

STATE OF MINNESOTA
SPECIAL REDISTRICTING PANEL
A11-152

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similarly situated,

Plaintiffs,

and

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Intervenors,

and

Audrey Britton, David Bly, Cary Coop,
and John McIntosh, individually and on
behalf of all citizens of Minnesota
similarly situated,

Intervenors,

vs.

Mark Ritchie, Secretary of State of
Minnesota; and Robert Hiivala, Wright
County Auditor, individually and on behalf
of all Minnesota county chief election
officers,

Defendants.

OFFICE OF
APPELLATE COURTS

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FILED

**MARTIN INTERVENORS'
MEMORANDUM REGARDING
LEGISLATIVE PLAN**

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I. INTRODUCTION

Pursuant to the Panel's Scheduling Order No. 2, the Martin Intervenors respectfully submit the accompanying proposed legislative redistricting plan and the following supporting justification. After providing a brief description of the plan and the considerations underlying it, the Martin Intervenors compare their legislative plan to the principles adopted by the Panel in its November 4, 2011 Order Stating Redistricting Principles and Requirements for Plan Submissions.

II. DESCRIPTION OF PLAN

In the public testimony the Panel solicited, citizens asked the Panel to draw districts based on particular regional concerns. The focus of those concerns varied from place to place. For example, in some cases, the Panel was asked to place, in a single district, cities in different counties sharing similar interests. In others, it heard that protecting a particular county boundary was important. In still other cases, citizens asked the Panel to preserve regional communities that cut across other boundaries, such as Native American reservations or collections of shared economic or cultural interests. In short, as the testimony the Panel heard reflects, the redistricting process requires weighing of often competing concerns, with particularized concerns in different parts of the state necessitating the balance to be struck in different ways.

In redistricting state legislative districts, the Martin Intervenors' legislative plan (the "Martin legislative plan") complies with each of the principles adopted by the Panel. It balances those principles to create a new legislative redistricting plan that achieves

substantial population equality between districts, respects political subdivisions, protects minority voting rights, and preserves communities of interest. Its fundamental goal is to draw districts that protect the distinctive voices and interests of all Minnesotans.

The Martin legislative plan creates districts of nearly equal population. The relative mean deviation of house districts is .51%. Senate districts come even closer to meeting true population equality, with a relative mean deviation of .40%. Though by any objective measure the Martin Intervenor's proposed districts are compact, the Martin legislative plan successfully keeps whole the overwhelming majority of political subdivisions in the state while also preserving communities of interest wherever possible.

The current round of redistricting is driven by the most significant population trend of the past ten years—the continued rapid growth in Minnesota's minority population in the suburban and exurban regions of the Twin Cities metropolitan area, and relatively slow growth or population loss in parts of western Minnesota. Also noteworthy is the dynamic development in the southeastern and south central part of the state, led by rapid growth in increasingly diverse Rochester.

In addition to creating senate and house districts of substantially equal population comprised of convenient, contiguous, and compact districts that respect political subdivisions and serve communities of interest, the Martin legislative plan seeks to address the present underrepresentation of Minnesota's minority communities in the state legislature. Between 2000 and 2010, the population of Minnesota increased by 384,433. The Caucasian population grew by only 2.8%, or 123,780. In other words, growth in minority communities accounted for approximately 67% of the population gain.

Although the total minority population now constitutes nearly 15% of Minnesotans—a population that equates to 29 state legislators—there are currently only six members to represent the minority communities of Minnesota.¹ Where districts can be drawn to connect substantial minority communities while complying fully with other redistricting principles, the Martin legislative plan attempts to do so.

In short, the Martin legislative plan complies with all of the principles adopted by the Panel to guide redistricting in the present cycle. The Martin Intervenors respectfully request that the Panel adopt the Martin legislative plan.

III. PRINCIPLE COMPARISON

The Martin legislative plan complies with each of the nine principles adopted by the Panel in its November 4, 2011 Order Stating Redistricting Principles and Requirements for Plan Submissions.

A. Principle 1: Number of Districts

There shall be 67 state senate districts with one senator for each district. . . . There shall be 134 state house districts with one representative for each district.

The Martin legislative plan satisfies this principle.

¹ Minneapolis Hr. 9:13-23 (Gerald Strauss); *see also id.* 23:24-24:14 (Eric Margolis); St. Paul Hr. 39:21-40:2 (Emma Greenman).

B. Principle 2: Nested House Districts

No state house district shall be divided in the formation of a state senate district.

The Martin legislative plan satisfies this principle.

C. Principle 3: Numbering

The legislative districts shall be numbered in a regular series, beginning with House District 1A in the northwest corner of the state and proceeding across the state from west to east, north to south, but bypassing the 11-county metropolitan area until the southeast corner has been reached; then to the 11-county metropolitan area outside the cities of Minneapolis and Saint Paul; then to Minneapolis and St. Paul.

The Martin legislative plan satisfies this principle.

D. Principle 4: Population-Based Representation

Redistricting plans for state legislatures shall faithfully adhere to the concept of population-based representation. . . . Because a court-ordered redistricting plan must conform to a higher standard of population equality than a plan created by a legislature, de minimis deviation from the ideal district population shall be the goal. . . . The population

of a legislative district shall not deviate by more than two percent from the population of the ideal district.

The Martin legislative plan satisfies this principle. *See* Population Summary Report, submitted herewith.

The total population of the State of Minnesota after the 2010 census is 5,303,925. The ideal population of a Minnesota state senate district is 79,163 and the ideal population of a Minnesota state house district is 39,582.

1. Senate Districts

All Senate districts have a deviation of less than 1% from the ideal population. The relative mean deviation is .40%. The most-populated senate district (SD 19) has a deviation of .91% (722 persons) and the least-populated senate district (SD 6) has a deviation of -.94% (746 persons). Only 15 Senate districts exceed a deviation of .60%.

2. House Districts

All House districts have a deviation of less than 1% from the ideal population. The relative mean deviation is .51%. The most-populated house district (HD 2B) has a deviation of .99% (392 persons) and the least-populated house districts (HD 6A, 48B, and HD 61B) have a deviation of -.99% (392 persons).

The Martin legislative plan thus achieves substantial population equality in redistricting the state senate and house.

E. Principle 5: Minority Voting Rights

Legislative districts shall not be drawn with either the purpose or effect of denying or abridging the voting rights of any United States citizen on account of race, ethnicity, or membership in a language minority group and must otherwise comply with the Fourteenth and Fifteenth Amendments to the United States Constitution and the Voting Rights Act of 1965, as amended.

The Martin plan satisfies this principle. At present, minorities are greatly underrepresented in the Minnesota Legislature in relation to the minority population of the state. According to the 2010 Census, Minnesota has a minority population of 14.7% as follows:

RACE	2010	2000	Percentage	CHANGE 2000 to 2010	PERCENT CHANGE 2000 to 2010 ²
Total	5,303,925	4,919,492	100%	384,433	7.8%
White Alone	4,524,062	4,400,282	85.3%	123,780	2.8%
Black or African American Alone	274,412	171,731	5.2%	102,681	59.8%

² See Affidavit of Christopher Stafford ("Stafford Aff."), Ex. A (<http://www.demography.state.mn.us/resource.html?Id=31946>).

