/SF824



• **Conflict of interest exclusions**: This legislation allows direct appointment to the commission by elected officials with very limited conflict of interest prohibitions. For starters, the list of prohibitions should extend back in time and not only to people who currently hold the positions listed. Six years have been deemed acceptable by the 6th Circuit, and nobody has challenged California's 10-year lookback. The 8th Circuit is silent on this issue. There should also be a larger universe of partisan actors excluded from eligibility.

Side Note: I will forward the matrix with the comparisons of OH, NY and Washington State via email.

- Appointing authority: This model has led to partisan squabbles, deadlock, and transparency problems. See entries in <u>the CHARGE</u> <u>Community Redistricting Report Card</u> for Idaho, Montana, and Washington for examples of some of the challenges this model creates. These challenges arise because direct appointees of elected officials see themselves as acting in the interest of the person and party who appointed them. While increasing the number of commissioners compared to the other states may help with diversity, the underlying problem is that people directly appointed by legislators are often beholden to those legislators instead of focusing on effective representation for communities.
- **Criteria**: The principle on Communities of Interest should be closer to the top and worded like a mandate. Doing this allows the diverse regional voices of Minnesota and its industries to be heard and considered within the process. The criterion banning attempts to advantage or disadvantage an incumbent should be expanded to explicitly ban advantaging or disadvantaging any candidate. Another improvement would be to prohibit approval of maps that result in an undue advantage for a party.
- **Ex parte communications**: The ban on ex parte communications should extend beyond current officeholders. No communication with anybody about drawing boundaries should take place outside of a public meeting.
- Schedule of hearings: There should be some language mandating that meetings take place in different regions of Minnesota, on weekends along with weekdays, and at different times of the day to accommodate different work schedules. When we hosted listening sessions in greater MN we heard a lot from local farmers, small business owners, some local chambers and rotaries concerned with key events and meetings being held during

workday times when they are busy working their farms, minding their popup produce stands and running their businesses.



www.commoncause.org/mn

February 26, 2025

Common Cause MN is a nonpartisan grassroots organization working to create an open, transparent, and accountable government. Although we have a C4 arm, we have never endorsed a political party or candidate. Our base is over 1.5M nationwide and we have offices in 28 states, I lead the MN office. We have more than 26,000 members in MN. Despite belonging to various party affiliations, or not being affiliated, the one thing they've come together to do is support our work ensuring our Republic's democracy is safeguarded, and everyone's vote counts.

We are grateful to Rep. Torkelson for creating space for this discussion on the need for redistricting reforms. We remain committed to working with Rep. Torkelson, Sen. Rest, and others on moving a bipartisan commonsense bill centering Minnesotans in the model, process, and criteria. As many sitting on this committee recall, we've led the work of moving these reforms in partnership with everyday Minnesotans, impacted communities, and stakeholders since 2018. We are focused on homegrown solutions that directly involve all stakeholders.

We are asking members of this committee to boldly stand in partnership with our collective efforts to move bipartisan redistricting reforms that reflect the contribution of many ideas and meaningfully center Minnesotans – and not self or partisan interests. The With Us, For Us Constitutional Amendment, is the only bill that authentically reflects ideas shared by both parties and chambers. It has been a long journey, but it is worth the effort to carve out a solution that truly meets Minnesotans' needs. While we leveraged our national partners to align national best practices and lessons learned with the collective vision for redistricting reforms, national perspectives do not replace local experience.

We have concerns with the model, process, and criteria laid out in HF550. The most concerning goes to the heart of the problem – elected officials' inability to center Minnesotans and move bipartisan maps for the past six decades. The Court's role is limited – they do not draw maps from scratch, they merely tweak district boundaries to account for numbers. We are much more than numbers.

HF550 allows caucus leadership to handpick their "proxies" on a body that is supposed to be independent. It lacks meaningful transparency and critical checks-and balances and only exempts current electeds and their families from selection – under HF550 electeds can pick lobbyists and actual party members such as party chairs to sit on the "independent" commission.

Key factors we consider when assessing proposed reforms or ensuring our work is aligned with our values are below.

- where did the proposed bill language come from,
- whether proposed policies allowed for direct and meaningful participation from impacted Minnesotans and trusted community voices outside of the traditional stakeholders,
- whether the final bill includes the voice and experiences of impacted Minnesotans,
- whether there is an inclusive and fair representation that is meaningful among those making the decisions on what the bill proposes, and
- whether there is parity in power among those decision-makers at the table creating proposed policy.

democracy is OUR common cause

To our knowledge, these factors have not been weighed in within the model, process and criteria contained in HF550. HF550 was proposed as an idea with little if any input from constituents or stakeholders outside partisan space.

