

STATE OF MINNESOTA
SPECIAL REDISTRICTING PANEL

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**OFFICE OF
APPELLATE COURTS**

Peter S. Wattson, Joseph Mansky, Nancy B.
Greenwood, Mary E. Kupper, Douglas W.
Backstrom and James E. Hougas III, individually
and on behalf of all citizens and voting residents of
Minnesota similarly situated, and League of Women
Voters Minnesota,

Plaintiffs,

and

Paul Anderson, Ida Lano, Chuck Brusven, Karen
Lane, Joel Hineman, Carol Wegner, and Daniel
Schonhardt,

Plaintiff-Intervenors,

vs.

Steve Simon, Secretary of State of Minnesota; and
Kendra Olson, Carver County Elections and
Licensing Manager, individually and on behalf of all
Minnesota county chief election officers,

Defendants,

and

Frank Sachs, Dagny Heimisdottir, Michael Arulfo,
Tanwi Prigge, Jennifer Guertin, Garrison O'Keith
McMurtrey, Mara Lee Glubka, Jeffrey Strand,
Danielle Main, and Wayne Grimmer,

Plaintiffs

and

**ANDERSON PLAINTIFFS'
MEMORANDUM OF LAW IN
SUPPORT OF MOTION TO
APPROVE PROPOSED
LEGISLATIVE
REDISTRICTING PLAN**

**ORAL ARGUMENT
REQUESTED**

Dr. Bruce Corrie, Shelly Diaz, Alberder Gillespie,
Xiongpaoo Lee, Abdirazak Mahboub, Aida Simon,
Beatriz Winters, Common Cause, OneMinnesota.org,
and Voices for Racial Justice,

Plaintiff-Intervenors,

vs.

Steve Simon, Secretary of State of Minnesota,

Defendant.

TABLE OF CONTENTS

| | Page |
|---|-----------|
| INTRODUCTION | 1 |
| OVERVIEW OF PROPOSED PLAN | 2 |
| 1. Introduction to Map-Drawing Approach | 5 |
| 2. Started with “Perfect” Districts | 6 |
| 3. Utilized Political Subdivisions and Natural Geography As Boundaries Between Districts. | 7 |
| 4. Adhered To All Redistricting Principles Throughout Map- Drawing | 8 |
| ARGUMENT | 9 |
| I. THE ANDERSON LEGISLATIVE PLAN COMPLIES WITH MINNESOTA’S NUMBERING AND NESTING REQUIREMENTS..... | 9 |
| II. THE ANDERSON LEGISLATIVE PLAN EXCEEDS CONSTITUTIONAL AND PANEL REQUIREMENTS OF POPULATION EQUALITY | 10 |
| A. The Anderson Legislative Plan Achieves Substantial Population Equality | 10 |
| B. Districts With Near Ideal Populations..... | 11 |
| C. Districts With Nearer +/-1 Percent Population Equality..... | 12 |
| 1. House District 34A..... | 12 |
| 2. House District 29B..... | 13 |
| 3. Senate District 25 | 13 |
| 4. Senate District 45 | 14 |
| III. THE ANDERSON LEGISLATIVE PLAN MEETS AND EXCEEDS THE REQUIREMENTS OF THE VOTING RIGHTS ACT | 14 |
| IV. THE ANDERSON LEGISLATIVE PLAN PRESERVES POPULATIONS RESIDING ON CONTIGUOUS LANDS OF AMERICAN INDIAN RESERVATIONS | 18 |
| A. The Legislative Plan Preserves American Indian Reservations..... | 18 |
| B. Limited Reservation Splits | 20 |
| 1. Bois Forte Reservation..... | 20 |
| 2. Mille Lacs Reservation..... | 20 |

TABLE OF CONTENTS
(continued)

| | Page |
|---|-------------|
| 3. Minnesota Chippewa Reservation..... | 21 |
| 4. Leech Lake Reservation | 21 |
| V. THE ANDERSON LEGISLATIVE PLAN DISTRICTS CONSIST OF “CONVENIENT CONTIGUOUS” TERRITORY | 21 |
| VI. THE ANDERSON LEGISLATIVE PLAN PRESERVES POLITICAL SUBDIVISIONS EXCEPT AS NECESSARY TO MEET CONSTITUTIONAL REQUIREMENTS | 22 |
| VII. THE ANDERSON LEGISLATIVE PLAN PRESERVES COMMUNITIES OF INTEREST | 27 |
| A. Communities of Interest are Preserved by Avoiding Political Subdivision Splits and Grouping Logical Counties and Cities Together..... | 28 |
| 1. Senate District 1 | 29 |
| 2. Senate District 10 | 30 |
| 3. Senate Districts 48 and 49 | 32 |
| 4. Senate District 51 | 34 |
| 5. Senate District 55 | 35 |
| 6. Senate District 58 | 36 |
| 7. House District 11B | 38 |
| 8. House District 15A..... | 39 |
| 9. House District 27A..... | 40 |
| 10. House District 28A..... | 41 |
| 11. House District 29A..... | 42 |
| 12. House District 32B | 43 |
| 13. House District 36B | 44 |
| 14. House District 40B | 45 |
| B. Keeping Townships with Their Neighboring Cities and Towns..... | 46 |
| C. Using Rivers as Natural District Boundaries | 48 |
| D. Considering Major Roadways in Drawing District Lines | 48 |
| E. Communities of Interest in Relation to Minnesota’s Largest Cities | 51 |

TABLE OF CONTENTS
(continued)

| | Page |
|---|-------------|
| 1. Minneapolis..... | 51 |
| 2. St. Paul | 54 |
| 3. Moorhead | 55 |
| 4. Duluth..... | 56 |
| 5. St. Cloud..... | 57 |
| 6. Rochester | 58 |
| 7. Mankato..... | 60 |
| F. The Anderson Plaintiffs Also Preserve Communities of Interest in Rural Minnesota | 61 |
| VIII. THE ANDERSON LEGISLATIVE PLAN WAS NOT DRAWN TO PROTECT, PROMOTE, OR DEFEAT ANY INCUMBENT, CANDIDATE, OR POLITICAL PARTY..... | 62 |
| IX. THE ANDERSON LEGISLATIVE DISTRICTS ARE STRUCTURED INTO COMPACT UNITS..... | 65 |
| A. The Anderson Legislative Plan Reflects Similar or Better Compactness Scores Compared to the Current Legislative Map..... | 65 |
| B. The Anderson Legislative Plan Minimizes Oddly-Shaped Districts While Exceeding All Other Redistricting Principles | 67 |
| CONCLUSION | 72 |

INTRODUCTION

Plaintiffs Paul Anderson *et al.* (the “Anderson Plaintiffs”) submit this Memorandum of Law in Support of Motion to Adopt Proposed Legislative Redistricting Plan (“Legislative Plan” or “Anderson Legislative Plan”). Plaintiffs request oral argument on this motion.

The Anderson Plaintiffs move this Panel to accept their proposed Legislative Plan in full because in drawing that plan, the Anderson Plaintiffs took a neutral and reasoned approach to mapmaking, one that focused on drawing legislative districts in a manner that minimized population deviations and maximized the preservation of political subdivisions. As a result, the Anderson Legislative Plan complies with constitutional and statutory requirements and closely adheres to the Panel’s redistricting principles. Specifically, the Anderson Legislative Plan ensures equal representation by drawing house districts that deviate from the ideal population by, on average, only 0.56%, and senate districts that deviate from the ideal population by, on average, only 0.45%. And, notably, the Anderson Plaintiffs’ maximum deviation for any house or senate district does not exceed 1.0%. At the same time, the Anderson Plaintiffs significantly decreased from the existing legislative map the number of political subdivisions split between legislative districts and minimized splitting populations residing on contiguous American Indian Reservations. Further, the Anderson Legislative Plan avoids splitting the population of *any* township, which will ensure townships with limited resources have the ability to run efficient and fair elections while at the same time preserving communities of interest.

The Anderson Legislative Plan further “protect[s] the equal opportunity of racial, ethnic, and language minorities to participate in the political process”¹ by avoiding the division of those minorities in the communities in which they reside, and by creating more opportunity districts and minority-majority districts than those that currently exist under the districting plan adopted in *Hippert*. Additionally, the Anderson Legislative Plan was not drawn with the “purpose of protecting, promoting, or defeating any incumbent, candidate, or political party.” Principles Order at 8. Indeed, the number of incumbent pairings is nearly evenly divided between Republican and DFL representatives. While no redistricting plan will fully or perfectly capture each of the Panel’s redistricting principles, the Anderson Legislative Plan, drawn utilizing neutral and objective redistricting principles adopted by this Panel, provides the fairest possible outcome for Minnesota’s voters, while adhering to constitutional and statutory requirements. The Anderson Legislative Plan should therefore be fully adopted by the Panel.

OVERVIEW OF PROPOSED PLAN

Each party will need to prove to the Minnesota Special Redistricting Panel that its plans satisfy each of the Panel’s redistricting principles. Within that framework, however, many judgments will be made about the appropriate approach to drawing district boundaries and how best to achieve a fair districting plan that reasonably reflects the State of Minnesota and its citizens. To that end, and recognizing its (a) enshrinement in

¹ Order Stating Preliminary Conclusions, Redistricting Principles, and Requirements for Plan Submissions at 6, ¶ 3 (Minn. Special Redistricting Panel Nov. 18, 2021) (the “Principles Order”).