RACE	2010	2000	Percentage	CHANGE 2000 to 2010	PERCENT CHANGE 2000 to 2010 ²
American Indian and Alaska Native Alone	60,916	54,967	1.1%	5,949	10.8%
Asian Alone	214,234	141,968	4.0%	72,266	50.9%
Native Hawaiian or Other Pacific Islander Alone	2,156	1,979	N/A	177	8.9%
Other Race Alone	103,000	65,810	1.9%	37,190	56.5%
Two or More Races	125,145	82,742	2.4%	42,403	51.2%
Hispanic	250,258	143,382	4.7%	106,876	74.5%

Although minorities now constitute nearly 15% of Minnesotans—which equates to 29 members—there are currently only six members to represent the minority communities of Minnesota. There are currently *no* Asian or Native American members.

The Martin legislative plan redresses these imbalances to the degree possible. *See* Senate and House District Statistics Reports, submitted herewith. The Martin legislative plan creates four house districts that are presently majority-minority districts (HD 58A,

58B, 61A, and 65A) with respect to voting age population. It creates an additional five districts that are majority-minority with respect to total population and which, given population trends over the past ten years, are likely to become majority-minority with respect to voting age population over the next ten years (HD 45A, 45B, 66B, 67A, and 67B). And to reflect the growing minority communities throughout the state, the Martin legislative plan creates an additional 28 house districts in which minorities constitute at least 20% of the total population and thus have sufficient population and voting strength to influence political decisions in a given district:

House District	Minority Population (%)	Minority Voting Age Population (%)
HD 2A	32.06%	26.54%
HD 3B	23.30%	18.44%
HD 19A	21.32%	16.49%
HD 26A	21.36%	17.08%
HD 26B	22.51%	18.66%
HD 38B	27.39%	18.24%
HD 39A	21.53%	18.87%
HD 39B	20.05%	16.63%
HD 40B	28.20%	22.75%
HD 41A	22.59%	18.75%
HD 42A	20.72%	16.20%

House District	Minority Population (%)	Minority Voting Age Population (%)
HD 43A	25.04%	19.73%
HD 44B	31.37%	26.64%
HD 45A	57.57%	49.33%
HD 45B	53.86%	45.06%
HD 46A	24.81%	19.84%
HD 46B	22.71%	18.33%
HD 52B	21.09%	16.60%
HD 53A	31.40%	24.65%
HD 55B	25.38%	20.14%
HD 58A	63.98%	54.47%
HD 58B	62.49%	54.04%
HD 59A	31.68%	25.75%
HD 59B	36.24%	32.08%
HD 61A	62.00%	54.12%
HD 61B	53.63%	46.43%
HD 62A	27.96%	22.84%
HD 62B	23.39%	19.15%
HD 63A	28.17%	23.65%
HD 63B	35.22%	28.72%

House District	Minority Population (%)	Minority Voting Age Population (%)
HD 64A	21.51%	18.56%
HD 65A	65.20%	56.80%
HD 65B	45.55%	37.19%
HD 66A	24.20%	20.80%
HD 66B	51.84%	43.38%
HD 67A	56.57%	46.81%
HD 67B	56.72%	47.37%

The Martin legislative plan makes similarly effective strides in increasing the voice of minority communities with respect to representation in the state senate. The Martin senate plan creates two majority-minority senate districts (SD 58 and SD 61). It creates an additional three districts that are majority-minority with respect to total population and which, given population trends over the past ten years, are likely to become majority-minority with respect to voting age population over the next ten years (SD 45, 65, 67). Finally, it creates 12 senate districts in which minorities constitute at least 20% of the total population and thus have sufficient population and voting strength to influence political decisions in a given district:

Senate District	Minority Population (%)	Minority Voting Age Population (%)
SD 26	21.94%	17.87%
SD 39	20.80%	17.74%
SD 40	24.00%	19.31%
SD 43	19.33%	16.86%
SD 44	22.48%	18.55%
SD 45	55.72%	47.19%
SD 46	23.76%	19.09%
SD 53	24.21%	19.14%
SD 55	21.64%	16.93%
SD 58	63.24%	54.24%
SD 59	33.97%	29.12%
SD 61	57.85%	50.40%
SD 62	25.66%	21.02%
SD 63	31.69%	26.17%
SD 65	55.40%	46.59%
SD 66	38.02%	31.42%
SD 67	56.65%	47.09%

Thus, in the course of drawing districts of convenient, contiguous, and compact territory of substantially equally populations, the Martin legislative plan takes significant strides in improving the voting opportunities for Minnesota's fast-growing minority communities. The Martin legislative plan satisfies this principle.

F. Principle 6: Convenient, Contiguous, and Compact Districts

Legislative districts shall consist of convenient, contiguous territory structured into compact units. . . . Contiguity by water is sufficient if the body of water does not pose a serious obstacle to travel within the district. Legislative districts with areas that connect only at a single point shall not be considered contiguous.

The Martin Intervenor's proposed legislative plan satisfies this principle. All districts are contiguous. *See* Senate and House Contiguity Reports, submitted herewith. All districts are structured into convenient and compact districts. As requested by the Panel in Scheduling Order No. 2, the Martin Intervenor provides the Panel with eight different measures of compactness—the Roeck, Polsby-Popper, perimeter, population circle, Schwartzberg, length-width, population polygon, and Ehrenburg tests. *See* Senate and House Compactness Reports, submitted herewith.

As demonstrated by the attached Compactness Reports, the Martin legislative plan compares favorably with the four measures of compactness utilized by the *Zachman* panel—the Roeck, Polsby-Popper, perimeter, and population circle tests:

The Roeck test compares each district to an ideal circle (considering the circle to best be the most compact shape possible), and computes the ratio of the area of the district to the minimum area of a circle sufficiently large to encompass the district. One is the most compact, zero the least compact. The Polsby-Popper test similarly compares the ratio of a district's area with the area of a circle sharing the same perimeter (again, one is the most compact). The perimeter report simply tabulates the total miles of border for all legislative districts. The population circle test computes the ratio of the district population to the approximate population of the minimum enclosing circle of the district (one is the most compact).

With respect to each of the measures of compactness used by the *Zachman* Panel, the Martin legislative plan betters, matches, or nearly matches the *Zachman* plan for both senate and house districts. The Martin legislative plan compares to the *Zachman* legislative plan as follows:

- The Martin senate plan has a mean Roeck rating of .42, compared to a rating of .44 under the *Zachman* senate plan. The Martin house plan has a mean Roeck rating of .42, compared to a rating of .44 under the *Zachman* senate plan.
- The Martin senate plan has a mean Polsby-Popper rating of .40, compared to a rating of .41 under the *Zachman* senate plan. The Martin house plan has a mean Polsby-Popper rating of .41, compared to a rating of .42 under the *Zachman* senate plan.

- The Martin senate plan has a perimeter measure of 10,085.00, compared to 10,110.59 under the *Zachman* plan. The Martin house plan has a perimeter measure of 13,577.42, compared to 13,605.09 under the *Zachman* plan.
- The Martin senate plan's mean population circle rating of .45 is identical to the rating under the *Zachman* senate plan. The Martin house plan has a mean population circle rating of .43, compared to the *Zachman* house plan's rating of .45.

The Martin legislative plan improves upon the compactness of existing legislative districts notwithstanding the need to draw larger districts in rural areas where population is declining, and rapid population growth in historically less dense portions of the metropolitan area. The success of the Martin legislative plan in creating compact districts provides significant evidence that the plan was crafted to fairly apportion the state's population into representative districts.

G. Principle 7: Political Subdivisions

Political subdivisions shall not be divided more than necessary to meet constitutional requirements.