We respectfully as members of this committee, and Rep. Torkelson to boldly stand with constituents and stakeholders and work with us in co-creating a people centered redistricting reform. At this time we do not support HF550.

*

Thank you for your dedication to all Minnesotans as you work in committee.

Annastacia Belladonna-Carrera Annastacia Belladonna-Carrera, Executive Director

Asian American Organizing Project

540 Fairview Ave N, Suite 209, St. Paul, MN 55104



February 26th, 2025

Minnesota House State Government Finance & Policy Committee Chair and Members,

The Asian American Organizing Project, whose mission is to build vibrant communities by empowering young Asian Minnesotans, stands in strong opposition to the proposed constitutional amendment, HF 550, regarding the creation of a bipartisan redistricting commission.

We are currently witnessing unprecedented and consequential actions from politicians at all levels of government. What we do not witness is the creation of spaces for community involvement in forging the future they desire. The creation of this bipartisan redistricting commission would not only further strip powers away from the people, and exclude opportunities for community involvement, but rather put it into the hands of politicians with very limited conflict of interest prohibitions.

We also oppose the placing of "communities of interest" near the bottom of the redistricting principles. This means that protecting communities of interest will be listed as one of the lowest priorities when creating maps for new districts. Not only will this impact them on an electoral and policy level, by attempting to dilute our community's voices, but will also impact them on a societal level, creating divisions and rifts within communities.

The Asian American Organizing Project is committed to making sure our community members are not treated as an afterthought, but rather are involved in the decision making process. In the past, our organization has worked with other BIPOC leaderships to develop the Minnesota Census Communication and Mobilization Plans, outreached & engaged with youth & young Asian Minnesotans on the 2020 Census. We led various conversations with community members to create community of interest maps. These maps were part of a larger unity map that was submitted by the Corrie Plaintiffs, one of the four formal parties involved in the Special Redistricting Panel.

We believe that HF 4593 the With Us, For Us Redistricting Amendment bill, is an alternative rooted in community involvement, as it came from the collective effort of BIPOC community organizations and best positions us in the model, process and rules. It establishes structures and access for youths and young people to continue to provide insights, community driven solutions and see ourselves in critical decision making spaces.

As an organization that's worked with youth and young Asian Minnesotans for almost 10 years, youth and young people want to be involved in shaping our future and democracy. With this in mind, we reiterate the fact that the Asian American Organizing Project stands in strong opposition to this proposed amendment (HF 550).

Sincerely,

Vang Xor Xiong

Organizing & Partnership Director | 651-493-6493 | vangxor@aaopmn.org

Regarding HF 550 Mary Chasin, Community Member Mchasin@Comcast.net Crystal, House District 43A 952-240-1743 Opposed

The following is my written testimony for HF550, which has advanced to the House State and Local Government Committee on February 27.

Our redistricting process is supposed to be about the people, not partisan interests. However, HF550's proposed bipartisan redistricting commission only transfers hyperpartisan dynamics from the hands of politicians, into the hands of their handpicked partisan proxies. There MUST be community involvement in the selection of committee members as well as defining the values and process of the redistricting commission. I am chagrined to see the same attempt to do an end run around the community that formed the basis of previous proposals. The legislature has ignored significant community feedback on this, so why would we expect them to engage the community when the commission doesn't involve them? Enshrining a deeply flawed proposal in Minnesota's Constitution is totally unacceptable. Each of my objections below are to specific issues that disenfranchise the community. I am disappointed in my elected representatives passing this out of the Elections Commission

A redistricting commission appointed by politicians and allowing for this degree of packing the commission by other partisan proxies has resulted in partisan squabbles, deadlock, and transparency problems within states that use it. See Idaho, Montana, and Washington for examples. We know this and ignore it at our peril.

The redistricting principles listed in HF550 place Communities of Interest (one of the most important criteria when drawing maps) towards the bottom. Therefore, the likelihood that it is applied is less than others, like contiguous and compactness which works to further minimize attention to keeping communities of interests together.

The lack of transparency further cuts out community involvement and allows for back room deals by partisan politicians and even lobbyists. It shouldn't even need to be said that no communication with anyone about drawing district boundaries should take place outside of a public meeting.