Minnesota statute, (b) importance to the public as set forth in public testimony, and (c) use as a uniquely objective tool for the preservation of communities of interest, the Anderson Plaintiffs prepared their Legislative Plan with a dual focus on maximizing population equality and minimizing the division of political subdivisions and American Indian Reservations except where necessary to meet constitutional requirements. The Anderson Legislative Plan succeeds on each front, while also meeting all constitutional and statutory requirements, preserving communities of interest, creating compact districts, and not drawing the plan with the purpose or effect of protecting any incumbent, candidate, or party. The resulting legislative map proposed by the Anderson Plaintiffs is depicted below:

Figure 1: The Anderson Plaintiffs' Proposed Legislative Districts: Statewide

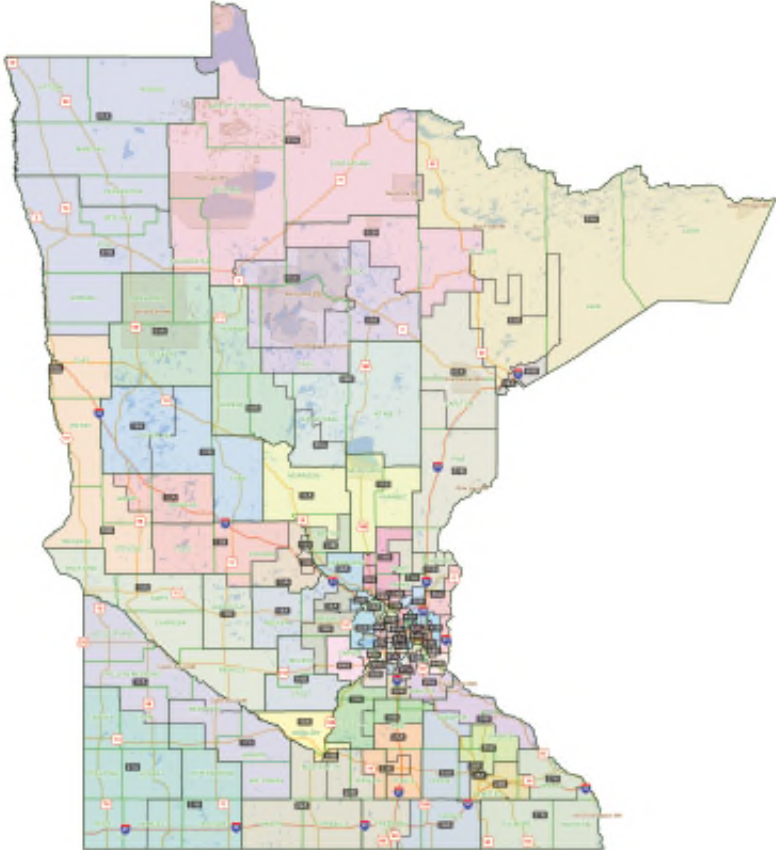
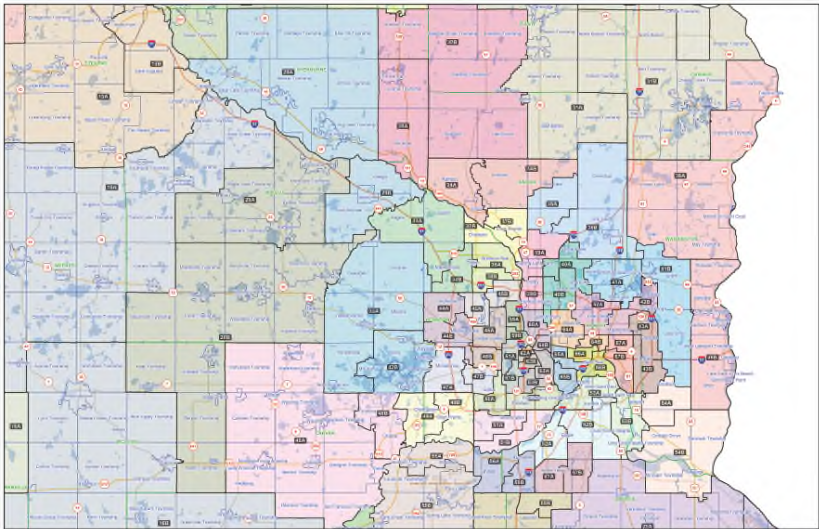


Figure 2: The Anderson Plaintiffs' Proposed Legislative Districts: Metro Area



1. Introduction to Map-Drawing Approach

The Anderson Plaintiffs began by drawing house districts first, and then combining them into senate districts. The Anderson Plaintiffs recommend this approach because house districts often contain more cohesive and unified groups of constituents, and are the smallest and most responsive level of state government in Minnesota. Moreover, because Minnesota's constitution requires that house districts be nested within senate districts, *see* Minn. Const. art IV, § 3, drawing house districts first simplifies the task of drawing of senate districts and ensures that any political subdivisions or communities of interest that are preserved in a house district will also be preserved in the larger senate district within which it is nested. Further, to the extent political subdivisions or communities of interest need to be split in the drawing of a house district, they can often be preserved in the larger senate district. Drawing house districts first also results in low population deviations in both house and senate districts, because care is taken to draw each district with the smallest deviation reasonably possible.

The Anderson Legislative Plan further preserves political subdivisions and communities of interest by pairing townships with their neighboring cities and towns. Many townships share not only services, such as utilities, schools, and election infrastructure, with neighboring cities and towns, but also often a sense of identity and community. It is therefore natural to ensure, to the extent possible, that townships are placed in the same districts as those neighboring cities and towns. Moreover, because abutting cities are the ones that typically annex townships, pairing townships with their neighboring cities also avoids splitting political subdivisions following future annexations.

In drawing their proposed Legislative Plan, the Anderson Plaintiffs likewise sought to maintain logical groupings of cities and counties in drawing district lines.

As a result of these efforts, their proposed house districts split only 40 counties and 43 cities and towns — fewer than the 54 counties and 89 cities and towns split in the districting plan adopted in *Hippert* and currently in effect. *See* Anderson Maptitude Report, Political Subdivision Splits (House), at Tab H. Further, the Anderson Plaintiffs’ proposed senate districts split only 33 counties and 31 cities and towns, fewer than the 39 counties and 45 cities and towns split in the senate districts drawn by the *Hippert* panel and currently in effect. *See* Anderson Maptitude Report, Political Subdivision Splits (Senate), at Tab R. Notably, the Anderson Legislative Plan splits *no* populated area of any Minnesota township — something neither the plan adopted in *Zachman* nor the plan adopted in *Hippert* were able to achieve.

2. Started with “Perfect” Districts

Colloquially-speaking, the term “perfect” district, as used by the Anderson Plaintiffs, refers to those districts that include no subdivision splits and instead consist entirely of undivided, contiguous counties or cities.² By focusing on the preservation of political subdivisions to the maximum extent constitutionally possible, the Anderson

² More specifically, “perfect” districts, as that term is used by the Anderson Plaintiffs, refers to rural districts that consist entirely of whole counties and to suburban districts that consist entirely of whole cities. Thus, for instance, the Anderson Plaintiffs refer to House District 40B (a suburban district) as a “perfect” district because it consists entirely of the whole cities of New Brighton, Arden Hills, and St. Anthony, despite the fact that St. Anthony is within both Hennepin and Ramsey Counties, and thus its inclusion in House District 40B results in a county split.

Legislative Plan consists of nine perfect house districts (*i.e.*, 1A, 11B, 15A, 28A, 29A, 32B, 36B, 40B, and 48A) and three (*i.e.*, 10, 55, and 56) perfect senate districts. *See* discussion *infra* pp. 29-46. This is substantially greater than the one perfect house district and four perfect senate districts in the plan adopted by the *Hippert* panel and, therefore, more closely adheres with the legislature’s goal of keeping political subdivisions, as “some of Minnesota’s most fundamental communities of interest,” together. *Zachman v. Kiffmeyer*, No. C0-01-160, Final Order Adopting a Legislative Redistricting Plan (March 19, 2002) (“Zachman Legislative Final Order”) at 3. Further, there can be little argument that such districts, consisting of convenient, contiguous, wholly-intact political subdivisions, are objectively reasonable.

Finding these “perfect” legislative districts is also helpful to the overall mapping process. Namely, it provides additional structure and shape to the drawing of individual legislative districts. Rather than simply drawing districts from one corner of the state to the opposite end, first identifying “perfect” house and senate districts also allows other districts in the surrounding areas to take shape (while, of course, bearing in mind the redistricting principles that guide the overall process). For these reasons, this approach facilitated development of the Anderson Legislative Plan.

3. Utilized Political Subdivisions and Natural Geography As Boundaries Between Districts.

In addition to utilizing political subdivision borders as logical district lines, the Anderson Plaintiffs looked to Minnesota’s numerous rivers and roadways to serve as natural district boundaries. Minnesota’s rivers and tributaries have significantly influenced

the state and the development of its communities. Indeed, many of the state's counties and cities have rivers as natural boundaries. During the public comment period, the Panel also received testimony regarding the communities of interest that naturally form along river boundaries. *See, e.g.*, 10/11/21 Public Hearing Tr. at 49:24-50:11 (Testimony of Pam Neary) (noting the community that forms around the St. Croix River); 10/13/21 Public Hearing Tr. at 18:23-19:4 (Testimony of Paul McDowall) (urging use of rivers as natural boundaries for CD2); 10/21/21 Public Hearing Tr. at 14:5-17 (Testimony of Teresa O'Donnell-Ebner) (consider river valleys and communities along Mississippi river as communities of interest). Likewise, major roadways throughout Minnesota provide natural dividing lines along which communities and neighborhoods form. *See, e.g.*, 10/13/21 Public Hearing Tr. at 20:12-24 (Testimony of Paul McDowall) (testifying about the communities of interest that form along roadways); Written Testimony of Diane Leaders (Panel, Oct. 27, 2021) (asking the Panel to, among other thing, keep in mind highway routes); Written Testimony of Patricia Meier (Panel, Oct. 29, 2021) (asking that "sensible boundaries" such as, "rivers, interstates and major highways" be considered in drawing districts).

4. Adhered To All Redistricting Principles Throughout Map-Drawing

The Anderson Plaintiffs, of course, further adhered to all of the redistricting principles adopted by the Panel in drawing their Legislative Plan. But in map-making, one must start somewhere. The Anderson Plaintiffs thus utilized the foregoing approach in an effort to draw a map that is fair to all Minnesotans and exceeds expectations in meeting

each of the redistricting principles adopted by this Panel, especially the principles that are the most neutral and objective.

ARGUMENT

With the exception of the preservation of communities of interest and compactness, the Panel did not rank the principles it adopted in its November 18, 2021 Order. For ease of discussion, however, the Anderson Plaintiffs address their compliance with each principle in the order in which they appear therein.