The Martin plan satisfies this principle. *See* Senate and House Plan Components Reports and Senate and House Split Political Subdivisions Reports, submitted herewith.

With respect to senate districts, the Martin legislative plan keeps intact 49 of Minnesota's 87 counties and 2,709 of the state's 2,754 cities and towns. This is not a

significant departure from the *Zachman* plan, which preserved whole 56 counties and 2,765 cities and towns out of 2,790.

The Martin legislative plan is similar to the *Zachman* plan with respect to house districts. The Martin house plan keeps intact 38 counties and 2,687 cities and towns out of 2,754. By contrast, the *Zachman* house plan preserved whole only 37 counties, as well as 2,744 cities and towns out of 2,790.

Thus, the Martin legislative plan preserves a similar number of political subdivisions as the *Zachman* panel did ten years ago. It does so despite several demographic trends making it increasingly difficult to preserve political subdivisions when drawing legislative districts. The following examples illustrate.

First, as the state urbanizes, some cities have grown too large to remain in a single house district (or their present number of house districts). For example, the population of Rochester grew by nearly 21,000 between 2000 and 2010, from 85,319 to 106,769 (2.7 house districts), and Woodbury increased its population by a third, growing from 46,463 in 2000 to 61,961 in 2010 (1.57 house districts).³

Second, compounding the difficulty of keeping cities whole, as cities expand, many have annexed non-contiguous territory. The number of non-contiguous minor civil divisions increased from 209 to 298 between 2000 and 2010, and the total number of

³ See Stafford Aff. Ex. B (<http://www.demography.state.mn.us/resource.html?Id=31951>); see also Mankato Hr. 52:12-20 (Mayor of Rochester Ardell Brede).

“polygons,” or disconnected portions of cities and townships, grew from 597 in 2000 to 977 in 2010.⁴

Third, while it is relatively easier to preserve political subdivisions in less densely populated Greater Minnesota, the state’s population is shifting to the metropolitan areas of the state. In metropolitan areas, it is more difficult to draw districts of substantially equal population while keeping closely-connected and densely-packed political subdivisions whole. Moreover, in the metropolitan area, communities often blur across city and county boundaries.

As a result, it is even truer today than it was ten years ago that “[s]ome political subdivisions . . . have to be split.” *Zachman v. Kiffmeyer*, No. C0-01-160 (Minn. Special Redistricting Panel Mar. 19, 2002) (Final Order Adopting a Congressional Redistricting Plan), at 4. It is not possible to create a legislative map preserving all political subdivisions unless districts are malapportioned and all other redistricting principles are ignored. In short, as Tom Freeman, the committee administrator for the Minnesota House of Representatives Redistricting Committee put it to the Panel in describing why not all political subdivisions can be kept whole, it is “inevitable” that the Panel will “have to pick . . . winners and losers.”⁵ Judgments must be made, and the relevant redistricting principles must be considered, weighed, and balanced.

⁴ See Report of Discontiguous MCDs, filed herewith.

⁵ St. Paul Hr. 71:23-73:4 (Tom Freeman, quoting Ramsey County elections manager Joe Mansky’s comment to the Minnesota House Committee on Redistricting that “[i]f I was wearing a city hat, I would say don’t split my city. If I were wearing my county hat, which I am now, I would say, don’t split my county”).

The Martin legislative plan takes the following approach. In Greater Minnesota, the Martin legislative plan typically draws senate districts at county lines except where adjustments are necessary to reach substantial population equality. For example, proposed SD 2 and HD 2B keeps whole Hubbard County. Where a senate district in Greater Minnesota contains a major population center, the Martin legislative plan typically draws one house district to encompass all or most of that population center, and another to encompass surrounding areas served by the regional population center. (If the population center is large enough, the Martin legislative plan draws one senate district around it with another senate or house district encompassing the surrounding areas.) House districts are otherwise drawn to connect communities of interest and follow the state's major transportation corridors.

Within the eleven-county metropolitan area, the Martin legislative plan prioritizes keeping similar communities together. County boundaries in the Twin Cities do not generally define metropolitan area communities, as residents of communities in the Twin Cities often cross city borders for business, commercial, and recreational activities. Thus, communities in the Twin Cities are often created because of shared circumstances, concerns, or neighborhoods rather than city or county boundaries. Therefore, in the metropolitan area, the Martin legislative plan prioritizes keeping similar cities together.

H. Principle 8: Communities of Interest

Where possible in compliance with the preceding principles, communities of interest shall be preserved. . . . For purposes

of this principle, “communities of interest” include, but are not limited to, groups of Minnesota citizens with clearly recognizable similarities of social, geographic, political, cultural, ethnic, economic, or other interests. Additional communities of interest will be recognized if persuasively established and if consideration thereof would not violate applicable law.

In complying with the redistricting principles discussed above, the Martin legislative plan drew districts that make sense in light of the state’s natural communities formed by shared social, geographic, political, cultural, ethnic, economic, and other interests. Particularly in Greater Minnesota, these communities often coalesce around the state’s major transportation corridors. The Martin legislative plan therefore creates districts that are readily traversable and naturally formed.

As does the Martin congressional plan, the Martin legislative plan typically treats the core of existing districts as a starting point. While the boundaries of these districts were often driven by demographic data that no longer is valid, the current districts were created after the *Zachman* panel heard extensive public testimony and received extensive briefing from the parties to that litigation. In general, the *Zachman* panel succeeded in drawing districts that tracked recognizable communities sharing similar interests. From this starting point, the Martin legislative plan reconfigures existing districts as is necessary to achieve population equality, to unite communities of interest where it was not possible to do so ten years ago, or to otherwise respond to public testimony that

features of the existing districts have not worked or no longer make sense in light of demographic, economic, and other trends.

Below, the Martin Intervenors further outline the general principles used to create senate and house districts, and provide a brief overview of each proposed legislative district.

1. Greater Minnesota Districts

In addition to meeting the goal of substantial population equality and maintaining the integrity of political subdivision boundaries, districts in Greater Minnesota are driven by four primary considerations.

First, the Martin legislative plan draws districts that protect both urban and rural interests. Around regional population hubs, such as Rochester, Duluth, St. Cloud, Moorhead, and Mankato, the Martin legislative plan creates concentric house districts, with the urban core surrounded by a second house district encompassing the area around the regional hub. This approach creates senate districts that reflect the shared interests of the regional economy and house districts protecting the disparate interests of the city and its surrounding communities.⁶

Second, the Martin legislative plan draws districts that follow the state's major transportation corridors. In rural areas of the state, shared interests naturally arise along

⁶ See, e.g., Cloquet Hr. 8:8-12 (Debra Taylor, requesting that "if a city is a central medical/economic/transportation hub for an area," the area should be in a single district with the hub).

the corridors that connect communities together.⁷ For example, in the western part of the state, major transportation corridors lead across the state to the major population centers further east—Mankato, Rochester, St. Cloud, Duluth, and the Twin Cities. Creating districts that follow these corridors allows representatives and senators ready access to their constituents and ensures that regional interests are given a voice in St. Paul.

Third, the Martin legislative plan takes special care to protect the unity and voice of the state's Native American communities by drawing districts that respect the boundaries of reservations. This includes pairing the White Earth and Red Lake reservations in a single senate and house district, as was done ten years ago.⁸

Fourth, the Martin legislative plan considers regional organizations or government service providers that create shared interests, such as regional development commissions, transportation districts, and library systems. While these structures do not always neatly align with political subdivision boundaries or population clusters, they tend to create communities of interest, and so the Martin legislative plan takes them into account where possible.

