

2024 Procedure for the Selection of a Senate Map

This document provides an overview of the process through which the Michigan Independent Citizens Redistricting Commission will vote to select a final remedial state senate map for submission to the District Court pursuant to the District Court's Order in the *Agee, et al v. Benson, et al* matter. The final remedial state senate map will be submitted to the District Court no later than Thursday, June 27, 2024.

2024 Schedule for Selection of a Remedial State Senate Map

Selection of the final remedial state senate map will occur during the following meeting dates:

- Monday, June 24, 2024—10 a.m.-5 p.m., lunch from 1-2 p.m.
- Tuesday, June 25, 2024—10 a.m.-5 p.m., lunch from 1-2 p.m.
- Wednesday, June 26, 2024—10 a.m.-5 p.m., lunch from 1-2 p.m.

Maps for Consideration

Maps considered during the selection process on the above meeting dates will be limited to the twelve Draft Proposed Maps put forth for the public comment period ending Friday, June 21, 2024.

During the selection process, the Commission may modify Draft Proposed Maps if the amendments are the logical outgrowth of public comments received.

Prior to meetings for the selection of a final remedial state senate map

Prior to the meetings scheduled for the selection of a final remedial state senate map, Commissioners shall independently review, research, and familiarize themselves with the Draft Proposed Maps and shall review and reflect on public comment received on the Draft Proposed Maps during the public comment period ending Friday, June 21, 2024.

Commission Final Vote Procedure

This section provides an overview of the final vote procedure for the selection of a final remedial state senate map for submission to the District Court pursuant to the District Court's Order in the *Agee, et al v. Benson, et al* matter and in alignment with the voting process provided in article IV, section 6, subsection 14 of the Michigan Constitution.

Step 1 – Overview of Plans

The Commission Chair or Vice-chair will facilitate an overview and discussion among Commissioners present on each collaborative, Draft Proposed Map in alphabetical order by identifier name. Commissioners who submitted individual, non-collaborative plans for consideration will present their Draft Proposed Map after all collaborative maps have been reviewed and discussed.

During this overview and discussion, the Commission (by majority vote of members present) may vote to amend one or more Draft Proposed Maps to the extent amendments are the logical outgrowth of public comment received.

After reviewing and / or making any minor adjustments to each map, the Commission Chair or Vice-Chair will also facilitate a discussion offering the opportunity for each Commissioner to express which maps they prefer and why.

Step 2 – Vote

- A. The Commission Chair or Vice-chair will call for a motion for the Secretary to conduct a roll call vote for the final selection of a final remedial state senate plan to submit to the District Court pursuant to the District Court's Order in the *Agee, et al v. Benson, et al* matter.

Each Commissioner shall vote by stating the name of their preferred plan to submit.

- B. The Secretary will record the votes and shall then confirm if any plan received a Constitutional Majority required for the adoption of a final remedial state senate plan. A Constitutional Majority is defined as a majority vote of Commissioners present, including at least two Commissioners who affiliate with each major party, and at least two commissioners who do not affiliate with either major party (a 2-2-2 vote).
- C. The Commission will return to the discussion of Draft Proposed Maps. During this renewed overview and discussion, the Commission (by majority vote of members present) may vote to amend one or more Draft Proposed Maps to the extent amendments are the logical outgrowth of public comment received. After discussion has concluded, the Commission Chair or Vice-chair will again call for a motion for the Secretary to conduct a roll call vote for the final selection of a senate plan to submit to the District Court pursuant to the District Court's Order in the *Agee, et al v. Benson, et al* matter. Each Commissioner shall vote by stating the name of their preferred map.
- D. If no Constitutional Majority is achieved after a second vote, the Commission shall repeat the procedure outlined in Step 2 (C) and (D), voting for a fifth time.

- E. A failure to achieve a Constitutional Majority during a fifth vote will result in the Commission proceeding to a Ranked Voting process as described in article IV, section 6, subsection 14 of the Michigan Constitution.

Step 3 – Ranked Voting

- A. The Secretary will call on each Commissioner in rotating alphabetical order for each Commissioner to audibly indicate the Draft Proposed Map they would like to submit for the ranked choice vote. Each Commissioner may submit one Draft Proposed Map for consideration. More than one Commissioner may submit the same Draft Proposed Map. The Secretary shall record which Commissioner has submitted which Draft Proposed Map, and the Commissioner’s corresponding party affiliation.
- B. The Secretary will create a Microsoft Form live during the public session while screen sharing, containing all names of Draft Proposed Maps submitted pursuant to Step 3(A) for Commissioners to rank in order of preference, with number 1 being most preferred, and the last ranked plan being least preferred. Once created, the Secretary will send an email to each of the Commissioners containing a link to the form. The link will not be publicly disclosed to ensure a secure vote among only Commissioners.
- C. Each Commissioner will have 10 minutes to complete the Microsoft Form and submit their preferred map rankings. Commissioners who are not able to access the Microsoft Form due to lack of internet connection or technical issues will convey their preferred rankings to the Secretary verbally and publicly for the Secretary to record.
- D. After the 10 minutes allotted for completing the ranked choice form has expired and each Commissioner present at the meeting has voted, the Secretary will tally the votes. The Secretary shall read each Commissioner’s ranked votes aloud for each Commissioner present to audibly confirm their vote on the record, one at a time in alphabetical order.
 - a. *Each plan shall be assigned a point value inverse to its ranking among the number of choices, giving the lowest ranked plan one point and the highest ranked plan a point value equal to the number of plans submitted [14(c)(ii)].*
 - b. *The Commission shall adopt the plan receiving the highest total points, that is also ranked among the top half of plans by at least two Commissioners not affiliated with the party of the Commissioner submitting the plan, or in the case of a plan submitted by non-affiliated Commissioners, is ranked among the top*

half of plans by at least two Commissioners affiliated with a major party. [14(c)(iii)].

- E. The Secretary shall announce the results of the ranked choice vote and will share an excel spreadsheet publicly via Zoom to display the total point value achieved by each plan. These results will be publicly posted on the Commission’s website as part of the public record.

- F. If plans are tied for the highest point total, the Secretary shall use an independent accounting firm to randomly select the final remedial state senate map from those tied plans. If no plan meets the requirements of article IV, section 6, subsection 14(c)(iii), the Secretary shall use an independent accounting firm to randomly select the final remedial state senate plan from among all submitted plans pursuant to article IV, section 6, subsection 14(c)(i) and Step 3(A). Any random selection shall occur no later than June 26, 2024.

Constitutional language on adoption of a final plan

Article IV, section 6, subsection 14 of the Michigan Constitution states that:

(c) A final decision of the commission to adopt a redistricting plan requires a majority vote of the commission, including at least two commissioners who affiliate with each major party, and at least two commissioners who do not affiliate with either major party. If no plan satisfies this requirement for a type of district, the commission shall use the following procedure to adopt a plan for that type of district:

(i) Each commissioner may submit one proposed plan for each type of district to the full commission for consideration.

(ii) Each commissioner shall rank the plans submitted according to preference. Each plan shall be assigned a point value inverse to its ranking among the number of choices, giving the lowest ranked plan one point and the highest ranked plan a point value equal to the number of plans submitted.

(iii) The commission shall adopt the plan receiving the highest total points, that is also ranked among the top half of plans by at least two commissioners not affiliated with the party of the commissioner submitting the plan, or in the case of a plan submitted by non-affiliated commissioners, is ranked among the top half of plans by at least two commissioners affiliated with a major party. If plans are tied for the highest point total, the secretary of state shall randomly select the final plan from those plans. If no plan

meets the requirements of this subparagraph, the secretary of state shall randomly select the final plan from among all submitted plans pursuant to part (14)(c)(i).