I. The Anderson Legislative Plan Complies with Minnesota’s Numbering and Nesting Requirements

Under the Minnesota Constitution, no house district may be divided in the formation of a senate district and senate districts must be numbered in a regular series. Minn. Const. art IV, § 3; *see also* Principles Order at 4-5, ¶ 5. Each of the Anderson Plaintiffs’ proposed 67 senate districts consist of two proposed house districts (A and B) nested therein, and its proposed senate districts are numbered in a regular series and consistent with the Panel’s Order regarding the numbering of districts in Minnesota’s 11-county metropolitan area. *See* Minn. Const. art IV, § 3; Principles Order at 4-5, ¶ 5; Minn. Stat. §§ 2.021 (establishing the required number of house and senate districts in Minnesota). Thus the Anderson Legislative Plan achieves each of these requirements and complies with the Panel’s criteria.

II. The Anderson Legislative Plan Exceeds Constitutional and Panel Requirements of Population Equality

A. The Anderson Legislative Plan Achieves Substantial Population Equality

The Minnesota Constitution requires that “representation in both houses shall be apportioned equally throughout the different sections of the state in proportion to the population thereof.” Minn. Const., art. IV, § 2; *see also Reynolds v. Sims*, 377 U.S. 533, 568 (1964) (“[A]s a basic constitutional standard, the Equal Protection Clause requires that the seats in both houses of a bicameral state legislature must be apportioned on a population basis.”). Additionally, legislative redistricting plans adopted by courts are held to a higher standard of population equality and “must ordinarily achieve the goal of population equality with little more than de minimis variation.” *Chapman v. Meier*, 420 U.S. 1, 26–27 (1975). This Panel therefore ordered that “the goal is de minimis deviation from the ideal district population” and that “[t]he population of a legislative district must not deviate by more than two percent from the population of the ideal district.” Principles Order at 5-6, ¶ 2.

Based on the 2020 U.S. Census data, the ideal population for Minnesota’s house districts is 45,586, and the ideal population for Minnesota’s senate districts is 85,172. Principles Order at 4, ¶ 4. The Anderson Legislative Plan falls well within the Panel’s permitted two percent deviation from these ideal populations, and only deviates from those ideal populations in furtherance of legitimate goals as established by both Minnesota law and this Panel – namely, the preservation of political subdivisions and American Indian Reservations. *See Reynolds*, 377 U.S. at 580 (holding that preservation of political

subdivisions is “a consideration that appears to be of more substance [than, for instance, preserving ‘economic or other sorts of group interests,’] in justifying some deviations from population-based representation.”).

Overall, the Anderson Legislative Plan has population deviations as follows:

Table 1: Population Deviation Comparison

| | Anderson Plaintiffs’ House Districts | Anderson Plaintiffs’ Senate Districts |
|------------------------------------|---|--|
| Mean Deviation | 0.56% (240 persons) | 0.45% (381 persons) |
| Largest District Deviation | 0.99% (420 persons) | 0.95% (811 persons) |
| Smallest District Deviation | -0.99% (-422 persons) | -0.95% (-809 persons) |
| Overall Range | 1.98% (842 persons) | 1.90% (1,620 person) |

See Anderson Maptitude Reports, Population Summary (House), at Tab C, Population Summary (Senate), at Tab M. These population deviations are well below this Panel’s 2.0% maximum and are justified by the significant decrease in political subdivision splits achieved by the Anderson Legislative Plan. See discussion *infra* pp. 22-27.

B. Districts With Near Ideal Populations

While population deviations are unavoidable in any legislative redistricting plan, the Anderson Plaintiffs succeeded in drawing several districts with near ideal populations. Examples of these near ideal populations for house districts include: (1) House District 1A, which deviates from the ideal population by only -16 persons, or -0.04%; (2) House District 7B, which deviates from the ideal population by only 26 persons, or 0.06%; (3) House District 9A, which deviates from the ideal population by only 38 persons, or 0.09%; (4) House District 26B, which deviates from the ideal population by only 29 persons, or 0.07%; (5) House District 28B, which deviates from the ideal population by only -13 persons, or

-0.03%; (6) House District 33A, which deviates from the ideal population by only -36 persons, or -0.08%; (7) House District 36B, which deviates from the ideal population by only 20 persons, or 0.05%; and (8) House District 48A, which deviates from the ideal population by only 29 persons, or 0.07%.

Examples of these near ideal populations for senate districts include: (1) Senate District 5, which deviates from the ideal population by only 61 persons, or 0.07%; (2) Senate District 6, which deviates from the ideal population by only 65 persons, or 0.08%; (4) Senate District 13, which deviates from the ideal population by only 27 persons, or 0.03%; (5) Senate District 14, which deviates from the ideal population by only 70 persons, or 0.08%; (6) Senate District 32, which deviates from the ideal population by only 25 persons, or 0.03%; (7) Senate District 42, which deviates from the ideal population by only 43 persons, or 0.05%; and (8) Senate District 62, which deviates from the ideal population by only -72 persons, or -0.08%.

C. Districts With Nearer +/-1 Percent Population Equality

1. House District 34A

The Anderson Plaintiffs' largest proposed house district is House District 34A, which includes the city of Ramsey, most of the city of Anoka, and has a population of 43,006 – or 420 persons (+0.99%) more than the ideal district population of 42,586. This deviation is justified by the populations of the cities of Ramsey and Anoka, which have a combined population that exceeds the ideal population for house districts by more than 1.0%. To avoid exceeding that threshold, the Anderson Plaintiffs include the majority of

the city of Anoka in House District 24A, while minimizing the division of city blocks (resulting in this 0.99% deviation). The city of Anoka is kept whole in Senate District 34.

2. House District 29B

The Anderson Plaintiffs' smallest proposed house district is 29B, which consists of a natural grouping of the cities of Albertville, Dayton, and Saint Michael in their entirety, and a little more than half of the city of Otsego. This proposed district has a population of 42,164, which is 422 persons (-0.99%) less than the ideal population for a house district, but including the entire city of Otsego would push that population to a deviation in excess of 1.0% from the ideal. Choosing to avoid exceeding that threshold, the Anderson Plaintiffs include half of Otsego in House District 29B. The Anderson Plaintiffs' proposed House District 29A has a population deviation of only 0.30% (+127 persons), and its proposed Senate District 29 (within which House Districts 29A and 29B are nested) deviates from the ideal population for a senate district by only -0.35% (-295 persons).

3. Senate District 25

The Anderson Plaintiffs' largest proposed senate district is Senate District 25, which includes the northern portion of Rochester and eight cities and fifteen townships in their entirety. This district has a population of 85,983, or 811 (0.95%) more persons than the ideal senate district population of 85,172. This deviation is justified to avoid the division of these cities and townships, and to include the northern portion of Rochester while dividing that city along as few roads as possible – namely, County Road 22, Hwy 14/Civic Center Drive, Broadway, 7th Street, 14th Avenue and Viola Road – to, avoid, to the greatest extent possible, cutting through neighborhoods and communities.

4. Senate District 45

Finally, the Anderson Plaintiffs' smallest proposed senate district is Senate District 45, which includes all of Brooklyn Center and portions of Plymouth, Crystal, and Brooklyn Park, and has a proposed population of 84,363, which is 809 persons (-0.95%) less than the ideal size. As with Senate District 25, the Anderson Plaintiffs chose to divide these cities along as few roads as possible (likewise to avoid dividing neighborhoods and communities), resulting in the increased population deviation.

III. The Anderson Legislative Plan Meets and Exceeds the Requirements of the Voting Rights Act

As required by both the United States Constitution and the Voting Rights Act, this Panel ordered that:

Districts must not be drawn with 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] shall be drawn to protect the equal opportunity of [these minority groups] to participate in the political process and elect candidates of their choice, whether alone or in alliance with others.

Principles Order at 6, ¶ 3. The Anderson Plan fully adheres to the Voting Rights Act, 52 U.S.C. §§ 10301 *et seq*, the 14th and 15th Amendments to the United States Constitution, and thus complies with this redistricting principle.

No house or senate district was drawn to abridge voting rights, and no house or senate district has the effect of abridging voting rights on account of race, ethnicity, or membership in a language minority group. Indeed, as ordered by the Panel, the Anderson Plaintiffs have drawn legislative districts “to protect the equal opportunity of racial, ethnic, and language minorities to participate in the political process and elect candidates of their

choice, whether alone or in alliance with others.” Principles Order at 6, ¶ 3 (citing 52 U.S.C. § 10301(b) (2018)).

Specifically, the Anderson Legislative Plan results in more minority opportunity districts than the current legislative map, while also meeting and exceeding other redistricting criteria. Notably, while “a court may not presume bloc voting within even a single minority group” (*Growe v. Emison*, 507 U.S. 25, 41 (1993) (citing *Thornburg v. Gingles*, 478 U.S. 30, 46 (1986))), the Panel may appropriately seek to prevent “the disconnection of minority populations living in compact areas” *Hippert v. Ritchie*, 813 N.W.2d 374, 384 (2012). Minnesota’s minority population has continued to grow, now making up 22.5% of Minnesota’s population, as compared to 17% in 2010, with much of this growth continuing in the Twin Cities metro area. *See* United States Census Bureau, Minnesota: 2020 Census (available at <https://www.census.gov/library/stories/state-by-state/minnesota-population-change-between-census-decade.html>)

In applying the Panel’s enumerated principles, the Anderson Legislative Plan avoids the disconnection of these growing minority populations and communities from each other. Consistent with the growth in Minnesota’s minority population, the Anderson Legislative Plan also creates more opportunity districts – *i.e.*, districts in which more than 30% of the population are racial minorities – than were created by the *Hippert* Panel’s legislative plan adopted ten years ago.

Table 2: Comparison of Minority Opportunity Districts

| | Anderson Plaintiffs' House Districts | <i>Hippert</i> Panel's House Districts | Anderson Plaintiffs' Senate Districts | <i>Hippert</i> Panel's Senate Districts |
|--|---|---|--|--|
| Minority Opportunity Districts Based on Total Population | 34 | 15 | 15 | 8 |
| Minority Opportunity Districts Based on Voting Age Population | 18 | 13 | 9 | 6 |

See Anderson Plaintiffs' Maptitude Reports, Minority Representation – Voting Age Population (House), at Tab D; Minority Representation – Total Population (House), at Tab E; Minority Representation – Voting Age Population (Senate), at Tab N; Minority Representation – Total Population (Senate), at Tab O.