SD 1 through SD 28 (and HD 1A through HD 28B) are Greater Minnesota districts. They can be briefly described as follows:

Proposed SD 1, in the northwestern corner of the state, largely mirrors current SD

1. SD 1 keeps whole the six counties in northwestern Minnesota, which are served by

⁷ See, e.g., Minneapolis Hr. 48:2-13 (Brian Wojtalewicz, describing how “all over the state the transportation lines head [to] the metro area, and there’s communities of interest along those transportation corridors”).

common regional service providers, such the Northwest Regional Development Commission.⁹ HD 1A encompasses Kittson, Roseau, Pennington, and a portion of Marshall County. HD 1B encompasses Red Lake, Polk, and a portion of Marshall County.

Proposed SD 2 is quite similar to current SD 2, keeping in one senate and house district (HD 2A) the White Earth and Red Lake reservations.¹⁰ The Martin legislative plan keeps Beltrami County in a fairly compact district comprised of similar northwestern Minnesotan communities,¹¹ adding Lake of the Woods County to current SD 2 to achieve population equality. As requested by citizens appearing before the Panel in Bemidji, the Martin legislative plan keeps Hubbard County whole in a single senate district and single house district (HD 2B), eliminating the current division of the county between different house and senate districts.¹²

SD 3 serves the communities in the Bemidji, Leech Lake, and Grand Rapids areas that are unified by Highway 2. As requested by the Grand Rapids Chamber of Commerce, SD 3 includes Grand Rapids in a single senate district with Bemidji, but splits the two cities into separate house districts.¹³

⁸ Bemidji Hr. 13:4-14:22 (Michelle Johnson); *id.* 21:19-22:23 (Mike Simpkins); *id.* 26:6-11 (Rita Albrecht).

⁹ See Stafford Aff. Ex. C (<http://www.nwrdc.org>).

¹⁰ Bemidji Hr. 21:19-22:23 (Mike Simpkins); *id.* 26:6-11 (Rita Albrecht).

¹¹ Bemidji Hr. 19:14-20:5 (Lisa Bouley, requesting the Panel keep Beltrami County in a compact district similar to current SD 2); *id.* 24:17-25:17 (Rita Albrecht).

¹² Bemidji Hr. 28:5-29:3 (Steve Engel).

¹³ Bemidji Hr. 37:9-38:23 (Bud Stone).

HD 3A unites northeastern Itasca County and balances competing concerns in the region. HD 3B extends from Grand Rapids in the east to Bemidji in the west, in recognizing the shared interests of Grand Rapids, Cohasset, and Bemidji.¹⁴ HD 3B also unites the City of Bemidji, Bemidji Township, and Northern Township in HD 3B.¹⁵ HD 3B also keeps nearly the entire Leech Lake reservation in a single house district, although it must split a sliver of the reservation that lies in Hubbard County to keep Hubbard County whole as discussed above, as well as a sliver that lies in Deer River in HD 3A.¹⁶ The practical effect of these splits is minimal. All but 273 residents of the Leech Lake reservation (84 of whom are tribal members) reside in northern Cass County, southeastern Beltrami County, and southwestern Itasca County. The Deer River split affects only four people.

SD 4 is similar to present SD 6, serving the sparsely populated counties in the northeastern portion of the state and the communities surrounding Duluth. To achieve substantial population equality, SD 4 connects Koochiching County to the counties to its east. Much of Koochiching County's population is concentrated around International Falls, in the northeastern corner of the county, and connecting Koochiching County to the east avoids the present split of the Bois Forte reservation, which straddles the border between Koochiching and Saint Louis County.

¹⁴ Bemidji Hr. 32:20-33:2 (Bemidji city councilmember Ron Johnson); *id.* 38:4-39:2 (Bud Stone); *id.* 40:19-41:23 (Eugene "Ribs" Whitebird); *id.* 45:4-15 (David Decker, asking Panel to keep Cohasset with nearby similar communities).

¹⁵ Bemidji Hr. 25:18-26:5 (Rita Albrecht).

¹⁶ Bemidji Hr. 41:15-23 (Eugene "Ribs" Whitebird).

HD 4A connects the counties of northeastern Minnesota. HD 4B, like present HD 6B, lies to the northwest of Duluth. The district serves the communities that surround Duluth. People in these cities and towns are connected to Duluth in many ways, including work, shopping, health care, and regional transportation corridors. Their interests are, however, distinct from those of Duluth. It is therefore important that they are represented by a legislator who can serve their unique needs, rather than one representing a district dominated by Duluth residents.

SD 5 serves the Iron Range, uniting Range towns sharing a community of interest, and making adjustments to the existing legislative boundaries to account for population changes. It pairs communities with similar interests in natural resources and land use, and avoids pairing the Iron Range with more dissimilar communities to the northwest with interests in tourism and agriculture.¹⁷

HD 5A unites communities from Buhl in the west to Hoyt Lakes in the east with the regional hub of Virginia.¹⁸ Communities in the region are interconnected, sharing many services, including student transfers, and lie within the area served by the Arrowhead Regional Development Commission.¹⁹ The region's economy is based predominantly on taconite mining, the local economy depending on tax dollars derived from mining, and it is important for the community to have cohesive representation in the state legislature.²⁰

¹⁷ Cloquet Hr. 27:11-28:13 (Ron Dicklich).

¹⁸ Cloquet Hr. 33:6-34:11 (Mayor of Virginia Steve Peterson).

¹⁹ *Id.*; see also Stafford Aff. Ex. D (<http://www.ardc.org>).

²⁰ Cloquet Hr. 31:21-32:22 (Mayor of Hoyt Lakes Mayor Marlene Pospeck).

SD 6 serves Duluth. HD 6A serves the city and its northeastern suburbs, whereas HD 6B serves the core of the city and its southwestern suburbs. It is similar to SD 7 and HD 7A and HD 7B, the current senate and house districts serving Duluth.

SD 7 serves Moorhead and its surrounding areas. SD 7 connects Moorhead with Detroit Lakes, which, according to Detroit Lakes City Administrator Bob Louiseau, shares a community of interest with Moorhead.²¹ Detroit Lakes is the first major city in the Lakes Area traveling east from Moorhead, and Detroit Lakes is connected with Moorhead by Highway 10—the only four-lane highway in the region—and the Burlington Northern Santa Fe railroad.²²

Moorhead grew sufficiently over the past 10 years to be contained in its own house district, so long as it is combined with a surrounding township. Moorhead will soon be annexing Oakport Township, and Moorhead Mayor Mark Voxland testified that city officials therefore believe Moorhead should be combined with Oakport Township in a single house district.²³ This is accomplished in HD 7A. HD 7B contains the area surrounding and served by Moorhead, including Clay County, Wilkin County, and a portion of Becker County surrounding Detroit Lakes. Of particular note, as requested by the Mayor of Breckridge, HD 7B keeps Breckinridge with the rest of Wilkin County,

²¹ Moorhead Hr. 15:15-17:20 (Bob Louiseau).

²² Moorhead Hr. 15:15-16:4 (Bob Louiseau).

