

# REDISTRICTING REFORM REPORT

- Executive Summary -

A broad-based coalition led by former Vice President Walter F. Mondale and former Governor Arne H. Carlson have proposed an independent commission to take over the process of redistricting. Mondale and Carlson are encouraged by the strong support the proposal has received from legislative leadership in both parties.

## Other Supporters:

Former Gov. Al Quie	B. Kristine Johnson
Former Sen. Majority Leader Roger Moe	Geri Joseph
Former Congressman Tim Penny	Ellen Goldberg Luger
Former Secretary of State Joan Growe	Jan Malcolm
Former Speaker of the House Steve Sviggum	Thomas E. Mann, Brookings Institution
Former Speaker of the House Dave Jennings	Norm Ornstein, American Enterprise Institute
Peg Birk	Mitch Pearlstein, Center of the American Experiment
Laura Bishop	Dean Phillips
Kathleen Blatz	Mark Rotenberg
James R. Campbell, Retired CEO, Wells Fargo MN	George Soule
Judi Dutcher	Sarah Stoesz
Paul Gam	Ruth Usem
Nate Garvis	Pamela Wheelock
John Gunyou	Robert White
Keith Halleland	Frank Wright

## Why is reform necessary?

### **Broken System**

In the words of legislative veteran Roger Moe, Minnesota's redistricting process is "broken." As the state's longest-serving Senate Majority Leader, Moe was involved in the Legislature's redistricting attempts in four consecutive decades. "Four times we tried and most often we failed," said Moe. "From the insider's view, it's not pretty," Moe added. "The preoccupation with redistricting scenarios mucks up the Legislature's business for more than a year and is ultimately an exercise in futility."

### **Elected Officials Choosing Their Voters**

Because current redistricting enables elected officials to essentially choose their own voters, the consequences can marginalize citizens' influence and undermine healthy political deliberation. Former Governor Al Quie explained: "Over the long term, redistricting should contribute to an environment where it is easier, not harder, for legislators to make progress in solving issues Minnesotans care about." Another harmful consequence of redistricting occurs when tightly-knit communities are cleaved into separate districts for incumbent advantage. "Any reform we undertake must place geographic interests over partisan ones," Quie added.

### **Ending Up in the Courts**

Given the political spoils at stake, legislators understandably have trouble passing a singular redistricting plan into law. What time and money the Legislature does expend are often wasted as it ends up in the courts. “The institutional concerns are considerable,” said Former Vice President Walter Mondale. “It makes no sense to keep asking one branch of government to redo the work of another.” Former Supreme Court Chief Justice Kathleen Blatz has expressed concern in the past over the Judicial Branch’s repeated role in formulating redistricting plans. “The judiciary functions best well above the fray of partisan politics,” she said.

### **Conflict of Interest & Competition**

Former Governor Arne Carlson is troubled by the “inherent conflict of interest” legislators face as they redraw their own district boundaries. “This is akin to letting the winning team in a championship match decide the rules of the game for the next ten years,” said Carlson. The former governor also expressed concern that by enabling incumbents to draw safer districts, truly competitive races are becoming a scarce occurrence. “More competition means more leaders and more ideas,” he said. “We should be taking measured steps toward this goal.” Former Speaker of the House Steve Sviggum agreed. “Increased competition encourages balance in legislative decisions and helps lawmakers more effectively serve Minnesotans’ interests,” he said.

### **Abuses Elsewhere**

Mondale cited abuses seen in other states where both parties collude to protect all incumbents, a strategy recently employed in California. Other tactics include mid-decade redistricting, protracted litigation and splitting tightly knit communities into districts that are more politically advantageous to incumbents. “Reforming our system now will help prevent the migration of these abuses to Minnesota in the future,” said Mondale. Former Secretary of State Joan Growe encouraged legislators to set politics aside and work together to improve the state’s redistricting framework. “Minnesota has long enjoyed a reputation for civic engagement and effective government – two traditions we can help uphold by tackling this issue collaboratively,” she said.

### **A Congressional Seat at Risk**

Complicating the redistricting picture, Minnesota is in danger of losing a congressional seat as a result of the 2010 federal census. According to the most recent predictions from the state’s demographer, we are within .04 percent, or a thin margin of 2,200 residents, of losing one of our representatives in Congress. Even the best census estimate comes with a margin of error of one to two percent, so our .04 percent threshold merits attention.

### **A few facts:**

- The average margin of victory in Minnesota’s 2006 legislative and congressional elections was a whopping 25 percent – a figure that has been steadily increasing over the years<sup>1</sup>.
- In 2006 – a year where political upheaval was predicted – more than 8 out of 10 incumbents won nationally and here in Minnesota<sup>2</sup>.

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<sup>1</sup> Research of Lawrence Jacobs, Director of the Center for the Study of Politics and Governance, Humphrey Institute, University of Minnesota.

<sup>2</sup> *Supra*.

- While not the only factor in political extremism, experts believe there is evidence that the current redistricting process “fuels further polarization<sup>3</sup>.” Safe Democrats are more likely to have liberal voting records, and safe Republicans are more likely to have conservative ones<sup>4</sup>.
- Fully one-third of U.S. House members were considered centrists in 1955 vs. eight percent in 2004. Thirty-nine U.S. Senators were centrists in 1955 vs. nine in 2004<sup>5</sup>.

### **The solution:**

Mondale and Carlson propose a nonpartisan, independent, five-member commission made up of retired appellate court judges to be convened following each census. Each of the four legislative leaders would select one member of the commission; the fifth member would be selected by the four appointees. Free from partisan influence, the commission would draw new district boundaries for Minnesota and provide oversight of the federal census count of Minnesota residents. While not a cure for all that ails today’s political system, this sensible reform:

- **Is supported** by a long list of current and former elected officials of all political stripes.
- **Restores legitimacy** to redistricting while removing the inherent conflict of interest legislators face in drawing their own district boundaries.
- **Helps minimize political polarization** and takes incremental steps toward accountability, fairness and healthy competition.
- **Helps protect underrepresented groups.** The Commission will solicit input from underrepresented groups like minorities and rural populations, and will be guided by federal law and court rulings that protect these individuals.
- **Helps protect existing communities.** The Commission will be guided by federal law and court rulings that preserve the boundaries of existing communities and avoid bizarrely shaped districts.
- **Is budget neutral.** The costs of the proposed commission are not expected to exceed the cost of the current legislative process (around \$1 million<sup>6</sup>).
- **Protects Minnesota’s congressional representation by ensuring a fair census.** “Minnesota needs to be continuously watchful to make sure it gets a fair count,” said State demographer Tom Gillaspay.

### **Next up – protecting an impartial judiciary:**

Reform of Minnesota's redistricting process is the first step in a campaign of civic, nonpartisan reform to strengthen our democracy in Minnesota. The second step is to protect the impartiality of the judiciary and will be the focus of future efforts.

### **For more information, contact:**

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<sup>3</sup> *Red and Blue Nation*, by Thomas E. Mann of the Brookings Institution, p. 280.

<sup>4</sup> *Supra*, p. 279.

<sup>5</sup> “*One Nation, Divisible*” by Norman Ornstein and Barry McMillion, published in the New York Times, June 23, 2005.

<sup>6</sup> Estimate from Joseph Mansky, Ramsey County Elections Department: \$500,000 - \$600,000 for legislative redistricting costs including the House, Senate and Legislative Coordinating Commission; \$200,000 for Executive Branch costs including the Governor’s Redistricting Commission; and \$369,000 for the state’s cost of legal fees.