The Anderson Legislative Plan likewise substantially increases the number of majority-minority districts – *i.e.*, districts in which more than 50% of the population are racial minorities – than those included in the *Hippert* Panel's legislative plan.

Table 3: Comparison of Minority-Majority Districts³

| | Anderson Plaintiffs' House Districts | <i>Hippert</i> Panel's House Districts | Anderson Plaintiffs' Senate Districts | <i>Hippert</i> Panel's Senate Districts |
|---|---|---|--|--|
| Majority-Minority Districts Based on Total Population | 11 | 10 | 5 | 5 |
| Majority-Minority Districts Based on Voting Age Population | 9 | 6 | 4 | 2 |

See Anderson Plaintiffs' Mapitude Reports, Minority Representation – Voting Age Population (House), at Tab D; Minority Representation – Total Population (House), at Tab E; Minority Representation – Voting Age Population (Senate), at Tab N; Minority Representation – Total Population (Senate), at Tab O.

Further, while legislative redistricting plans have in years past looked simply to the population of minorities as a whole within a district, the Anderson Legislative Plan further draws districts in which distinct minority groups constitute at least 30% of the population. For example, House District 62B, located in the city of Minneapolis, consists of a total population in which 30% of persons self-identified as Hispanic. House Districts 59A and 62A, also in the city of Minneapolis, consist of voting age populations in which 33% and

³ Because they have more than a 30% minority population, these district are likewise included in the minority opportunity district count set forth in Table 1.

31% of the population self-identified as Black, respectively. House District 38B, a Brooklyn Park only district, has a voting age population consisting of 35% of persons self-identified as Black. And House Districts 64B and 67A, which are located in the city of St. Paul, consist of voting age populations consisting of populations in which 32% and 34% of persons self-identified as Asian, respectively.

In all, based on voting age population, the Anderson Legislative Plan increases the number of senate opportunity districts by 50% and doubles the number of majority-minority senate districts. The Anderson Legislative Plan increases the number of minority opportunity house districts by 38.5% and increases the number of majority-minority house districts by 50%. Thus, the Anderson Legislative Plan meets and exceeds the requirements of the Voting Rights Act and provides minority groups greater opportunities to participate in the political process and elect candidates of their choice, should members of such groups choose to do so.

IV. The Anderson Legislative Plan Preserves Populations Residing on Contiguous Lands of American Indian Reservations

A. The Legislative Plan Preserves American Indian Reservations

While not specifically required by statute, the Anderson Plaintiffs, as did all parties in one form or another, argued to this Panel that American Indian Reservations should be treated in the same manner as political subdivisions and not divided more than necessary to meet constitutional requirements. This Panel agreed and adopted as a redistricting principle that “[t]he reservation lands of a federally recognized American Indian tribe will be preserved and must not be divided more than necessary to meet constitutional

requirements . . . [but] [p]lacing discontinuous portions of reservation lands in separate districts does not constitute a division.” Principles Order at 6, ¶ 4. The Anderson Legislative Plan complies with this principle.

In drawing their proposed legislative districts, the Anderson Plaintiffs strove to preserve the populations of American Indian tribes living on federally-recognized reservation lands. This can be challenging because there are a fair amount of non-contiguous reservation areas in Northern Minnesota, spread across a sizeable geographic area. Nonetheless, the Anderson Legislative Plan maintained populated portions of American Indian Reservations intact except in three instances where the populations of those reservations resided on non-contiguous land, and in one instance where a small population (11 persons) resides on a portion of a reservation that was split from the remaining population in order to avoid splitting a political subdivision. Thus while the Anderson Plaintiffs’ reservation splits report reflects the total number of American Indian Reservations split between house and senate districts as 11, in reality the *populations* of American Indian Reservations were split only in these limited circumstances.

Elsewhere, persons residing on the Fond du Lac Reservation are solely in House District 7A and Senate District 7. Persons residing on the Grand Portage Reservation are solely in House District 3A and Senate District 3. Persons residing on the Prairie Island Reservation are solely in House District 20B and Senate District 20. Persons residing on the Red Lake Reservation are solely in House District 2A and Senate District 2. Persons residing on the reservation lands of the Shakopee Mdewakanton Sioux are solely in House District 55B and Senate District 55. Persons residing on the Upper Sioux Reservation are

solely in House District 17A and Senate District 17. And persons residing on the White Earth Reservation are solely in House District 4A and Senate District 4. *See* Anderson Plaintiffs' Maptitude Reports, Communities of Interest (House), at Tab F; Communities of Interest (Senate) at Tab P. The Anderson Plaintiffs further endeavored to keep the Little Earth Tribal Community in Minneapolis within the boundaries of House District 62B, and believe they succeeded in doing so. The boundaries for that community were not readily discernable, however, to compare with the district borders.

B. Limited Reservation Splits

1. Bois Forte Reservation

The Bois Forte Reservation is located in northeastern Minnesota and has three-non-contiguous population centers. While the Anderson Legislative Plan does not split the *populations* of these three non-contiguous areas, because of their non-contiguity those *areas* had to be split in order to satisfy constitutional requirements. As a result, one non-contiguous population center with 344 residents is located in the Anderson Plaintiffs' House District 2A, another non-contiguous population center with 163 residents is located in Anderson Plaintiffs' House District 2B (with all of these persons located within Senate District 2), and one non-contiguous population center with 477 residents is located in the Anderson Plaintiffs' House District 3A and Senate District 3.

2. Mille Lacs Reservation

With respect to the Mille Lacs Reservation, located in the eastern portion of central Minnesota, 97% of its population (4,481 persons) reside in the Anderson Plaintiffs' House District 11B and Senate District 11. The remaining residents reside on non-contiguous

reservation lands located in the Anderson Plaintiffs' House Districts 6B (141 persons) and 7B (145 persons).

3. Minnesota Chippewa Reservation

In drawing its legislative district boundaries, the Anderson Plaintiffs preserved the population centers of the Minnesota Chippewa Reservation. But the population centers of this Reservation are on non-contiguous reservation lands throughout northern Minnesota. Thus these non-contiguous population centers are in three house districts (and their corresponding senate districts) – namely, House Districts 3A (5 persons), 4A (1 person), and 5A (2 persons).

4. Leech Lake Reservation

Finally, while the Leech Lake Reservation is split between House District 5A and 5B, 99.9% of the population of this reservation is located within the Anderson Plaintiffs' proposed House District 5A, and the entire population resides within one Senate District – namely, Senate District 5. While 11 individuals (or 0.1% of the entire population) on the reservation reside in the Anderson Plaintiffs' proposed House District 5B, this division was necessary to avoid dividing the city of Deer River.

V. The Anderson Legislative Plan Districts Consist of “Convenient Contiguous” Territory

Both the Minnesota Constitution and Minnesota law require that each legislative district consist of “convenient contiguous territory.” Minn. Const., art. IV, § 3; Minn. Stat. § 2.91, subd. 2. Consistent with this requirement, this Panel ordered that “[d]istricts must consist of convenient, contiguous territory” and prohibited point contiguity. Principles

Order at 6-7, ¶ 5. Each of the Anderson Plaintiffs’ proposed legislative districts are contiguous at more than one point because no district occupies more than one distinct area. *See* Anderson Plaintiffs Maptitude Reports, Contiguity Report (House), at Tab G; Contiguity Report (Senate), at Tab Q.

Moreover, the legislative districts are convenient because they are “within reach” and “easily accessible.” *LaComb*, 541 F. Supp. 145, 150 (D. Minn. 1982) (quoting *The Compact Edition of the Oxford English Dictionary* (Oxford University Press 1971)). This convenience is assured by the Anderson Plaintiffs’ focus on the preservation of political subdivisions and consideration of existing roadways and highways in drawing district lines. *See Hippert v. Ritchie*, 813 at 400–01 (finding newly formed congressional district to be convenient because it was “connected to the east metropolitan area by thoroughfares such as Interstate Highway 94 and Minnesota State Highway 36”).

VI. The Anderson Legislative Plan Preserves Political Subdivisions Except as Necessary to Meet Constitutional Requirements

Consistent with Minnesota statute, this Panel further ordered that in drawing district plans, “political subdivisions not be divided more than necessary to meet constitutional requirements.” Minn. Stat. § 2.91, subd. 2; *see also Karcher v. Daggett*, 462 U.S. 725, 733 n.5, 740–41 (1983). As the *Zachman* Panel recognized, “[c]ounties, cities, and townships constitute some of Minnesota’s most fundamental communities of interest and centers of government” and the preservation of these communities gives political subdivisions (and the communities of shared interests within them) “a stronger, unified voice, and will minimize confusion for the state’s voters.” *Zachman* Final Legislative Order at 3.

No legislative redistricting plan can, however, completely eliminate the need to divide some political subdivisions. Indeed, many cities and counties in the state of Minnesota exceed the ideal population size for house and senate districts and thus must be split to meet constitutional population equality. A total of 23 cities and 23 counties exceed even the maximum +2.0% deviation from the 42,586 ideal population for a house district. Likewise, a total of 4 cities and 12 counties exceed the maximum +2.0% deviation from the 85,172 ideal population for a senate district. Thus, at the very least, these cities and counties *must* be divided in the drawing of district lines. Further, and as discussed below, certain cities and townships in Minnesota fall within two counties and, therefore, in those circumstances a judgment often has to be made as to which subdivision will be divided in drawing district boundaries.

Within this reality, however, the Anderson Legislative Plan minimizes subdivision splits to the greatest extent possible, succeeding in dividing far fewer subdivisions than even the *Hippert* Panel did ten years ago.

Table 4: Comparison of Political Subdivision Splits (House):

| | Anderson Plaintiffs’ Legislative Plan (House) | <i>Hippert</i> Panel’s Legislative Plan (House) |
|---|--|--|
| Number of Counties Split into More Than One House District | 40 | 54 |
| Number of Cities and Towns Split into More than One House District | 43 | 89 |

See Anderson Plaintiffs Maptitude Reports, Political Subdivision Splits (House), Tab H.

Table 5: Comparison of Political Subdivision Splits (Senate):

| | Anderson Plaintiffs’ Legislative Plan (Senate) | <i>Hippert Panel’s</i> Legislative Plan (Senate) |
|--|---|---|
| Number of Counties Split into More Than One Senate District | 33 | 39 |
| Number of Cities and Towns Split into More than One Senate District | 31 | 45 |

See Anderson Plaintiffs Maptitude Reports, Political Subdivision Splits (House), Tab R.

As a general rule, in drawing their Legislative Plan the Anderson Plaintiffs sought first to avoid the division of townships into multiple districts. During the public testimony on redistricting, multiple members of the public stated that mapmakers should maintain township boundaries when drawing district lines. *See, e.g.*, 10/12/21 Public Hearing Tr. at 9:22-10:20 (Testimony of Spencer Legred) (keep towns and small communities together to ease election burdens); 10/20/21 Public Hearing Tr. at 17:13-22 (Testimony of Anita Talsma Gaul) (“Do not split neighborhoods or cities or townships . . . bound by common interests . . . [and division] creates difficulties for election officials.”); Written Testimony of Chippewa County (Panel, Oct. 26, 2021) (remedy the split of Granite Fall Township into two legislative districts to “save county tax dollars as well as prevent voter confusion”).

As with residents of other political subdivisions, residents of townships share common interests in, for example, government services and the enactment of legislation impacting their communities. And as communities with small populations, the maintenance of township boundaries within legislative districts will permit residents of Minnesota’s

townships to speak with a unified voice in the legislative process. Moreover, avoiding the division of townships eases the burden placed on those communities in the conduct of elections, as townships often have very limited personnel to administer elections and splitting townships between districts doubles the administrative burden. The Anderson Plan overwhelmingly succeeds in achieving this goal, as it includes only four township boundary splits and avoids splitting the populations of any township. Anderson Plaintiffs' Maptitude Reports, Political Subdivision Splits (House), at Tab H; Political Subdivision Splits (Senate), at Tab R. In other words, even in the small number of districts that include a boundary that runs through a township, the populations of those townships all reside within one house and one senate district.

Additionally, where Minnesota cities cross county lines, the Anderson Plaintiffs endeavored to keep those cities together instead of preserving county lines. For example, the City of Princeton falls within both Mille Lacs and Sherburne Counties. In order to maintain that city within one house district, the Anderson Plaintiffs drew House District 11B to include a small portion of Sherburne County (encompassing a population of 53 people), despite the fact that doing so resulted in an additional split of Sherburne County. Another example of this is the City of Chatfield which falls within both Olmstead and Fillmore counties. To avoid the division of Chatfield, the Anderson Plaintiffs drew House District 27B to include a small portion of Olmstead County (with a population of 1,163 people). Likewise, the Anderson Plaintiffs drew House District 39A to include a small portion of Ramsey County (a population of 205 people) to avoid dividing the city of Spring Lake Park. Similar county divisions were made to avoid dividing the cities of Bellechester,

Brooten, Byron, Dennison, Elysian, Hastings, Jasper, La Crescent, Minneiska, Minnesota Lake, Motley, New Prague, Northfield, Pine Island, Royalton, Saint Anthony, Saint Francis, and Shorewood.

Where possible, the Anderson Legislative Plan further attempts to remedy current subdivision splits in response to testimony received from the public. For example, there were public comments regarding the fragmentation of the population of Dodge County due to its division into four house districts during the 2011 redistricting cycle. *See, e.g.*, Written Testimony of Bruce Kaskubar (Panel, undated) (noting that in 2011 “Dodge County sure got cut to pieces”); Written Testimony of David E. Surrock (Panel, Oct. 28, 2021) (noting the fragmentation of Dodge County in 2011). The Anderson Legislative Plan removes these divisions and includes the entirety of Dodge County in House District 24A.

Likewise, there was public testimony regarding the division of Coon Rapids into four house and three senate districts. *See, e.g.*, Written Testimony of Catherine Kurdziel (Panel, Oct. 26, 2021) (requesting that “consideration be given to put the City of Coon Rapids back together.”); Written Testimony of Patti Meier (Panel, Oct. 29, 2021) (commenting on the division of, among other cities, Coon Rapids); 10/26/21 Public Hearing Tr. at 19:18-22:4 (Testimony of Brett Ortler) (commenting on the legislative division of Coon Rapids); *id.* at 26:4-30:15 (Testimony of Christopher Geisler) (commenting on the division of Coon Rapids). While Coon Rapids is too large to keep within one legislative district, the Anderson Plan remedies this concern by minimizing the divisions of Coon Rapids into three house districts (37A, 37B, 39A) and two senate districts

(37 and 39), by making House District 37B a Coon Rapids only district, and by making Coon Rapids residents the majority of the population in Senate District 37.

Finally, consistent with public comment, the Anderson Legislative Plan was able to unite Brooklyn Center and Brooklyn Park in drawing legislative districts. *See, e.g.*, Written Testimony of Madeleine Lerner (Panel, Oct. 18, 2021) (requesting that communities of interest in Brooklyn Park and Brooklyn Center be kept together). Brooklyn Center remains in one house district (45B), along with a portion of Brooklyn Park and of the city of Crystal. And House Districts 38A and 38B are Brooklyn Park only house districts, making Senate District 38 a Brooklyn Park only senate district. The maintenance of political subdivisions and their populations, of course, has impacts on other portions of the legislative map. And in keeping the populations of Brooklyn Park and Brooklyn Center together within those districts, the Anderson Legislative Plan had to split the city of Crystal into three house districts (45A, 45B, and 46A) and two senate districts (45 and 46). In doing so, however, Crystal was drawn to keep its populations combined with other northern suburbs. For instance, House District 45A consists of a little more than half of the population of Crystal, all of New Hope, and a small portion of Plymouth. House District 45B includes Brooklyn Center, a portion of Brooklyn Park, and a little more than a quarter of the population of Crystal. Thus more than 75% of the population of Crystal is in Senate District 45. Finally, House District 46A includes the rest of Crystal, and all of Golden Valley and Robbinsdale.

VII. The Anderson Legislative Plan Preserves Communities of Interest

As a traditional redistricting principle, but one that is neither constitutionally nor statutorily mandated and frequently difficult to discern, this Panel held that “[c]ommunities

of people with shared interests will be preserved whenever possible to do so in compliance with the preceding principles.” Principles Order at 7, ¶ 7. Thus, where possible and when not in conflict with the foregoing principles, the Anderson Legislative Plan preserves communities of interests. The Anderson Plaintiffs preserved these communities of interest by, in addition to preserving political subdivisions to the extent possible: (1) making every effort to group logical counties and cities (*i.e.*, those that share similar interests and concerns) together; (2) keeping townships in the same districts as their related cities; (3) using rivers and roads as natural district boundaries; (4) keeping neighborhoods in metropolitan areas together; and (5) focusing especially on reducing political subdivision splits in rural Minnesota.

A. Communities of Interest are Preserved by Avoiding Political Subdivision Splits and Grouping Logical Counties and Cities Together

“Counties, cities, and townships constitute some of Minnesota’s fundamental communities of interest” *Zachman* Final Order at 3. In addition to satisfying population equality requirements, the Anderson Plaintiffs focused in drawing their Legislative Plan in preserving these fundamental and naturally occurring communities of interest. As discussed above, their efforts resulted in the creation of 12 “perfect” districts (House Districts 1A, 11B, 15A, 28A, 29A, 32B, 36B, 40B, 48A, 10, 55, and 56), avoiding the division of the population of any township, and the preservation of the boundaries of numerous American Indian Reservations, cities, and counties within one district.

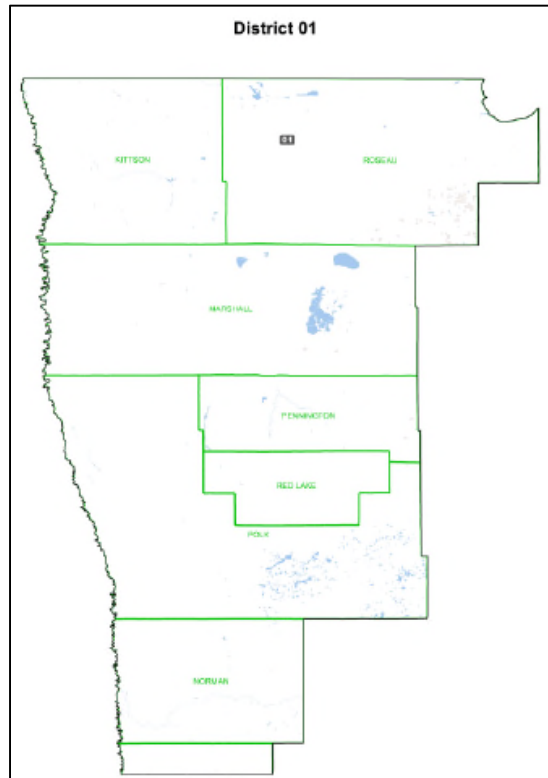
As an additional measure of preserving communities of interest using the State’s political subdivisions, the Anderson Plaintiffs endeavored in drawing district lines to group

logical counties and cities in drawing house and senate districts. Examples of this approach are discussed below, to demonstrate the Anderson Plaintiffs’ logical and prudent map-drawing.

1. Senate District 1

The Anderson Plaintiffs’ proposed Senate District 1 is located in the northwestern corner of the state and includes 7 whole counties (Kittson, Marshall, Norman, Pennington, Polk, Red Lake, and Roseau) and a portion of Clay County consisting of 3 whole cities (Felton City, Georgetown City, and Ulen City) and 5 whole townships (Felton Township, Georgetown Township, Hagen Township, Ulen Township, Viding Township).

Figure 3: Proposed Senate District 1

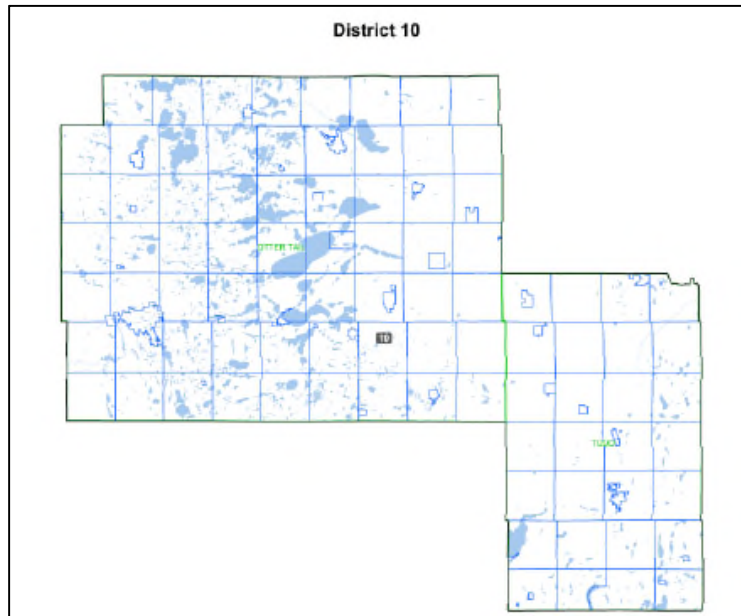


Senate District 1 consists of House Districts 1A, which is a “perfect” district consisting of the counties of Kittson, Marshall, Pennington, and Roseau, and House District 1B, which includes three whole counties (Norman, Polk, and Red Lake) and a portion of Clay County that consists of three undivided cities and five undivided townships. The logical grouping and preservation of these political subdivisions into Senate District 1 results in a population of 85,494, a deviation of 0.38% (+322 persons) from the ideal population for a senate district. House District 1A has a population of 42,570, a deviation of -0.04% (or -16 persons) from the ideal. And, to avoid splitting political subdivisions in the “perfect” House District 1A, House District 1B has a population of 42,924, which results in a slightly higher deviation from the ideal population of 0.79% (+338 persons).

2. Senate District 10

The Anderson Plaintiffs’ Senate District 10 is located in central Minnesota and is a “perfect” district in that it consists entirely of two undivided counties – namely, Otter Tail and Todd.

Figure 4: Proposed Senate District 10



Currently, Otter Tail County is split between Senate Districts 2 and 8. In written public testimony before both the Minnesota House and Senate Redistricting Committees and before this Panel, the Otter Tail County Board of Commissioners expressly requested that, in this redistricting cycle, Otter Tail County be kept whole within one senate district. Written Testimony of Otter Tail County Board of Commissioners (Panel, Sept. 28, 2021) (“We believe that a Senate District that comprises the whole of Otter Tail County together for legislative districts . . . will maximize effective legislative representation for our residents”); Written Testimony of Otter Tail Board of Commissioners (MN House Redistricting Committee, Sept. 14, 2021) (same); Written Testimony of Otter Tail County Board of Commissioners (MN Senate Redistricting Committee, Sept. 28, 2021) (same). Public testimony was also received requesting that Todd County be kept whole within one senate district and one house district. Written Testimony of Alan Perish (Panel, undated)

(requesting that Todd County “stay in 1 Congressional District, 1 Senate District and hopefully 1 House seat.”). The Anderson Legislative Plan incorporates these requests.

The Anderson Plaintiffs’ Senate District 10 has a population of 85,343, a deviation of 0.20% (+171 persons) and includes House Districts 10A and 10B. requested during public testimony, the Anderson Legislative Plan avoids dividing Todd County (which is currently divided into House Districts 9A and 9B), keeping it whole within House District 10B, along with a portion of Otter Tail County consisting of 9 undivided cities and 27 undivided townships. House District 10B has a population of 42,394, a deviation of -0.45% (-192) persons from the ideal. House District 10A includes the rest of Otter Tail County and has a population of 42,949, or 0.85% (+363) persons from the ideal.

3. Senate Districts 48 and 49

The Anderson Plaintiffs’ Senate District 48 is located in the western and southwestern metro and consists of the western part of the city of Chanhassen and the rest of Carver County (with the exception of a small portion of Shorewood with a population of 4 persons). Senate District 49 includes the rest of eastern Chanhassen and all of the city of Eden Prairie.

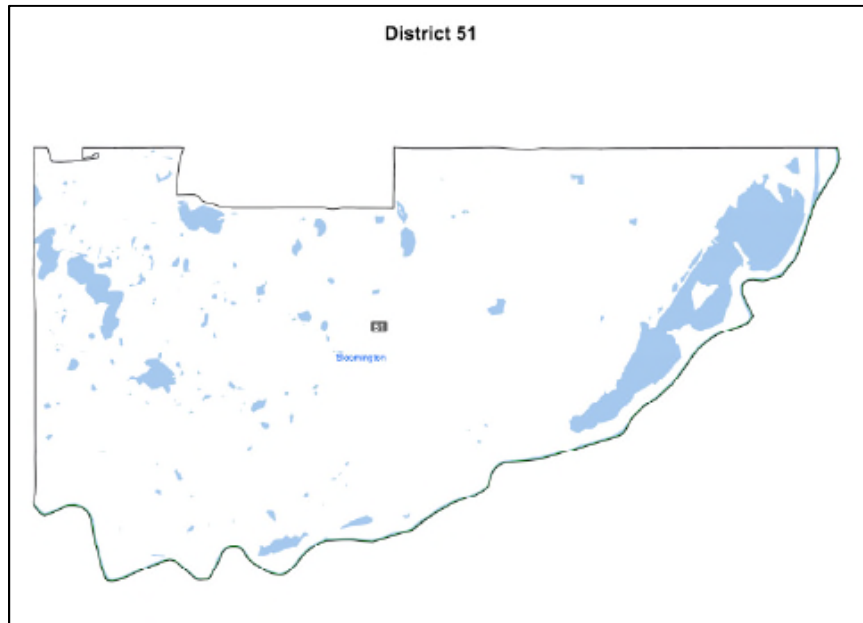
This configuration reduces the divisions of Eden Prairie (from two senate districts to one) in the current legislative plan, and it further logically groups into house districts the cities and townships that make up those senate districts. In Senate District 48, House District 48A consists of Mayer, Carver, Cologne, Waconia, Watertown, and all of the more rural Carver County townships, and House District 48B consists of western Chanhassen, Chaska, and Victoria. Senate District 49, House District 49A consists of eastern Chanhassen and a portion of western Eden Prairie, while House District 49B is made up exclusively of the rest of Eden Prairie.

Senate District 48 has a population of 85,336, which is a deviation of 0.19% (+164 persons) from the ideal, and Senate District 49 has a population of 85,770, which is a deviation of 0.70% (+598 persons) from the ideal population for a senate district.

4. Senate District 51

The Anderson Plaintiffs' Senate District 51 is in the southern metro and consists entirely of the city of Bloomington, with House Districts 51A and 51B likewise including only Bloomington residents:

Figure 7: Proposed Senate District 51

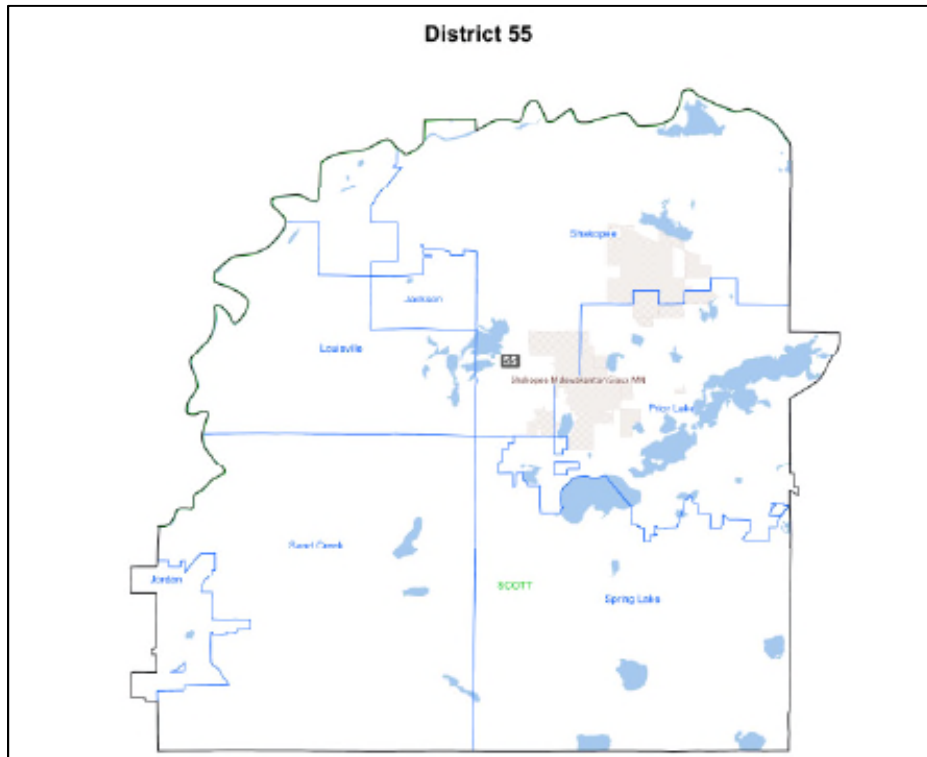


The population of Senate District 51 is 84,494, which is a deviation of 0.38% (+322 persons) from the ideal population for senate districts. The population of House District 51A is 42,957, a deviation of 0.87% (+371 persons) from the ideal, and the population of House District 51B is 42,537, a deviation of only -0.12% (-49 persons) from the ideal population for house districts.

5. Senate District 55

The Anderson Plaintiffs’ Senate District 55 is located in the southwestern metro and is a “perfect” district consisting entirely of three cities (Jordan, Prior Lake, and Shakopee) and four townships (Jackson, Louisville, Sand Creek, and Spring Lake) within Scott County. Senate District 55 further includes the entirety of the Shakopee Mdewakanton Sioux Reservation.