²³ Moorhead Hr. 12:20-13:12 (Moorhead Mayor Mark Voxland); *see also id.* 18:18-19:19 (Representative Morrie Lanning, same).

preserving a farm community with shared interests in combating the flooding that has plagued the area in recent years.²⁴

SD 8 creates a district tracing the southeasterly path of I-94 through the southwestern part of Otter Tail, Grant, Douglas, and Pope counties. HD 8A links the lake cities of Alexandria and Fergus Falls. HD 8B largely centers on Pope County.

SD 9 follows the southeasterly path of Highway 10 through northeastern Otter Tail, Wadena, and Todd counties, as well as the southeastern portion of Cass County. It sits between the major lake districts of Otter Tail and Brainerd. HD 9A serves the western part of this corridor, and HD 9B the eastern part.

SD 10 follows Highway 210 through Crow Wing, Cass, and Aitkin Counties. HD 10A serves the lakes and resorts north of Brainerd and includes all of Aitkin County. HD 10B serves Brainerd and the Cuyuna Range.

SD 11 consists of the agricultural heartlands in the center of the state. HD 11A contains Morrison County and the southern part of Crow Wing County. HD 11B contains east Benton County, south Mille Lacs County, western Kanabec County, and a portion of northern Sherburne County.

SD 12 is similar to current SD 8, following I-35 towards Duluth through Pine and Carlton counties, and uniting counties served by the East Central Regional Development

²⁴ Moorhead Hr. 22:18-23:24 (Mayor of Breckridge Cliff Barth); *see also Zachman v. Kiffmeyer*, No. C0-01-160 (Minn. Special Redistricting Panel Mar. 19, 2002) (Final Order Adopting a Legislative Redistricting Plan), at 6 n.3 (noting that areas near Moorhead “exemplify a situation where” it was appropriate to “recognize[] communities of interest at the expense of making every district neat and rectangular”).

Commission.²⁵ SD 12 also recognizes and preserves the interests of the Ojibwe by uniting the Milles Lacs reservation with tribal facilities in Pine County and the Fond Du Lac reservation in Carlton County.²⁶ The Martin legislative plan uses Mora as the dividing line between SD 11 and SD 12, as Mora and areas to the southwest are oriented more to St. Cloud and the Twin Cities, and areas to Mora's north are more closely connected to Duluth.²⁷

The Fond Du Lac reservation lies half within Carlton County and half within St. Louis County. HD 12A is drawn to keep the Fond Du Lac reservation whole, and also serves all of Carlton County save for Thomson Township in the northeast corner of the county near Duluth. HD 12B serves the Milles Lac reservation and southeastern Pine County.

SD 13 serves the west-central part of the state that lost the most population over the past ten years. The district follows Highway 12 east from the South Dakota border to Willmar.²⁸ Morris and Willmar are connected by Highway 9. Highway 75 runs north-south through the western part of the district. SD 13 is served by the Upper Minnesota

²⁵ See Stafford Aff. Ex. E (<http://region7erdc.org>).

²⁶ See Written Submission of David Wheeler, dated Oct. 21, 2011, Draw the Line Minnesota Citizen Commission Report, Appendix A, Document 5 (Letter of Marge Anderson, Chief Executive, Mille Lacs Band of Ojibwe, dated Mar. 2, 2011) (requesting that the Band's on-reservation communities not be split among legislative districts); *id.* Appendix A, Document 6 (Letter of Norman Deschampe, President, Minnesota Chippewa Tribe, dated Mar. 2, 2011 (requesting that the boundaries and shared interests of Chippewa Tribes and Bands be respected and preserved)).

²⁷ St. Cloud Hr. 12:11-25 (James Evenson).

²⁸ Minneapolis Hr. 47:4-48:1 (Brian Wojtalewicz, discussing "continuing interest" between Appleton and Willmar in strengthening Highway 12 transportation corridor).

Valley Regional Development Commission.²⁹ HD 13A consists of all of Traverse, Stevens, Big Stone, Lac qui Parle, and Swift counties, and portions of Chippewa and Kandiyohi counties necessary to achieve substantial population equality. HD 13B is made up entirely of Kandiyohi County.

SD 14 follows the path of I-94 through Stearns County and the suburban areas surrounding St. Cloud. HD 14A serves the agricultural communities of western Stearns County, while HD 14B centers on the northern suburbs of St. Cloud.

SD 15 consists of the agricultural areas south of St. Cloud, and is well-served by roads leading to St. Cloud. HD 15A lies in Stearns and Meeker counties. HD 15B lies within western, mostly rural Wright County.

SD 16 serves the city of St. Cloud, which is not only one of the most discontinuous cities in the state, but is also split between three counties, and too large to keep within a single senate district. SD 16 navigates these geographical challenges by creating the densest, most compact, and easily understood district possible. The Martin legislative plan prioritizes the preservation of St. Cloud in a single senate district to maximize the city's representation. It splits St. Cloud at Highway 10, separating a small and discontinuous portion of St. Cloud located in Benton County, as well as a discontinuous portion of the city lying in Haven Township in Sherburne County, which includes the St. Cloud Regional Airport.

²⁹ See Stafford Aff. Ex. F (<http://umvrdc.org>); see also Minneapolis Hr. 47:4-48:1 (Brian Wojtalewicz, asking Panel to take areas served by regional development commissions into account when drawing legislative districts).

In HD 16A, the Martin legislative plan preserves the area's major institutions of higher learning—St. John's University, St. Cloud State University, St. Cloud Technical College, and the College of Saint Benedict—in a single district to recognize the interests of the significant student population in the St. Cloud region.³⁰ HD 16B is a dense and compact district comprised of east and southeast St. Cloud.

SD 17, in the western part of the state, is bisected by Highway 212 from northwest to northeast, and served by west-east highways, including Highway 14. HD 17A consists of Yellow Medicine, Chippewa, Renville, and Redwood counties. HD 17B consists of Lyon and Redwood counties.

SD 18 is a mostly rural north-south district running from Meeker County in the north to Nicollet County in the south.

SD 19 tracks the district created in the southwestern corner of the state ten years ago. It preserves Noble County and Worthington in a single senate district, and keeps all of Nobles County in one house district to the degree possible (Hersey Township and Brewster City are split for reasons of population).³¹

SD 20 contains whole counties surrounding the southwest and south of Mankato that share similar characteristics—Brown, Watonwan, Faribault, and Blue Earth—and a portion of Waseca County to achieve substantial population equality. The district is ordered around the major roads running from western Minnesota to Mankato.

³⁰ St. Cloud Hr. 6:19-8:15 (Josh Preston).

³¹ Mankato Hr. 33:6-12 (Cheryl Avenel-Navara).

SD 21 contains Mankato and nearby cities sharing similar interests, including Washington Township, St. Peter, Kasota, Washington Lake, Madison Lake, Eagle Lake, Skyline, South Bend, Belgrade, Cleveland, and Lime Township.³² SD 21 also contains North Mankato, an urban residential city that is closely connected to Mankato itself, as the two cities have developed a joint development plan—Envision 2020—that creates a shared vision for growth.³³ As the Panel heard, Mankato residents are strongly opposed to seeing Mankato split.³⁴

HD 21A contains the immediately surrounding suburbs of Mankato. It is separated from HD 21B at the natural boundary formed by the confluence of the Minnesota River with Blue Earth River.³⁵ HD 21B contains all of Mankato, save for some discontinuous annexations.

SD 22 connects the agricultural communities in Le Sueur, Waseca, and Steele counties. It is served by I-35 on the east side of the district, Highway 14 running west-east from Mankato, and Highway 169 leading to the Twin Cities in the northwestern corner of the district.