Finally, no language allows for hearing during evenings or weekends when community members can attend and be heard. Much like what we saw during the last redistricting hearings the Republican-led Senate conducted back in 2021, they only held them during the work week and work hours which meant that those attending were mostly local government folks like mayors, city council members, and local staff and lobbyists for local industries.

For all of the above reasons, I strongly oppose HF550.

Mary Chasin, Community Member Mchasin@Comcast.net Crystal House District 43A Opposed

February 27, 2025

Representative Nash State Government Finance and Policy Committee 2nd Floor Centennial Office Building St. Paul, MN 55155

Testimony submitted for 2/27/2025 State Government Finance and Policy Committee in opposition of HF550.

I am Tom Wiesen, I am a resident of Mahtomedi. Having spent over 30 years as a Manufacturing professional, I have learned one immutable truth: The quality of a product is directly proportional to the quality of the process that created it. Likewise, the quality of our government is directly proportional to the quality of the election process that elects its members.

One of the primary root cause barriers to representative elections and representative government is the gerrymandering of districts that allow only 10 percent of state elections to be competitive. As redistricting only happens every ten years, it's important that we get it right whenever we carry out the exercise.

Some basic principles need to be understood before assessing the likely outcomes of HF550:

• Bipartisan is a bad word.

George Orwell illustrated in his book <u>1984</u>, you control the people if you control the language. The deceptive use of "Bipartisan" is a great example of this. Bipartisan is often used as an indicator of fair, equitable, and representative circumstances or decision outcomes. Since our state and federal government is dominated by two and only two political parties, Bipartisan seems like a good word on the surface, since it's better than "Partisan" or one party rule. One party rule is what North Korea, China, and Russia have. We have just one functional party more than those countries with oppressive regimes.

Partisan is biased, Bipartisan is biased, non-partisan is not biased. Bipartisan means that the outcome will likely be satisfactory to the two parties, and only the two parties, independent of the needs or will of We the People. Only non-partisan has the potential to be impartial. Non-partisan needs to become the new expected status quo goal.

Bipartisan is what has given us the gerrymandered districts we have today, as evidence by the <10% of politically competitive elections. Bipartisan needs to be accurately understood as a word meaning last-resort compromise, inequity, mis-represented, and independent of constituent's interests.

• Clean Constitution.

The founding fathers of our country warned us against the affliction of factions (political parties). As such, the only reference to any political party in the Minnesota Constitution should be in prohibitive language; language that blocks or prohibits any rights, authority, responsibility, or entitlement for political parties. The Constitution shall not convey, create, endorse, or allow any special status upon any political party, as this is in direct conflict with

the interests of and self-governance by We the People. Currently, Minnesota has only one party stain on its Constitution in the form of Article IV Section nine, that mandates partisanship when determining pay raises for the legislature. This stain needs to be removed as well. The act of adding any reference to political parties in the Constitution is to piss on the graves of our founding fathers and the citizens of Minnesota.

Party purpose

The purpose of the Duopoly monopoly political parties in Minnesota is fundamentally to be election tools, to elect members that share their values as demonstrated by their common purpose or objective statements, or simply, to gain an unfair advantage in elections.

Various Constitution purpose statements of local Political party units:

- SD33 GOP Constitution
 - The primary objectives of MN SD33 shall be to elect endorsed Republicans to public office and to promote Republican philosophy and advance conservative principles.
- MN DFL Constitution
 - The purpose of the DFL Party shall be to elect candidates to public office who represent the party's shared values. Those shared values are embodied by the DFL Party Platform, consisting of the Ongoing Platform and Action Agenda, and by the Charter and Bylaws of the Democratic Party of the United States.
- MN GOP Constitution
 - The object of the Party shall be the maintenance of government by and for the people according to the Constitution and the laws of the United States and the State of Minnesota, and the implementation of such principles as may from time to time be adopted by Party conventions. To obtain this object it is essential the party shall organize at all levels to elect Republicans to public office.

Political parties are self serving organizations. There is nothing inherently wrong with self serving organizations, most organizations form around a set of ideas that are not in the mainstream. If their ideas were in the mainstream, there would be no need for an organization to support the ideas. Political parties form around ideas, ideals, principles, and political philosophies. They recruit like-minded candidates and support their campaign efforts. These activities are all beneficial for a healthy government ecosystem. It is at this point where a line needs to be drawn.

Any direct participation or control of elections by political parties is an In-your-Face, Out loud, direct conflict of interest. Giving political parties, organizations focused on gaining an unfair advantage in elections, control of elections, is like mandating that gang leaders be on the juries for criminal cases where their members are charged with crimes. In any other domain, this would be prohibited or even outlawed.