Figure 8: Proposed Senate District 55



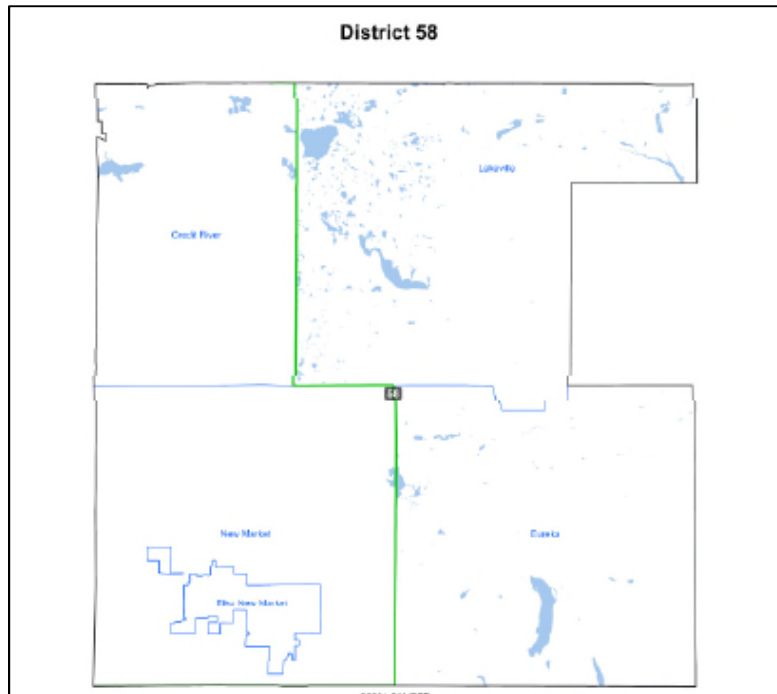
This proposed Senate District 55 has a population of 85,890, a deviation of 0.84% (+718 persons) from the ideal, and consists of House Districts 55A and 55B. House District 55B includes the entire population of the Shakopee Mdewakanton Sioux Reservation, all of Prior Lake and Jordan, and a small portion of the city of Shakopee. District 55B has a population of 42,916, which is 0.77% (+330 persons) from the ideal population. House District 55A, which includes most of Shakopee, has a population of 42,974, which is 0.91% (+388 persons) from the ideal population.

6. Senate District 58

The Anderson Plaintiffs’ Senate District 58 is located in the southern metro and is another “perfect” district in their Legislative Plan. Senate District 58 consists of two entire

cities (Lakeville and Elko New Market) and three whole townships (Eureka, Credit River, and New Market).

Figure 9: Proposed Senate District 58



Currently the city of Lakeville is split into three senate districts – namely, Senate Districts 52, 57, and 58. In public comment to the Minnesota Senate Redistricting Committee, the Mayor of Lakeville expressly requested that during this redistricting cycle the City be kept together in one Senate District. Written Testimony of Mayer Doug Anderson (MN Senate Redistricting Committee, Sept. 20, 2021). Accordingly, the Anderson Legislative Plan keeps Lakeville together in Senate District 58.

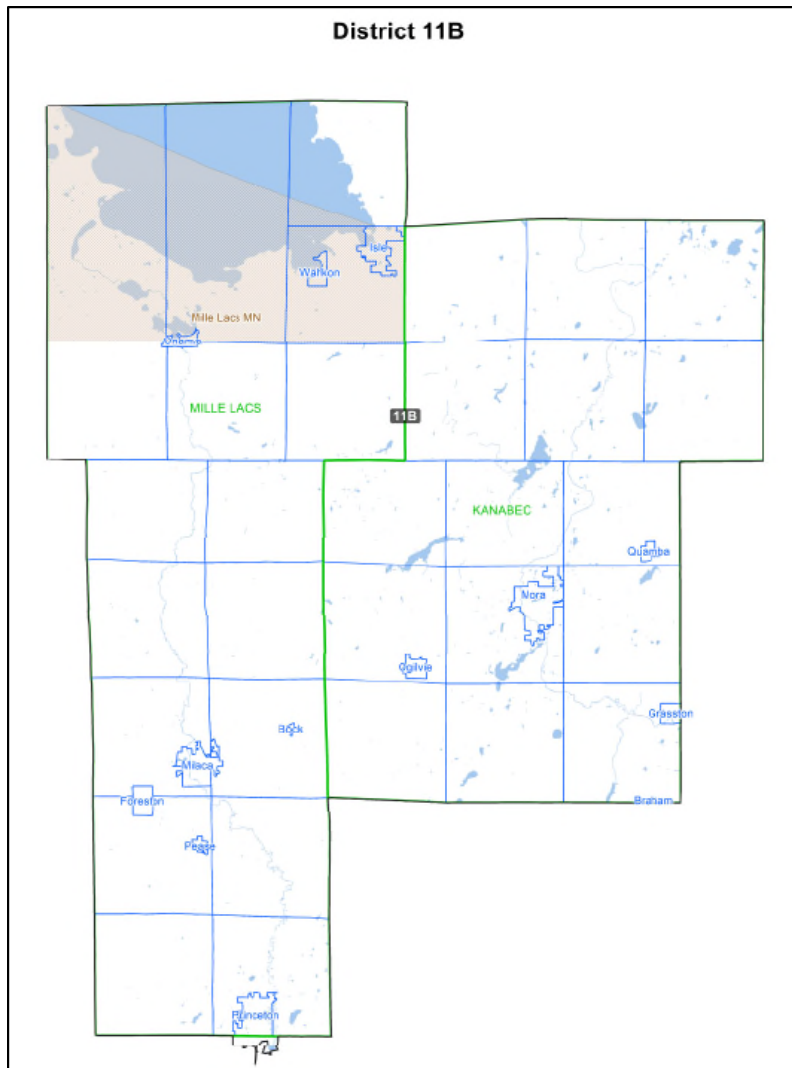
Senate District 58 has a population of 84,727, which is -0.52% (-445 persons) from the ideal. House District 58A includes the city and township of Eureka, the city of Elko New Market, and Credit River Township, along with about 42% of the population of

Lakeville. This district has a population of 42,246, which is -0.80% (-340 persons) from the ideal. House District 58B includes the remainder of Lakeville and has a population of 42,481, which is -0.25% (-105 persons) from the ideal house district population.

7. House District 11B

House District 11B is located in the eastern part of central Minnesota and is another “perfect” district in that it includes all of Mille Lacs and Kanabec Counties as well as the entire city of Princeton.

Figure 10: Proposed House District 11B

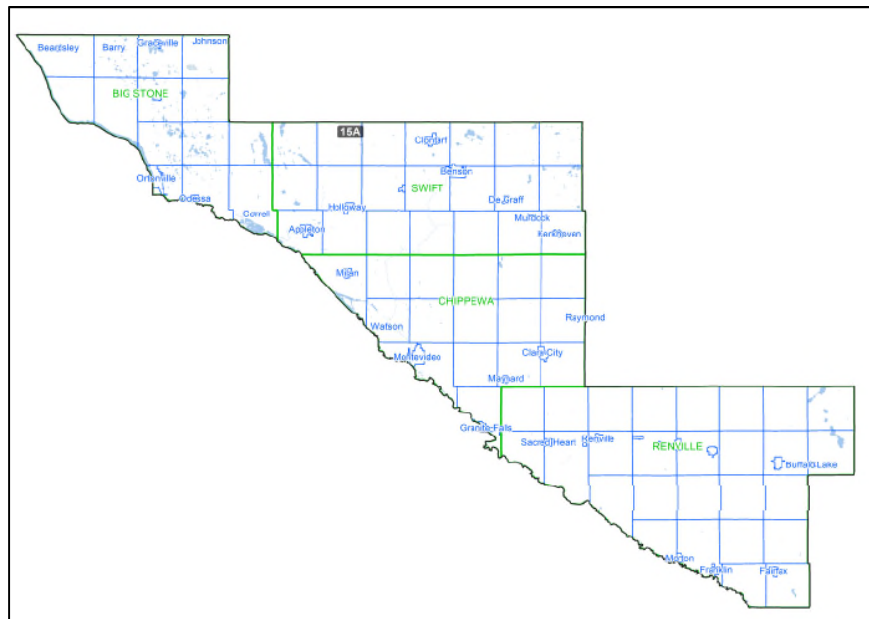


The Anderson Plaintiffs’ House District 11B has a population of 42,544, a deviation of -0.10% (-42 persons) from the ideal house district population.

8. House District 15A

The Anderson Plaintiffs’ House District 15A, in western Minnesota, is a district bordered by the Minnesota River on the west and is yet another “perfect” district, consisting of four entire counties – namely, Big Stone, Chippewa, Renville, and Swift, each sharing a major river boundary as set forth below:

Figure 11: Proposed House District 15A



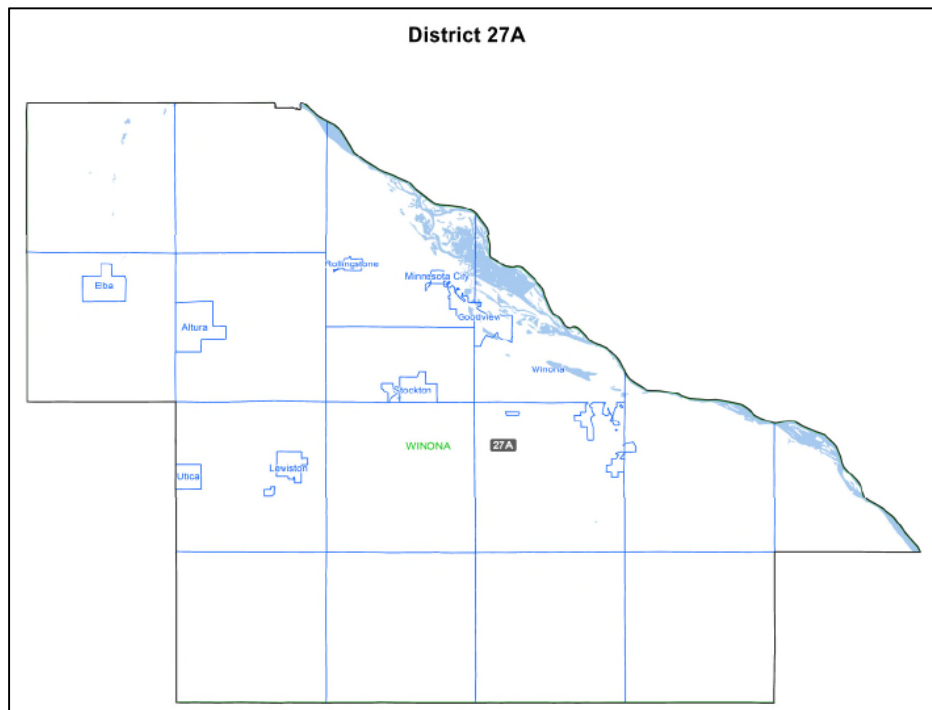
Currently, both Renville County and Chippewa County are split into two house and two senate districts. The division of Chippewa County further resulted in the division of Granite Falls Township into two house and two senate districts. In public testimony provided to this Panel, the Treasurer of Chippewa County expressly urged this Panel to avoid the division of that township to preserve county tax dollars and to minimize voter

confusion. Written Testimony of Michelle May, Chippewa County Treasurer (Panel, Oct. 26, 2021). Under the Anderson Legislative Plan, Granite Falls Township is entirely within House District 15A and Senate District 15. House District 15A has a population of 42,325, a deviation of -0.61% (-261 persons) from the ideal house district population.