³² Mankato Hr. 71:15-72:19 (John Scheidel); *see also* 23:15-26:14 (Max Hailperin).

³³ Mankato Hr. 20:14-22:16 (Anne Ganey).

³⁴ Mankato Hr. 72:2-19 (John Scheidel, requesting that the Panel make Mankato one house district and surrounding communities the other house district); *see also id.* 66:22-68:2 (Rich Graheim, requesting that Panel preserve community of interest shared by Mankato, North Mankato, Washington Lake, Madison Lake, Cleveland, and St. Peter); *id.* 11:10-14:6 (Drew Campbell, asking Panel to keep Mankato whole); *see also id.* 15:3-17:9 (Karen Foreman, same); *id.* 43:5-46:16 (Patrick Hentges, same); *id.* 27:19-28:20 (Mark Anderson, same); *id.* 78:20-79:11 (Wendell Sande, same); *id.* 70:12-24 (Patty O'Connor, same).

SD 23 preserves Rice County in a single senate district, along with portions of Dakota, Dodge, and Steele counties. The population of Rice County is approximately 64,000, leaving it fairly close to the population necessary to form a single senate district.³⁶ The two main cities in Rice County, Faribault and Northfield, are too populous to keep in a single house district, and form the core of HD 23A and HD 23B, respectively.³⁷ SD 23 is connected to the Twin Cities by I-35 in the west and Highway 52 in the east.

Proposed SD 24 is similar to current SD 27, adjusting the lines slightly to achieve population equality by picking up a row of townships in Fillmore County. HD 24A and HD 24B are, likewise, similar to the districts drawn ten years ago, with HD 24A centered on Albert Lea and HD 24B centered on Austin. The Panel heard a great deal of testimony in the Mankato hearing that Albert Lea and Austin, separated by only 22 miles on I-90, have grown apart and now have distinct interests, with Albert Lea now having a more rural orientation. As reflected in written submissions to the Panel, these testifiers are family and friends of the current representative of HD 27B, and their testimony urges splitting a district that has served the citizens of Albert Lea and Austin for more than forty years.³⁸ Contrary to the testimony heard by the Panel, Albert Lea is hardly growing more rural—its primary employer is the Mayo Clinic Health System. The two cities

³⁵ Mankato Hr. 43:13-16 (Patrick Hentges, requesting that the river be used as the boundary line between districts); *see also id.* 70:12-24 (Patty O'Connor, requesting that identifiable boundaries be used to split districts).

³⁶ St. Paul Hr. 15:23-16:25 (Tom Hayes).

³⁷ Minneapolis Hr. 44:25-45:10 (Rick Varco).

³⁸ Written Submission of Heather Beckius, dated Oct. 20, 2011.

share much of the same educational system and media and government service providers. Riverland Community College has campuses in both Albert Lea and Austin.³⁹ The two cities share the same TV stations, including KAAL TV Channel 6 and KSMQ Channel 15. They share regional government services. Both are in the Minnesota Emergency Medical Services Regulatory Board's Southeast Region,⁴⁰ Minnesota Department of Transportation District 6,⁴¹ and the Southeast Region of the Minnesota Pollution Control Agency.⁴² They share the same regional library system, Southeastern Libraries Cooperating.⁴³ Albert Lea and Austin naturally belong in the same senate district.

SD 25 and SD 26 encompass the City of Rochester and surrounding areas. Rochester presents several challenges. As described by Mayor Ardell Brede at the Mankato hearing, Rochester is the fastest growing city in Greater Minnesota, with a vibrant and fast-growing minority population.⁴⁴ Rochester's population of 106,769 is equivalent to 2.7 house districts and 1.35 senate districts. At 20.8%, Rochester's minority population is approximately 5 times that of surrounding Olmsted County.⁴⁵

The Martin legislative plan follows the comments and requests of the City of Rochester, as submitted to the Panel by Mayor Brede.⁴⁶ Rather than diluting Rochester and its minority voting strength by breaking the city equally into two senate districts, the

³⁹ See Stafford Aff. Ex. G (<http://www.riverland.edu/discover/index.cfm>).

⁴⁰ See *id.* Ex. H (<http://www.emsrb.state.mn.us/regions.asp?docid=336>).

⁴¹ See *id.* Ex. I (<http://www.dot.state.mn.us/d6>).

⁴² See *id.* Ex. J (<http://www.pca.state.mn.us/index.php/about-mpca/mpca-overview/agency-structure/mpca-offices/mpca-offices.html>).

⁴³ See *id.* Ex. K (<http://mnllibraryassociation.org/jobs-resources>).

⁴⁴ Mankato Hr. 52:12-53:23 (Mayor of Rochester Ardell Brede).

⁴⁵ Mankato Hr. 52:12-53:23 (Mayor of Rochester Ardell Brede).

Martin legislative plan maximizes Rochester's voice by placing the city's core, including high density minority communities, in a single senate district, SD 26.⁴⁷

The second Rochester-area senate district, SD 25, contains the remainder of Rochester as well as surrounding Olmstead and Dodge counties. Within SD 25, HD 25B contains the remaining population of the city. HD 25A sweeps more broadly around Rochester and the remainder of Olmstead County so as to create a district that unites the shared interests of the surrounding areas.⁴⁸

SD 27 follows the eastern border of the state, unifying the communities of interest in the towns along the Mississippi River, preserving Lake City in a single senate district, and adjusting the boundaries of current SD 28 as needed to achieve population equality.⁴⁹

SD 28 is the far southeast district. It tracks current SD 30, making adjustments to the current boundaries to achieve population equality. The district connects Houston, Winona, and Fillmore counties to preserve their existing relationship.⁵⁰

⁴⁶ Written Submission of Rochester Mayor Ardell Brede.

⁴⁷ Written Submission of Rochester Mayor Ardell Brede; Mankato Hr. 18:19-19:5 (Janet Krueger, asking Panel to preserve minority communities in Rochester in a single senate and house district to the degree possible); Minneapolis Hr. 43:23-44:17 (Rick Varco, same); *id.* 61:15-62:10 (Lester Collins, same).

⁴⁸ Bloomington Hr. 23:4-26:16 (Mayor of Mantorville Chuck Bradford, asking Panel to draw districts around Rochester that provide residents of rural areas surrounding Rochester with a voice in the Legislature distinct from that of Rochester).

⁴⁹ Mankato Hr. 79:23 (Andru Peters, President Pro Tem of the Lake City city council, on behalf of the city council, asking Panel to keep Lake City whole in a single senate district and in a house district with Red Wing and Goodhue County).

⁵⁰ Mankato Hr. 8:21-9:17 (Jacob Grippen).

2. Metropolitan Area

Within the 11-county metropolitan area surrounding the Twin Cities, the Martin legislative plan is driven by one basic principle.

Similar to how urban cores and surrounding areas are addressed in Greater Minnesota, the Martin legislative plan treats the metropolitan area as a series of concentric circles emanating outward from the cores of Minneapolis and St. Paul, with circles of districts reflecting the suburban and exurban rings surrounding the Twin Cities. This arrangement unites communities sharing similar population densities and similar exurban, suburban, or urban concerns. It allows the creation of regularly-shaped districts. It permits the formation of districts that follow the transportation corridors leading into the urban cores.

