21.0909.02000

Sixty-seventh
Legislative Assembly
of North Dakota

Introduced by

Representatives Pollert, Louser

Senators Klein, Wardner

A BILL for an Act to establish an ~~legislative management~~ independent redistricting committee, to provide for the implementation of a legislative redistricting plan, ~~to exempt drafts of redistricting plans from open records requirements~~, and to provide for a special legislative session; to provide an expiration date; and to declare an emergency.

SECTION 1. ~~LEGISLATIVE MANAGEMENT~~INDEPENDENT REDISTRICTING COMMITTEE – ~~OPEN RECORDS EXEMPTION~~ – SPECIAL LEGISLATIVE SESSION.

1. The chairman of the legislative management shall appoint an independent redistricting committee, consisting of five members with no more than two members being of the same political party, in order to develop a legislative redistricting plan to be implemented in time for use in the 2022 primary election. ~~The committee must consist of an equal number of members from the senate and the house of representatives appointed by the chairman of the legislative management.~~
2. The committee shall ensure any legislative redistricting plan submitted to the legislative assembly for consideration, other than as provided for in N.D. Const. art. IV, § 2, must establish single-member legislative districts using the following criteria as set forth in the following order of priority:
   a. Districts shall conform to all constitutional requirements with respect to population equality.
   b. Districts shall comply with the Voting Rights Act of 1965 (52 U.S.C. § 10301 et. seq.)
   c. Districts shall be of compact and contiguous territory. ~~and conform to all constitutional requirements with respect to population equality~~.

d. Districts shall respect communities of interest, neighborhoods, and political subdivisions to the extent practicable and after compliance with the requirements of (a) through (c). A community of interest is defined as an area with recognized similarities of interest, including but not limited to ethnic, racial, economic, tribal, social, cultural, geographic or historic identities. The term communities of interest may, in certain circumstances, include political subdivisions such as counties, municipalities, tribal lands and reservations, or school districts.

3. The committee may adopt additional constitutionally recognized redistricting guidelines and principles to implement in preparing a legislative redistricting plan for submission to the legislative assembly.

~~2.~~ The committee shall hold each of its meetings in public, shall solicit, accept and take into consideration comments from the public, including proposed maps, throughout the process of developing the redistricting plan, and shall carry out its duties in an open and transparent manner that provides for the widest public dissemination reasonably possible of its proposed and final redistricting plan.

4. The committee shall have timely and meaningful consultation with all Tribal Nations within the State with respect to its duties, activities and procedures.

5. To the greatest extent practicable, the committee shall hold its meetings and hearings in various geographic regions and locations, including on Indian reservations.

~~3.~~6. The committee shall submit a redistricting plan and legislation to implement the plan to the legislative management by November 30, 2021.

~~4. A draft of the legislative redistricting plan created by the legislative council or a member of the legislative assembly is an exempt record as defined in section 44-04-17.1 until presented or distributed at a meeting of the legislative management or the legislative assembly. Any version of a redistricting plan created before the completion of the plan is an exempt record regardless of whether the completed plan is presented or distributed subsequently at a meeting.~~

~~5.~~7. The chairman of the legislative management shall request the governor to call a special session of the legislative assembly pursuant to section 7 of article V of the Constitution of North Dakota to allow the legislative assembly to adopt a redistricting plan to be implemented in time for use in the 2022 primary election and to address any other issue that may be necessary.

SECTION 2. EXPIRATION DATE. This Act is effective through July 31, 2022, and after that date is ineffective.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure.