

## **Commission Final Vote Procedure Draft**

**v12.1.21**

The below process outlines the recommended steps for the Commission's final vote to approve Michigan State House, Michigan State Senate and US Congressional redistricting plans. The final vote is tentatively scheduled to take place on December 28<sup>th</sup>.

### **Step 1 – Overview of Plans**

The Commission Chair/Vice-chair will present an overview and review of each plan in alphabetical order (by state senate, state house and US Congressional). Commissioners may take notes on each plan, as needed. Please remember that any notes taken will be subject to public record.

#### **Step 1 Decision Points**

1. Should Commissioners present their individual published plans at this time?
2. Will the Commission present the published plans during the December 16<sup>th</sup> meeting? If yes, should they still present on the 28<sup>th</sup>?
3. Should the Commission do an overview of all plans in each district types at once, or go through all steps for each district type, one at a time?

**Recommendation:** Review all published plans thoroughly (collaborative and individual) on December 16<sup>th</sup> and do an additional, brief overview of published plans (collaborative and individual) on December 28<sup>th</sup>.

### **Step 2 – Discussion before the Vote (on December 28<sup>th</sup>)**

- A. A motion will be made that each Commissioner state their top two favored published plans, by district type. (Example motion: I motion that each Commissioner state their first and second most preferred state senate plan.)
- B. The Commission will discuss each published plan, in alphabetical order, by district type.

#### **Step 2 Decision Points**

1. Should the Commission discuss plans during the meeting on December 16<sup>th</sup> as well as the final vote meeting scheduled December 28<sup>th</sup>?
2. Should the Commission discuss their top two or top five favored plans in Step 2?
3. Should the Commission engage in discussion first or share top favorites first?
4. Should the Commission discuss all published plans at once or go through all steps for each district type, one at a time?

### Step 3. Vote

**A.** A motion will be made that the Commission will conduct a roll call vote to adopt a plan by district type. Each Commissioner will cast a vote by stating the name of the plan they wish to vote for out of all published plans for that district type. (Example motion: I motion that we vote for a state senate plan to adopt by stating one preferred plan name)

**B.** The Secretary will record the vote, check for a constitutional majority, and announce the results. The Secretary will share an excel spreadsheet via Zoom to publicly display the results of the vote.

#### ***Secretary Script***

**If constitutional majority is achieved:** “The state senate plan adopted by the Michigan Independent Citizens Redistricting Commission is \_\_\_\_\_”

*Or*

**If no constitutional majority:** “No plan has achieved a constitutional majority defined as “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:” [14(c)]*

This procedure is outlined in step 4, below.

#### **Step 3 Decision Points:**

1. If there is no constitutional majority, can a Commissioner motion to reconsider the vote?
2. If there is no constitutional majority from the vote reflected in Step 3(A), can a Commissioner motion to vote on a specific plan? (Example motion: “I motion we vote to approve the Dogwood Plan”)
3. If a motion is made and a vote occurs on a specific plan (as in Decision point 2), and that vote fails to reach a constitutional majority, can a Commissioner motion to reconsider?
4. Should the Commission structure the vote as a runoff vote to narrow down the field or should the Commission vote on all published plans at once with no runoff structure?

## **Step 4 – Ranked Voting**

**A.** If no constitutional majority is achieved in Step 3, the Commission will proceed to a ranked voting system as described in section 14(c)(i) – (iii) of the MI Constitution, and by following the procedure as listed below.

**B.** *“Each Commissioner may submit one plan for each type of district to the full Commission for consideration.” [14 (c)(i)]*

Pursuant to the adopted resolutions, a Commissioner may submit one published plan (collaborative or individual) for consideration by raising their hand to be called on by the chair. Once called on, that Commissioner may indicate which published plan they wish to submit for the ranked choice vote. Each of the published plans may only be submitted by one Commissioner.

**C.** *Each Commissioner shall rank the plans submitted according to preference. [14(c)(ii)]*

Each Commissioner attending the meeting in-person will be provided a ballot to record their vote (see end of the document for an example ballot). Each Commissioner shall rank the submitted plans on the ballot in order of preference. Each Commissioner must only choose one plan for each rank (i.e., two plans cannot tie for first). Please note that any written ranked vote is part of the public record.

Commissioners attending the meeting remotely may relay their vote rankings to the Secretary via email or audibly by phone.

The Commission will be allotted ten minutes to complete and return their ballot to the Secretary, or otherwise indicate their vote to the Secretary. Commissioners exceeding the 10-minutes will be allotted more time, as needed, to return their completed ballot.

**D.** *“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)]*

After receiving all votes from each Commissioner, the Secretary will tally the results. Two representatives from the Michigan Department of State will separately tally the votes in the manner described in the constitution. The results will be compared between staff members to ensure accuracy. These results will be part of the public record.

**E.** The Secretary will read aloud each Commissioner’s ranked votes for every Commissioner to confirm, one at a time. Each Commissioner must audibly confirm their votes are reflected accurately by the Secretary.

**F.** *“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)]*

The Secretary shall announce the results of the ranked vote and will share an excel spreadsheet via Zoom to publicly display the total point value achieved by each plan. These results will be part of the public record.

The Commission will return to step 2 to adopt plans for each district type (state house, state senate and US Congressional). For any district type, if no plan meets the requirements for a constitutional majority in steps 2-4, or if there is a tie between two plans for the highest point total, the Commission will proceed to Step 5 after all district types have been voted on.

### **Secretary Script**

**If a plan wins:** “The state senate plan with the highest point value and the plan selected as the Commission’s final state senate plan is \_\_\_\_\_”

Or

**Tie vote:** “There is a tie between state senate “Plan A” and “Plan B” for highest point total. The Constitution states that “If plans are tied for the highest point total, the Secretary of State shall randomly select the final plan from those plans.” The random selection will occur after the Commission votes on each district type.

Or

**No constitutional Majority:** “The highest ranked senate plan does not achieve a constitutional majority. The Constitution states that “14(c)(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 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).” The random selection will occur after the Commission votes on each district type.

### **Step 4 Decision Point:**

1. Should the chairperson call on Commissioners raising their hands to submit a plan for consideration, or should the Secretary call on Commissioners in rotating alphabetical order to submit a plan for consideration?

## **Step 5 – Random Selection (To take place after all district type votes occur)**

**A.** *“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)” [14(c)(iii)]*

The Secretary will announce the plans entering the random selection and will introduce the independent accounting firm performing the random selection.

**B.** The independent accounting firm representative will screen share the random selection software and will explain the random selection process. The representative will then confirm the names of the plans submitted for random selection for each district type.

**C.** The independent accounting firm will conduct the random selection using their software and will announce the name of the selected plan.

\*Sample Ballot\*

### MICRC State Senate Voting Ballot

\_\_\_\_\_  
Commissioner Name \_\_\_\_\_  
Date

- State Senate proposed plans to choose from (in alphabetical order):
- Cherry
  - Elm
  - Oak
  - Palm
  - Pine
  - Willow

Please rank each state senate plan by writing a plan name in each of the numbered spaces below, with 1 being your most preferred plan and 6 being least preferred plan.

You must provide a plan name for each rank, with no repeating names.

1. \_\_\_\_\_ (most preferred)

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_ (least preferred)