HF550

This bill has numerous problems:

- No redistricting committee member exclusions of lobbyists, party leaders, party members, or other party biased people
- It's a different system from what is used today, is untested, and expected to immediately become a permanent part of the constitution
- Any proposed Constitutional amendment that provides political parties, party members, or party officers with any authority, preference, or responsibility that is above or supersedes any citizen's rights or authority should not be allowed.
- No contingency for when the commission cannot agree on boundary maps
- o Contains no review effectiveness of the process to revise over time
- o No defined process to elect the committee positions
- No defined contingency if the committee cannot agree on electing committee officers
- There is no districting principle that addresses the competitiveness of the district as a desired outcome
- The major problem with this bill is its foundation, a foundation built on a 0 transparently partisan house of cards. The issue is embedded in the bill's title and the frequent (15) number of times that "Bipartisan" is used in the bill. A pre-requisite to drawing boundaries that directly affect election outcomes, is the need for the redistricting committee members to be specifically objective and impartial and focused on achieving the districting principles. This cannot have even an illusion of impartiality when this bill requires the top four most partisan, party loyalists in State government to select the redistricting committee members, and there are no restrictions on selecting intentionally biased member. You cannot put the fox in charge of the hen house. Again, parties are exerting authority they have not been given by We the People. As the effects of redistricting directly affects the outcomes of elections, no member of parties or active members of congress can be involved in the selection of or participate as committee members as this is a direct conflict of interest. Any Representative voting for this bill, with redistricting members being selected by political party bosses, shows that the Representative care more about party loyalty than they care about their constituents or free, fair, and representative elections and government.

Recommendation:

The motivation of redistricting committee members needs to be the objective and impartial creation of representative districts that produce competitive elections. These motivations will not be found in the most partisan party leaders in government, or the party minions they would select. I would recommend that the redistricting committee be comprised of non-partisan staff members nominated by the Secretary of State, and could come from the Secretary of State's office and/or non-partisan county election officials. The nominated members could be vetted by a third party organization and approved by another non-partisan government department or a different branch of government. I would also recommend creating a redistricting analysis committee that would track the effectiveness

of the redistricting process and make recommendations for improving the process and guidelines for future re-districting events.

With selection of committee members left to party bosses, I strongly recommend voting NO on HF 550.

Tom Wiesen Mahtomedi, MN



February 25, 2025

Re: Opposing HF550 – Bipartisan Redistricting Commission

Chair Nash and members of the committee,

My name is May Yang, and I am the Senior Manager of Policy and Partnerships with the Minnesota Council on Foundations (MCF). MCF is a statewide association of more than 150 Grantmakers focused on ensuring Minnesota has a strong charitable sector and an inclusive democracy where everyone can be seen, counted, and heard. We support state decisions and investments that will prepare Minnesota for a full 2030 census count and redistricting processes that put people first through fair representation.

We are excited to see efforts to reimagine the redistricting process in Minnesota. However, we have reservations about the model outlined in HF550:

- 1. Having political parties select commissioners create conflicts of interest and minimizes the opportunity for everyday Minnesotans to participate.
- 2. Regarding the order of principles: listing the preservation of communities of interest towards the bottom reduces the ability of Minnesotans with shared policy concerns, history, language, geography, and more to be fully represented in district lines.
- 3. There are insufficient plans to promote transparency and public engagement to ensure hearings are accessible.

Minnesotans deserve an independent, community-focused, accessible, and transparent redistricting process which is necessary to ensure all Minnesotans have equitable representation and influence in our democracy.

As such, we urge the committee to consider the With Us For Us Redistricting Amendment introduced by Representative Klevorn last session as a model which better promotes fairness and participation.

MCF knows firsthand the power of community informed redistricting and what independent commissions can produce. In the 2021 redistricting cycle we partnered with 12 community-based organizations to form the Our Maps MN Unity Cohort. Our group educated and trained over 400 Minnesotans across to state about redistricting and how to draw community of interest (COI) maps. These COI maps were drawn by communities in tribal reservations, greater MN, the Twin Cities metro area and beyond.



a community of grantmakers

The cohort then used these maps to draw a recommended legislative and congressional map that adhered to redistricting requirements set by federal and state law. The outcome was a redistricting plan that kept COIs together, united Minnesota's northern Native communities in one congressional district, and more. Most importantly, the experience showed that Minnesotans not only desire to be engaged in redistricting, but they can in fact lead in the process.