In short, the Martin legislative plan creates districts that serve the fundamental purpose of redistricting—providing for the representation in the state legislature of communities with identifiable interests. The districts in the 11-county metropolitan area are described in greater detail below:

SD 29 through SD 35 serve the outer exurban ring. These districts largely adjust existing districts to reflect growth in the exurban Twin Cities metropolitan area.

SD 29 preserves nearly all of Sherburne County in a single senate district, as requested by citizens speaking at the St. Cloud hearing.⁵¹ With a population of 88,499, Sherburne County is too large to fit within a single senate district. The Martin legislative

⁵¹ St. Cloud Hr. 17:21-24 (Joan Parsakalleh, requesting that Panel keep Sherburne County whole); *id.* 22:2-9 (Wayne Chermack).

plan splits Sherburne County in the least intrusive way possible, excising only thinly populated Santiago Township. (The Martin legislative plan also keeps the Sherburne County portion of St. Cloud with the rest of the city in SD 16.) SD 29 is well-served by major transportation routes, with I-94 running through the district from northwest to southeast and Highway 169 traveling through the eastern part of the district from north to south.

In HD 29A, Baldwin and Zimmerman are kept with the rest of Sherburne County, rather than pulling them into more rural districts north to Mille Lacs County.⁵² As requested by Councilmember Paul Motin, speaking on behalf of the City of Elk River at the St. Cloud hearing, the Martin legislative plan cures the split of the City of Elk River, placing the whole city into SD 29 and HD 29B.⁵³ Elk River is connected with the Big Lake community, with which it shares common interests.⁵⁴

SD 30 connects the sister counties of Isanti and Chisago, both members of the 11-county metropolitan area, but not members of the Metropolitan Council. The house districts follow county lines except as necessary to achieve population equality. HD 30A contains all of Isanti County. HD 30B contains most of Chisago County.

⁵² St. Cloud Hr. 25:14-22 (Dean McDevitt, resident of Baldwin Township explaining that Baldwin Township and Zimmerman share a community of interest).

⁵³ St. Cloud Hr. 27:8-30:3 (Elk River Councilmember Paul Motin); *see also* Minneapolis Hr. 12:3-25 (President of Elk River Economic Development Authority Ron Touchette, same).

⁵⁴ St. Cloud Hr. 22:17-25:1 (Amy Vrudny, explaining that Elk River should be kept whole and shares a community of interest with Big Lake); *see also* Minneapolis Hr. 12:21-14:4 (Ron Touchette, describing community of interest shared by Elk River and the communities to its west).

SD 31 contains the eastern portion of Wright County that follows the I-35 and Highway 55 corridors to the Twin Cities.

SD 32 contains communities in southwestern Hennepin County. SD 32 also includes Watertown in Carver County. HD 32A serves outlying areas of Hennepin County. HD 32B serves Lake Minnetonka communities closer to the urban core, including Long Lake, Wayzata, Woodland, Deephaven, Greenwood, Shorewood, Excelsior, and Orono.

SD 33 serves the core of Carver County. HD 33A contains most of Carver County. HD 33B connects all of Chanhassen with portions of Chaska.⁵⁵

SD 34 contains most of Scott County. Scott County is the fastest-growing county in the state, growing over 45% between 2000 and 2010.⁵⁶ As further discussed below with regard to SD 39, the Martin legislative plan reflects the growth of Scott County by allocating the bulk of two districts to Scott County. SD 34A contains the western portion of the county and is bordered on the west by Highway 169. It keeps whole New Prague, which crosses into Le Sueur County. HD 34B serves the east of Scott County.

SD 35 consists of the southern portion of Dakota County. I-35 runs parallel to the west edge of HD 35A, made up of portions of Eureka and Lakeview. Highway 52 runs

⁵⁵ Bloomington Hr. 17:19-23 (Joe O'Brien, asking the Panel to keep Chanhassen in a single senate district). An unpopulated portion of Chanhassen extends into Hennepin County.

⁵⁶ See Stafford Aff. Ex. L (<http://www.demography.state.mn.us/resource.html?Id=31945>).

northwest through HD 35B. HD 35B keeps together Farmington and surrounding townships that share similar interests and joint services.⁵⁷

SD 36 serves the northwestern Hennepin suburbs of Corcoran, Maple Grove, and Plymouth. I-94 runs southeast through the district. HD 36A contains Corcoran and west Maple Grove. HD 36B contains east Maple Grove and northern Plymouth, centered on the commercial area at I-494 and I-94.

SD 37 follows I-494 north-south through Plymouth and Minnetonka, and is bisected by I-394 in its middle, near the division between HD 37A and HD 37B. HD 37A is comprised entirely of the City of Plymouth. HD 37B serves Minnetonka and Hopkins.

SD 38 follows the arc of I-494 as it swings east through Eden Prairie and the boundary between Bloomington and Edina to meet up with I-35. SD 38 orients Eden Prairie to the cities to its east, with which it has more in common than with Chanhassen and Victoria, the Carver County communities to its west.⁵⁸

SD 39 contains the remainder of Scott County, pairing the northernmost portions of Scott County with the southernmost tip of Eden Prairie and Bloomington in Hennepin County. Again, the Martin legislative plan preserves the voting power of Scott County by including HD 39A entirely within Scott County, and most of HD 39B in the rapidly growing cities of Shakopee and Savage. HD 39A contains the entirety of the Shakopee Mdewakanton Sioux Community.

⁵⁷ Minneapolis Hr. 15:3-17:2 (Farmington Councilmember Christy Jo Fogarty).

Proposed SD 40 follows the pattern of the current SD 40 drawn by the Zachman panel. It follows I-35 north through Burnsville and Bloomington. The voting power of each city is preserved, as HD 40A is entirely within Bloomington and HD 40B is entirely within Burnsville.

SD 41 tracks I-35E as it runs northeast through Dakota County and meets I-494 as it runs east-west through northern Dakota County. HD 41A is comprised of western Eagan and the remainder of Burnsville. HD 41B pairs most of the remainder of Eagan with the cities in Dakota County to its north.

SD 42 is a compact district with Apple Valley at its center. HD 42A is comprised of Burnsville and Apple Valley. HD 42B is comprised of Apple Valley and Rosemount.

SD 43 serves a portion of Dakota County connected by major transportation corridors leading to St. Paul. The district is centered on Inver Grove Heights, where Highway 55 meets Highway 52 on its way to joining up with I-35E into St. Paul. HD 43A connects the communities of West Saint Paul and South Saint Paul, while HD 43B contains all of Inver Grove Heights and a portion of Eagan to meet population needs.

SD 44 follows the Mississippi River southeast as it runs by Champlin, Brooklyn Park, Anoka, and Coon Rapids.

SD 45 creates a majority-minority district (with respect to total population) in Brooklyn Center and Brooklyn Park. HD 45A and HD 45B likewise create majority-minority districts (with respect to total population). Forming districts around these cities,

⁵⁸ Bloomington Hr. 9:13-10:10 (Sally Burns). The house districts for Eden Prairie are split into north and south Eden Prairie using Highway 5 as the dividing line.

rather than combining them with less diverse outer suburbs, protects the voting strength of these fast-growing and significant minority communities.⁵⁹

SD 46 is a north-south inner ring district comprised of Crystal, New Hope, Robbinsdale, Golden Valley, and eastern Plymouth.

SD 47 is a north-south inner ring district serving Golden Valley, St. Louis Park, Hopkins, and part of Edina. Highway 12, running east-west through SD 47, provides a portion of the boundary between HD 47A and HD 47B.

