

MN LET THE PEOPLE VOTE COALITION

INFORMATION SHEETS ON SOME PROPOSED  
CAUCUS RESOLUTIONS

FOR FEBRUARY 6, 2018 CAUCUSES

JANUARY 22, 2018

# PRE-REGISTRATION FOR 16-17 YR OLDS

At present in Minnesota, young people are not allowed to register to vote unless they will be 18 by the date of the next election.

Bills for pre-registration of 16 year olds have already been entered into both the Minnesota Senate (SF 607-2017-18) and the Minnesota House of Representatives. They were referred to committees.

Preregistration is an election procedure that allows individuals younger than 18 years of age to register to vote so they are eligible to cast a ballot when they reach 18, the voting age in Minnesota as in all states. In the past decade or so, preregistration has steadily emerged as an election reform across the U.S. The central goal of preregistration is to encourage voting among young people, the group that consistently has the lowest turnout rates.

**Pre-registration of 16 – 17 year olds** encourages civic engagement among young people by engaging 16 and 17 year olds before they are eligible to vote. In particular, individuals who are at least 16 years old may complete all the necessary steps for voter registration. Pre-registered young people are then “activated” as registered voters when they become eligible to vote at age 18.

These voters should receive notification when their registration has been activated, as well as polling location information prior to the first election in which their registration is active. The package of information could also include a set of frequently asked questions about the voting process, the date of the next election, and the option of re-registering when changing addresses.

High schools can register students at a number of school sponsored events, including high school civics class, or as part of a student assembly or “Civics Day” in which students meet with local political leaders.

## Advantages

- Evidence that preregistration encourages youth turnout, according to a 2010 case study of Hawaii and Florida.
- Permits registration for first-time youth voters at already-established points of contact, such as in civics classes or at motor vehicle bureaus.
- Has potential to increase youth engagement in state/local elections.

## Disadvantages

- Since preregistered youth may move between preregistration and their first chance to vote, these registrations may no longer be accurate and valid.
- Costs may be a factor; implementation in Colorado was estimated at \$572,112 in 2013. In a study by Project Vote, the most common reported expense was the cost of the voter registration forms themselves, but these costs would be incurred for registration in any case.

Other reported costs include postage to mail forms, some personnel costs, and costs for educational materials.

Young people are under-represented in elections. In the 2008 election, young people voted at the second-highest rate of all time. Voter turnout among 18-24 year olds grew by double digits from 2000 to 2008. Yet, they still had the lowest turnout of any age group. Sixty-seven percent of citizens 30 years or older voted. In contrast, less than half of eligible voters between the ages of 18-24 voted. In other words, in the second highest turnout of all time, more young people *did not* vote than voted.

This low level of turnout for any group is not good for our democracy. Young people face unique policy concerns and they should voice their preferences and priorities through the electoral process. The primary indicator of voter turnout is registration. Once registered, voters are much more likely to turn out to vote and to stay engaged in voting over their lifetime. Engaging potential voters at a young age is a successful way to increase voter registration, not just in the short term but also over a lifetime. It has also been proven to work. In 2008, pre-registered young voters in Florida turned out at a rate 4.7 percent higher than young voters who registered after turning 18.

Pre-registration does not require any additional voter registration databases. Young voters who are not yet 18 can be entered as “pending.” Once they reach 18, their registrations can automatically move from pending to active.

Beyond pre-registration, several states have programs to further engage young voters--including Hawaii, Florida, Washington State, North Carolina, and Wisconsin.

These states allow someone as young as 16 to preregister to vote: California, Colorado, District of Columbia, Delaware, Florida, Hawaii, Louisiana, Maryland, Massachusetts, Oregon, Rhode Island, Utah, Vermont.

These states allow someone as young as 17 to preregister to vote: Iowa, Maine, Nebraska, New Jersey, Nevada, West Virginia. These states set other ages at which an individual under 18 may register to vote: Alaska, Georgia, Missouri, Texas.

These states allow an individual to register to vote if they will turn 18 by the next election or general election: Indiana, Kansas, Minnesota, New Hampshire, New Mexico, Wyoming.

***Latest Development: in North Carolina, the 4th U.S. Court of appeals struck down that state's 2013 law that eliminated preregistration for 16-and-17-year olds.***

# RESTORE THE VOTE TO PEOPLE ON PAROLE, SUPERVISED RELEASE AND PROBATION

*(PASS MN HOUSE FILE 951)*

*Minnesotans who have a felony conviction lose the right to vote until they have been released from supervision, parole and probation, even though they are living in the community, and even if they have never spent any time in prison. Once the criminal justice system has determined that a person should be allowed to live in our communities, there is no good reason they should not be allowed to have a voice in our democracy. This violates the principles of democracy that our country was founded on.*

Minnesota should pass legislation that restores the vote to people who have served their time and are living in their community. Such a bill has already been passed by the Minnesota Senate (SF 2381), but a similar bill (HF 951) is now stuck in committee in the MN House,

In 2011, of the 63,000 Minnesotans who were unable to vote due to a past criminal conviction, only about 16,000 were behind bars in prison or jail. In other words, 75% of those who have been denied the right to vote under Minnesota law are living in the community, working to earn a wage to support their families, and paying taxes.