In summary, we urge the committee to trust in the power of everyday Minnesotans and pursue an independent redistricting commission via the With Us For Us Redistricting Amendment which maximizes community input and participation. Doing so would best allow Minnesotans to have a role in ensuring district lines reflect changing community needs and interests.

Thank you to the committee for your leadership and interest in redistricting reform and for the opportunity to testify today.

Sincerely, May Yang Senior Manager of Policy & Partnerships Minnesota Council on Foundations <u>myang@mcf.org</u> 612-465-0718



February 25, 2025

Chair & Representative Jim Nash House State Government Finance and Policy Committee c/o Jacob Grundhauser, Committee Administrator Room G23, Minnesota State Capitol 75 Rev. Dr. Martin Luther King Jr. Blvd Saint Paul, MN 55155

Re: Testimony Opposing HF 550 Bipartisan Redistricting Commission

Dear Chair Nash and Members of the House State Government Finance and Policy Committee,

The League of Women Voters of Minnesota (LWVMN) is proud to be nonpartisan, neither supporting nor opposing candidates or political parties at any level of government, but always working on vital issues of concern to members and the public, and supporting the voters of Minnesota. Together, we envision a democracy where our **government is representative**, accountable and responsive to the interests and concerns of all communities and voters.

At the heart of our defense of democracy is our **commitment to redistricting processes and enforceable standards that promote fair and effective representation** <u>of voters</u> **at all levels of government with the maximum opportunity for transparency and public participation.** To that end, we have been actively involved in supporting full census counts and people-powered fair maps for all Minnesotans for decades, most recently through our active participation in the Minnesota Census Mobilization Partnership, the Our Maps Minnesota campaign, and the Minnesota Census and Democracy Partnership - all convened by the Minnesota Council on Foundations.

We appreciate the author's effort to address the existing, dysfunctional approach to redistricting in Minnesota. For the last 4 redistricting cycles, dating to 1992, the courts have created Minnesota's redistricting plans because the legislature and governor could not agree on maps. While the lack of a governing trifecta by either party spared the state from an extreme partisan gerrymander, the courts are constrained in their ability to address the changing interests and demographics of Minnesota.

LWVMN has significant reservations with the approach to redistricting proposed in HF 550. Chief among these are:

• <u>Composition/Membership</u>: The proposed commission will be composed of individuals appointed by legislative leadership. There is no prohibition on political party committee members, consultants, or lobbyists. Voters/citizens, whose interests are to be represented by the redistricting plan, are not

included in this body. As a result, this will be a process of, by, and for the partisan political parties. Experience in other states indicates that when political parties control the redistricting process, they undermine, subvert or manipulate the process for partisan benefit, or obstruct the process creating a deadlock. Recent experience in New York, Ohio, Virginia, and Washington are all examples from the most recent redistricting cycle where courts have had to intervene in the redistricting process for when political parties manipulated or undermined the state processes.

- <u>Principles</u>: The proposed redistricting principles used are narrow and do not reflect the substantial progress made by the MN Supreme Court over the last 30 years of doing redistricting in Minnesota. While the courts still adhere to a "least change approach", the principles used in the most recent redistricting cycle made significant strides in recognizing the legal standing and interests of specific groups such as Native Americans and minority groups, and making preservation of communities of interest a high priority. Compactness may be desirable for district design, however this should be a lesser consideration below items such as communities of interest.
- <u>Public Input and Participation</u>: The provision for public hearings lacks specific requirements regarding the number, location, and manner of the hearings. The process is also not transparent. There is no provision for online public input and participation which many states have adopted. Under the proposed bill, the commission has wide latitude to determine when, where, how and whether to hold hearings. It is critical that the voices and perspectives of voters, from all geographic areas and communities of the state, be heard through the redistricting process through a robust plan, required by statute, for redistricting hearings.
- <u>Court Role</u>: The bill does not specifically state that if the commission fails to reach an agreement on maps, then the court has the responsibility to create the plan. There should be a date established, such as September 1 of the year ending in 1, that the court will have jurisdiction to create a redistricting maps to ensure a well-considered plan is created in a manner to meet deadlines established by existing statutes.

We thank the bill authors in both chambers for their leadership on this important issue to ensure people-powered fair maps here in Minnesota. While LWVMN cannot support HF 550 as written, we look forward to the opportunity to work with the author and other leaders to develop an approach to redistricting that works for all stakeholders, including the voters and communities of Minnesota.

Sincerely,

han with ---

Paul Huffman Election and Redistricting Policy Coordinator League of Women Voters of Minnesota phuffman@lwvmn.org