

Earlier this month, the Michigan Independent Citizens Redistricting Commission voted to advance several proposed district maps to a 45-day public comment period. This is the last required step before the commission will vote to approve one version of each map and officially create the new district lines for the 2022 election and beyond. The process has been new and often confusing. The following is an in-depth analysis from your GCSI Team on how the process has gone so far, what to expect next, and how that will impact 2022 elections.

What is Redistricting?

Every 10 years, the maps that make up the 110 State House districts, 38 Senate districts, and 13 Congressional Districts must be redrawn. This is required because over the course of a decade, populations can shift in a significant way. The Michigan Constitution requires that all districts be of roughly equal population, so redrawing the maps every decade is necessary to ensure that each district maintains the proper population balance.

How Did We Get Here?

In 2018, Michigan voters approved a constitutional amendment creating the Independent Citizens Redistricting Commission. This new Commission was tasked with drawing new district lines for Michigan's Congressional, State Senate, and State House districts. The amendment also changed the criteria for how the lines should be drawn. Previously, district lines were drawn according to the Apol Standards. These standards prioritized preserving municipal boundaries over all other standards.

The new standards contained seven criteria ranked in order of priority:

1. Districts shall have equal population and comply with federal law, namely the Voting Rights Act
2. Districts shall be geographically contiguous
3. Districts shall reflect the state's communities of interest
4. Districts shall not provide disproportionate advantage to any political party
5. Districts shall not favor or disfavor an incumbent official or candidate
6. Districts shall reflect consideration of municipal boundaries
7. Districts shall be reasonably compact

The Commission first met in September of 2020. They spent their first several months hiring an executive director, communications director, and several attorneys. In May of 2021, the Commission started holding public hearings around Michigan. The purpose of the hearings was to solicit public comment, primarily regarding what communities of interest exist in Michigan.

The constitutional amendment creating the Commission did not define communities of interest. Because of this, the Commission is the final arbiter of what is and what isn't a community of interest.

The Commission finally started drawing maps in August once complete census data was available. Throughout the drawing process, the Commissioners took turns drawing new districts and editing the work of their colleagues. Each meeting also contained a significant public comment period. There was an organized effort by both political parties to lobby the Commission through the public comment process.

Ultimately, the Commission voted to advance nine total maps to the 45-day comment period - three each for Congress, the Senate, and the House. Three individual Commissioners also submitted maps. These maps will only be considered for final passage if no consensus can be reached on any of the collaborative maps.

Controversies Along the Way

Redistricting has always been a political process, so it's not surprising that there have been several controversies throughout this new process. The biggest sticking point so far has been the perceived conflict between the mandate for the districts to reflect Michigan's communities of interest and the mandate to not provide a disproportionate advantage to either political party.

The Constitution lists the communities of interest mandate as higher in the order of priority than the partisan fairness mandate. But the Commission has received considerable criticism - especially from Republicans - that it is willingly splitting up communities of interest to achieve a higher level of partisan fairness. For example: In many of the proposed maps, the cities of Ann Arbor and Grand Rapids, and the Lansing metro area are divided up and combined with surrounding suburbs and rural communities. By dividing up these urban areas that vote overwhelmingly democratic, the Commissioners have created new democratic districts in areas that have been traditionally represented by Republicans.

Since the Constitution does not define a "community of interest", it is ultimately up to the Commission to decide what is a community of interest and what is not. Furthermore, this decision will most certainly result in future litigation.

There has also been significant controversy over what is required to create certain districts that comply with the requirements of the federal Voting Rights Act. The Voting Rights Act requires district drawers to create minority opportunity districts when possible. Historically, that has meant drawing districts where a majority of the voting age population is African American. The Commission, on advice from one of its attorneys, decided that they could create minority opportunity districts with a lower threshold. Many of the minority opportunity districts drawn by the Commission are 35-45% African American. This has drawn criticism from Detroit Legislators, the Speaker of the House, and some individual members of the Commission.

What's next?