The number of people disenfranchised has greatly increased in recent years because felony convictions and sentence lengths, especially for drug offenses, have exploded. **Since 1974, the percentage of voting-age Minnesotans disenfranchised as a result of a criminal conviction has increased over 400%.**

The right to vote forms the core of our democracy. We all benefit when our neighbors vote because they engage more actively in our communities. Individuals who vote take a more active role in the community.

Voting can be a powerful way to engage and to feel invested in the community. This reform will promote successful reintegration into the community, as voting can be a powerful, concrete and symbolic way to contribute to one's community and to feel invested and empowered to play a positive role. Research has shown that persons with criminal convictions in their past are less likely to be arrested again in states that restore voting rights after release from incarceration than in states where they face permanent disenfranchisement. Civic Engagement should be encouraged, not prosecuted.

People of color are disproportionately affected by the current system. Although felony disenfranchisement impacts a growing number of all Minnesotans, as a result of disproportionate contact with the criminal justice system, African-Americans and American Indians are

disproportionately affected. In 2011, nearly 16,000 African-Americans, or roughly eight percent of African Americans who were old enough to vote, were disenfranchised. Although African-Americans make up roughly five percent of the Minnesota population, they represent over a quarter of the total number of those disenfranchised. American Indians make up less than two percent of the population, however, in 2011 American Indians comprised more than six percent of those disenfranchised.

Law enforcement and corrections professionals agree that encouraging individuals to take on this important responsibility makes sense. “Restore the Vote” is supported by more than 70 Minnesota organizations from many different perspectives, including public safety organizations like the MN County Attorneys Association and MN Corrections Association; governmental bodies like the Association of Minnesota Counties; civil liberty, advocacy, and service organizations; and statewide groups representing every major faith perspective.

Additionally, a policy that permits all individuals who have served their time in jail or prison to vote reduces confusion among voters and election officials about who can vote, thereby easing election administration and reducing government costs.

Felony disenfranchisement prevents Minnesotans with criminal convictions from having a stake in their communities, and a voice in decisions that affect all aspects of their lives. This has long-lasting repercussions for the community: research has shown that children are more likely to vote as adults if they are raised by parents who engage in the voting process. By disenfranchising people who are not behind bars, we lose not only the voice of those directly impacted by disenfranchisement; we also discourage participation by future generations. **Current policy, which this bill would change, unnecessarily and excessively discourages positive civic participation, perpetuates racial injustice, and adds cost and complications to voting.**

Restoring the right to vote for those living in the community will positively engage more people in the democratic process, make the law clearer, save resources, and ultimately make all Minnesota communities safer and more just.

Please consider the impact of restoring voting rights on democratic engagement, community safety, state resources, and basic fairness in our society.

# FIX THE BROKEN ELECTORAL COLLEGE IT'S TIME FOR NATIONAL POPULAR VOTE

**Why do we pick the president by the electoral vote? Voters in all 50 states deserve a say in choosing our president**

Many Americans are outraged that for the second time in five elections **the presidential candidate who won the most popular votes lost the election.** In addition, due to the effect of the Electoral College on our presidential campaigns, candidates are forced to compete in only a handful of swing states, effectively ignoring voters in every other state in the union. This winner-take-all Electoral College system must be changed so that the winner of the popular vote becomes president and voters in all 50 states have a say in choosing our president

**Here's how to do it:** States can decide how they award their electoral votes, so if enough states require their electors to vote for the winner of the nationwide popular vote (instead of who won in that state,) it would fix the problems of the Electoral College without needing to amend the Constitution.

This National Popular Vote compact wouldn't take effect until enough states joined in, but we're closer to that than you might think. Ten states (California, Hawaii, Illinois, Maryland, Massachusetts, New Jersey, New York, Rhode Island, Vermont, Washington) and the District of Columbia have already signed on, totaling **165 electoral votes of the needed 270.**

Activating the National Popular Vote compact would reshape our democracy for the better. Not only would it ensure that the candidate that got more votes wins the presidency, but it would also force candidates to spend time engaging with voters in all 50 states instead of just a handful of swing states.

In 2016, 95% of campaign spending and candidate visits were in just 12 states. We don't know for certain who would have won this past election if National Popular Vote had been in place, but at the very least, we would end up with one winner, and not two -- and a democracy where every voter has a say in picking the president, regardless of where they live.

If you're upset that the electoral vote outcome swung the 2016 presidential election, then the National Popular Vote compact is the most effective and practical way to change our system for the better. **Please add your name today to tell lawmakers in your state to sign onto the National Popular Vote compact. More Information:**

<http://www.commoncause.org/issues/voting-and-elections/national-popular-vote/>

<http://www.nationalpopularvote.com>

# INDEPENDENT COMMISSION FOR REDISTRICTING

**Why an independent Commission for Redistricting?** Redistricting is the process by which new congressional and state legislative district boundaries are re-drawn based on changes in a state's population. In Minnesota, congressional and state legislative district boundaries are drawn by the Minnesota State Legislature. These lines are subject to veto by the governor.