SD 48 serves the northwestern corner of the seven-county metropolitan area served by the Metropolitan Council. HD 48A is contained entirely within Anoka County. HD 48B is comprised primarily of the northwestern corner of Hennepin County.

SD 49 is an Anoka County district. HD 49A runs north-south through the west of Anoka County. HD 49B is entirely within the boundaries of Coon Rapids.

SD 50 serves northeastern Anoka County. HD 50A preserves East Bethel and Ham Lake. HD 50B runs parallel to HD 50A down the eastern border of Anoka County.

SD 51 is composed of northeastern Washington County, with northeast Ramsey County and southern Chisago County added to equalize population.

SD 52 serves Blaine, Circle Pines, Mounds View, and Fridley in Anoka and Ramsey counties.

SD 53 connects northwestern Ramsey County with the southern most tip of Anoka County. HD 53A is made up of Fridley and Columbia Heights. HD 53B connects New

⁵⁹ Bloomington Hr. 39:3-40:7 (John Wexler); Minneapolis Hr. 44:18-24 (Rick Varco); *id.* 54:12-57:7 (Duane Reed); *id.* 60:24-61:2 (Lester Collins); St. Paul Hr. 40:4-41:11 (Emma

Brighton, Arden Hills, and St. Anthony (keeping both the Ramsey and Hennepin County portions of the city whole).

SD 54 is a Ramsey County district. HD 54A is Shoreview and Roseville. HD 54B is Maplewood, Little Canada, Gem Lake, and White Bear Lake. Highway 694 bisects the district from east to west.

SD 55 runs down the border between Ramsey County and Washington County. HD 55A serves North St. Paul, Oakdale, Pine Springs, Mahtomedi, and Willernie. HD 55B is entirely within Maplewood.

SD 56 is a Washington County district bisected by I-94 at the division between HD 56A and HD 56B. The district preserves the community of interest in the St. Croix River Valley.⁶⁰

The primary challenge in redistricting Washington County is addressing the rapid population growth of Woodbury over the past ten years. Woodbury's current population is 61,961, which is too small to be a single senate district. The Martin legislative plan splits Woodbury only once, into two senate districts and two house districts. Woodbury is divided between districts along the identifiable boundaries of Radio Drive and Bailey Road.⁶¹ HD 56B connects part of Woodbury with Afton and St. Mary's Point. HD 56A serves the Washington County communities north of I-94.

Greenman).

⁶⁰ St. Paul Hr. 21:8-22:11 (Gerald Beedle).

⁶¹ St. Paul Hr. 29:20-30:7 (Mark Wackerfuss); Bloomington Hr. 14:14-16 (Dennis Schneider).

SD 57 connects the communities of southwestern Washington County. HD 57A connects southwestern Woodbury and Cottage Grove. HD 57B serves the remainder of southwestern Washington County, and a portion of Hastings in Dakota County.

SD 58 through SD 63 are Minneapolis districts. To the degree possible, as requested by the Minneapolis Mayor and others, districts in the City of Minneapolis are drawn to recognize the city's 85 well-established neighborhoods.⁶² In total, the Martin legislative plan breaks only 11 neighborhoods because of population constraints. In one case, to achieve population equality, a predominately Minneapolis-based district is combined with part of Edina, a first ring suburb sharing similar interests to the Minneapolis neighborhood to its east.⁶³ SD 60 runs into Edina, using Highway 100—which splits eastern Edina from western Edina—as a natural boundary. SD 63 is formed from the southern ring suburbs of Richfield, Fort Snelling, and Bloomington. HD 63A contains a small portion of Minneapolis to achieve population equality.

SD 64 through SD 67 are St. Paul districts. As in Minneapolis, districts are drawn to protect and preserve long-standing neighborhoods and communities of interest.⁶⁴

Notably, SD 65 preserves Rondo, St. Paul's historically African American community.⁶⁵ SD 65 is majority-minority with respect to total population. HD 65A is majority-minority with respect to voting age population.

⁶² Minneapolis Hr. 57:15-58:23 (Minneapolis Mayor R.T. Rybak); *id.* Hr. 48:20-51:11 (Elianne Farhat); St. Paul Hr. 81:23-82:25 (Megan Gamble).

⁶³ Minneapolis Hr. 34:22-35:2 (Jules Goldstein, asking the panel to combine inner suburbs with Twin Cities rather outer suburbs that share different interests); *id.* 61:3-14 (Lester Collins, asking the Panel to combine inner suburbs with urban centers to avoid diluting the voting strength of growing minority communities in the inner suburbs).

SD 67 is kept wholly within the boundaries of St. Paul and Ramsey County, preserving the neighborhoods in eastern St. Paul.⁶⁴ SD 67 contains portions of Roseville and Maplewood to achieve population equality. HD 67A uses the neighborhood of Falcon Heights to transition from St. Paul to Roseville, as Falcon Heights is similar to both.⁶⁷

I. Principle 9: Effect on Incumbents

Legislative districts shall not be drawn for the purpose of protecting or defeating incumbents. But the impact of redistricting on incumbent officeholders is a factor subordinate to all redistricting criteria that the panel may consider to determine whether proposed plans result in either undue incumbent protection or excessive incumbent conflicts.

The Martin legislative plan satisfies this principle. Districts are drawn to meet the redistricting principles discussed above, rather than to protect or defeat incumbents. *See* Senate and House Incumbents Report, submitted herewith.

The Martin legislative plan creates seven open senate seats, all of which in whole or part are located in the fast-growing metropolitan area. The plan creates 18 open house seats.

⁶⁴ St. Paul Hr. 49:1-50:23 (Devin Driscoll).

⁶⁵ St. Paul Hr. 12:21-25 (Arthur Allen); *see also id.* 28:16-29:6 (Lori Stee, asking Panel to preserve existing St. Paul communities such as Rondo).

⁶⁶ Minneapolis Hr. 35:6-38:7 (Tom Dimond); *id.* 24:2-28:20 (Paul Sawyer).

The Martin legislative plan pairs incumbents, as appropriate due to changing demographics, in 6 of 67 senate districts and 17 of 134 house districts. In the Senate, the Martin legislative plan pairs 13 of 67 senators (19.4%). In the House, the Martin legislative plan pairs 35 of 134 representatives (26.1%). Because the Republican Party currently enjoys a significant majority in both the House (72-61) and the Senate (37-29), and because growth in Republican-represented regions of the Twin Cities metropolitan areas requires significant adjustment to existing districts to achieve substantial population equality, there are naturally more Republicans paired with other incumbents than as is the case with respect to DFL incumbents.

Incumbent pairings result either from population gains in fast-growing areas of the state (requiring more compact districts to be drawn that pull together senators or representatives living in close proximity) or from population losses in slow-growing or constricting areas of the state, requiring larger districts to be drawn. That the Martin legislative plan is not drawn to defeat or protect incumbents is illustrated by the objective statistics discussed above. The Martin legislative plan contains de minimis population variation between districts and compares favorably to every measure of compactness considered in the plan drawn by the *Zachman* panel. As these measures demonstrate, the Martin legislative plan was drawn to create sensible, compact districts that protect political subdivision boundaries and serve readily identifiable communities of interest—not to protect or defeat incumbents.

⁶⁷ Minneapolis Hr. 38:1-7) (Tom Dimond).

IV. CONCLUSION

For the foregoing reasons, the Martin Intervenors respectfully request that this Panel adopt the Martin legislative redistricting plan.

Dated November 18, 2011.

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