We are now a handful of days into the 45-day comment period. During this time, the Commission will hold meetings in Detroit, Lansing, and Ann Arbor to hear more public comment on their proposed maps. They hope to meet on December 30 to cast final votes on which maps are adopted.

On December 30, the Commission will have to decide between each of the three options for Congress, Senate, and House. For a plan to be adopted, a majority of the Commission has to vote for it, but the majority must include two Republicans, two Democrats, and two Independents. If any of the plans fails to get a majority, then the Commissioners may consider the maps submitted by individual members through a ranked-choice vote. If none of the maps reach the required vote threshold, the Secretary of State will randomly select one of the eligible plans.

Once the Commission adopts final maps, it is inevitable that there will be legal challenges. The filing deadline for State Senate and State House is April 17, so any challenges will have to be expedited if they hope to require changes to the maps before then. Even if a legal challenge succeeds and certain parts of a map ruled unconstitutional, it will remain the job of the Commission to remedy any problems. The Constitution would not allow for the Legislature or Court to step in and draw new maps.

Impacts on the 2022 Election Cycle

One thing is for sure, all the proposed maps will ensure a very competitive race for partisan control in the State Senate and the State House. The partisan breakdown of each map - according to the data used and provided by the Commission - can be found below.

Congressional Maps				
Map Name	Safe GOP (53%+)	Safe Dem (53%+)	Competitive	Predicted Split (R-D)
Chestnut	5	5	3	6-7
Birch v2	6	6	1	6-7
Apple v2	5	6	2	6-7

State Senate Maps				
Map Name	Safe GOP (53%+)	Safe Dem (53%+)	Competitive	Predicted Split (R-D)
Cherry v2	16	19	3	18-20
Palm	17	18	3	19-19
Linden	16	19	3	18-20

State House Maps				
Map Name	Safe GOP (53%+)	Safe Dem (53%+)	Competitive	Predicted Split (R-D)
Hickory	46	40	24	53-57
Magnolia	46	40	24	54-56
Pine v5	47	41	22	53-57

All Congressional and State House maps, and two of the three State Senate maps deliver a narrow majority for the Democrats. The large number of politically competitive seats - especially in the State House - means majority is definitely up for grabs.

Potential Election Matchups

Any redistricting process could end up creating a new district where two incumbents are pushed into one new district. However, in previous maps, legislators typically tried to avoid this. The Commission had no data about where current legislators live and they did not make any effort to avoid lumping two or more incumbents together.

We'll have complete information after the final maps are approved next month, but here are some potential matchups we are watching:

- All three potential Senate maps have Senators Ruth Johnson and Doug Wozniak in the same district.
- All three potential Senate maps have Senators Stephanie Chang and Paul Wojno in the same district.
- All three potential Senate maps have Senators Mallory McMorrow and Marshall Bullock in the same district.
- All three potential Senate maps have Senators Jeremy Moss and Rosemary Bayer in the same district, but Senator Bayer has been open about her willingness to move if necessary.
- All three potential Senate maps have Senators Rick Outman and Jon Bumstead in the same district.
- The different variations of the House maps have many combinations of legislators being pushed into the same district—particularly in the City of Detroit and Southern Oakland County

As previously stated, we expect that final maps will be approved on or around December 30. We will publish an updated analysis as a part of our 2021 recap in early January. As always, please reach out to your GCSI Executive if you have any questions!

YOUR GCSI TEAM:

Mike Hawks: Hawks.M@gcsionline.com

Kirk Profit: Profit.K@gcsionline.com

Ken Cole: Cole.K@gcsionline.com

Bill Zaagman: Zaagman.W@gcsionline.com

Barb Farrah: Farrah.B@gcsionline.com

Marcia Hune: Hune.M@gcsionline.com

Gary Owen: Owen.G@gcsionline.com

Bob DeVries: Devries.B@gcsionline.com

Samantha Zandee: Zandee.S@gcsionline.com

Connor Spalding: Spalding.C@gcsionline.com

Desmond Miller: Miller.D@gcsionline.com