Leaving the re-drawing of legislative district boundaries in the hands of the Minnesota State Legislature, subjects redistricting to partisan influence by the political party in control of the legislature. Many states have replaced legislative control over redistricting by placing it instead in the hands of an Independent Commission for Redistricting.

**Gerrymandering in Minnesota:** Minnesotans have reason to be concerned about possible partisan influence on redistricting. The term gerrymandering refers to the practice of drawing electoral district lines to favor one political party over another, and Minnesota's system for redistricting opens it up to the possibility of gerrymandering.

In 2010, the time of the last Census, Republicans controlled the Minnesota Legislature. Their proposal for redistricting stacked Northern Minnesota's 7<sup>th</sup> and 8<sup>th</sup> districts horizontally rather than vertically by attaching Democratic Collin Peterson's base in the far northwest to the heavily Democratic Iron Range in the far northeast. Freshman Republican Chip Cravaack would have gotten a more reliably Republican seat stretching from the Dakotas to Wisconsin.

Predictably, Democrats decried this as an unholy merger of the state's top agricultural and mining regions. Instead, they proposed a map that would have extended suburban Minneapolis Republican Erik Paulsen's 3<sup>rd</sup> District into more Democratic suburbs south of the Twin Cities, putting his seat into play.

On May 19, 2011, Dayton vetoed the legislature's plan. The Minnesota Supreme Court appointed a judicial panel to draw the lines instead of the Legislature. The panel issued its map on February 21, 2012. The map made only minor changes to the existing congressional layout. We can conclude that gerrymandering is a danger in Minnesota when both the legislative and the executive branches are controlled by any one political party.

**Recent court decision validating Independent Commissions for Redistricting:** *Arizona State Legislature v. Arizona Independent Redistricting Commission* was a case decided by the Supreme Court of the United States in 2015. At issue was the constitutionality of the Arizona Independent Redistricting Commission, which was established by state constitutional amendment in 2000. According to Article 1, Section 4, of the United States Constitution, "the Times, Places and Manner of holding Elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof." The state legislature argued that the use of the word "legislature" in this context is literal; therefore, only a state legislature may draw congressional district lines. Meanwhile, the commission contended that the word "legislature" ought to be interpreted to mean "the legislative powers of the state," including voter initiatives and referenda. On June 29, 2015, the court ruled 5-4 in favor of the Arizona Independent Redistricting Commission, finding that "redistricting is a legislative function, to be performed in

accordance with the state's prescriptions for lawmaking, which may include the referendum and the governor's veto."

**Court Decisions regarding Partisan Gerrymandering:** Courts have been extremely hesitant to step in and strike down electoral maps drawn by lawmakers, questioning whether controversies over redistricting are even controversies courts can resolve. However, at the federal level, a three-judge panel ruled in 2016 that the map for Wisconsin's state legislative districts benefited Republicans enough to violate the U.S. Constitution.

In North Carolina, a panel of federal judges recently issued a similar ruling, striking down the state's congressional map. The U.S. Supreme Court heard oral argument in the Wisconsin case in October, 2017, and it is currently considering whether it will take up the North Carolina case. This term, the Supreme Court will also hear a First Amendment challenge to Maryland's congressional map which benefits Democrats.

**Legal basis for Minnesota's Districts:** Each of Minnesota's eight United States Representatives and 201 state legislators is elected from political divisions called districts. United States Senators are not elected by districts but rather by the states at large. District lines are redrawn every 10 years following completion of the United States Census. The federal government stipulates that districts must have nearly equal populations and must not discriminate on the basis of race or ethnicity.

Following the 2010 United States Census, Minnesota was apportioned eight congressional seats. Minnesota's State House of Representatives is made up of 134 districts; Minnesota's State Senate is made up of 67 districts. State representatives are elected every two years in partisan elections.

The Minnesota Constitution requires "that state Senate districts be contiguous, and that Minnesota House of Representative districts be nested within Senate districts. State statutes apply contiguity requirements to all congressional and state legislative districts. Furthermore, state statutes stipulate that political subdivisions should not be divided "more than necessary."

**Federal requirements for Congressional redistricting:**

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.[7] –U.S. Constitution

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In 1964, the United States Supreme Court ruled in *Wesberry v. Sanders* that the populations of House districts must be equal "as nearly as practicable."

**Federal requirements for state legislative redistricting:** The United States Constitution is silent on the issue of state legislative redistricting. However, in the mid-1960s, the Supreme Court in *Reynolds v. Sims*, ruled that "the Equal Protection Clause [of the United States

Constitution] demands no less than substantially equal state legislative representation for all citizens of all places as well as of all races."

**State requirements on redistricting:** In addition to the federal criteria noted above, individual states may impose additional requirements on redistricting. Common state-level redistricting criteria include contiguity, compactness, community of interest, and adherence to political boundaries (e.g., the limits of counties, cities and towns).