9. House District 27A

Winona County has a population of 49,671, which is too large for a self-contained house district. The Anderson Plaintiffs' House District 27A, however, consists of almost all of Winona County – namely, nine undivided cities and fifteen undivided townships – with a smaller portion of that county falling within House Districts 26B (one undivided city and two undivided townships) and 20B (one undivided city).

Figure 12: Proposed House District 27A

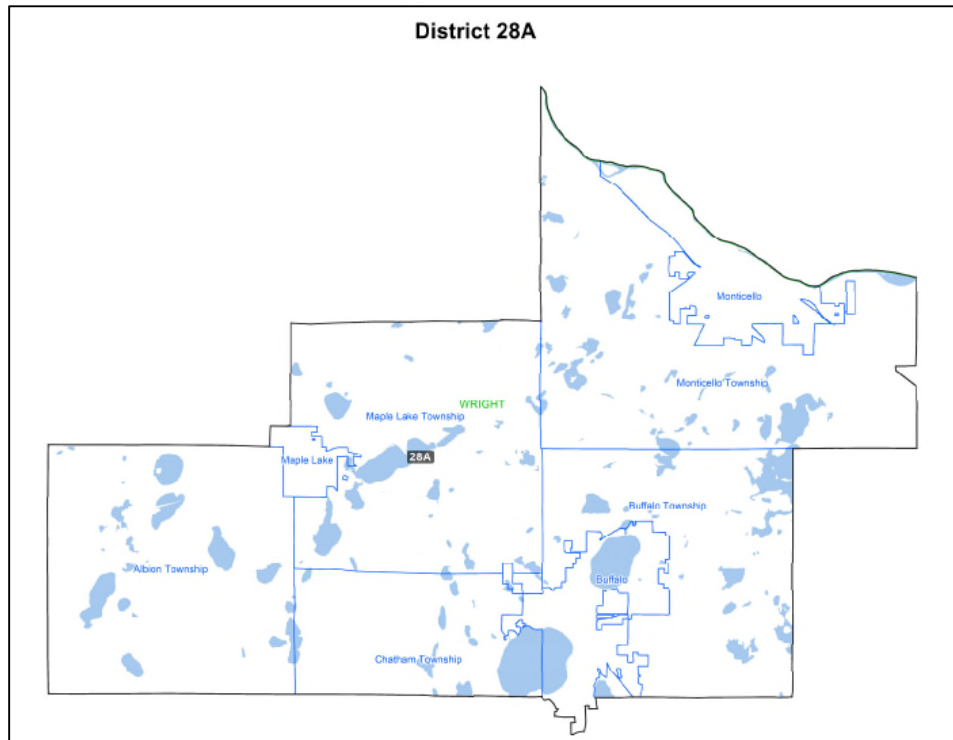


House District 27A has a population of 42,799, a deviation of 0.50% (+213 persons) from the ideal.

10. House District 28A

The Anderson Plaintiffs' House District 28A is a "perfect" district that includes three cities (Buffalo, Maple Lake, and Monticello) and their five surrounding townships (Albion, Buffalo, Chatham, Maple Lake, and Monticello) in their entirety.

Figure 13: Proposed House District 28A

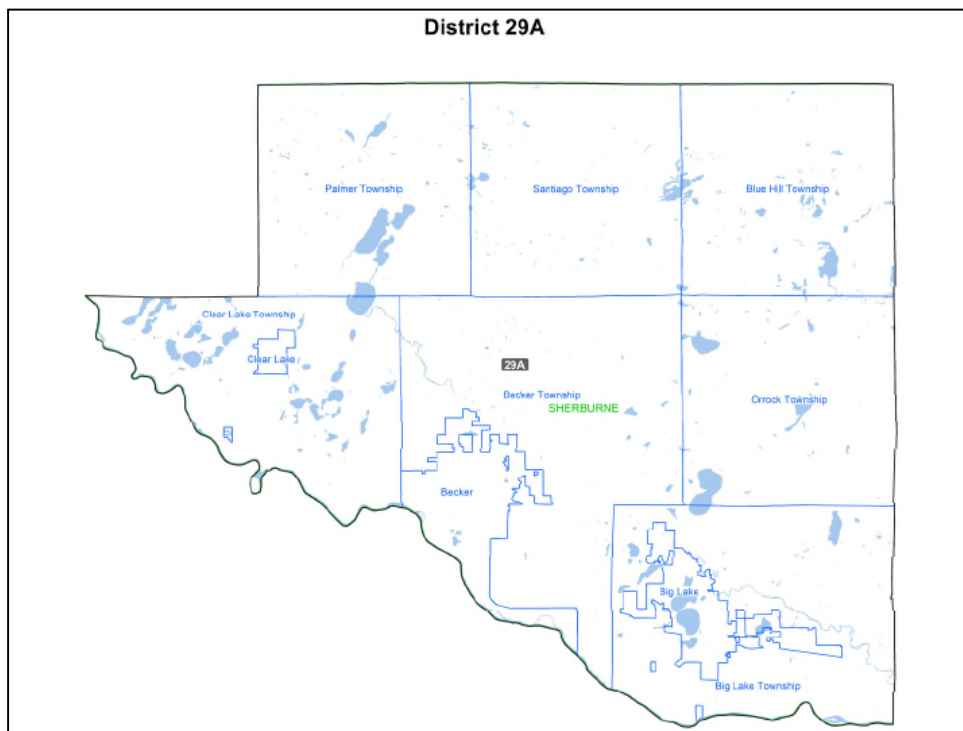


This proposed district remedies the current division of the city of Buffalo and Maple Lake Township into two house districts. The Anderson Plaintiffs' House District 28A has a population of 42,744, which is a deviation of 0.37% (+158 persons) from the ideal population for house districts.

11. House District 29A

The Anderson Plaintiffs' House District 29A is yet another “perfect” district that includes in their entirety three cities (Becker, Big Lake, and Clear Lake) and their surrounding seven townships (Becker, Big Lake, Blue Hill, Clear Lake, Orrock, Palmer, and Santiago).

Figure 14: Proposed House District 29A

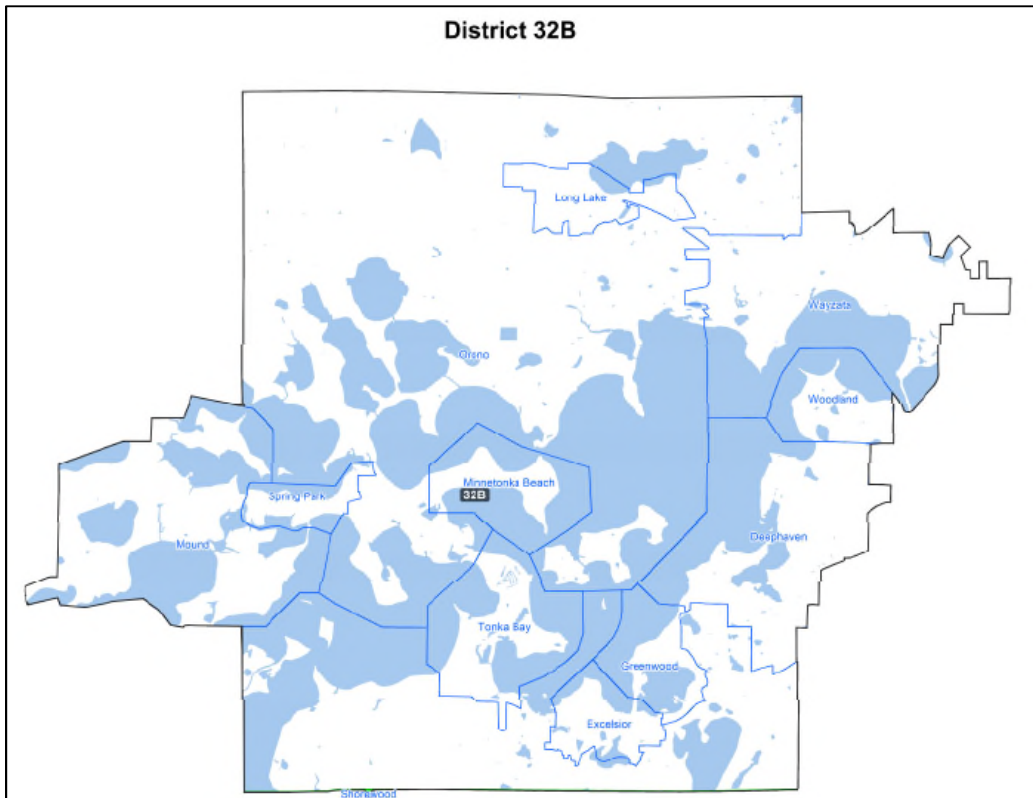


The Anderson Plaintiffs' House District 29A remedies the current division of Big Lake Township into two house and two senate districts, while maintaining a logical grouping of cities and townships that share local and geographical interests. This proposed house district has a population of 42,713, a deviation of 0.30% (+127 persons) from the ideal population.

12. House District 32B

The Anderson Plaintiffs' House District 32B is a "perfect" district that includes many of the cities surrounding Lake Minnetonka (Shorewood, Deephaven, Excelsior, Greenwood, Long Lake, Minnetonka Beach, Mound, Orono, Spring Park, Tonka Bay, Wayzata, and Woodland) – a grouping of cities that share similar concerns and interests related thereto.

Figure 15: Proposed House District 32B

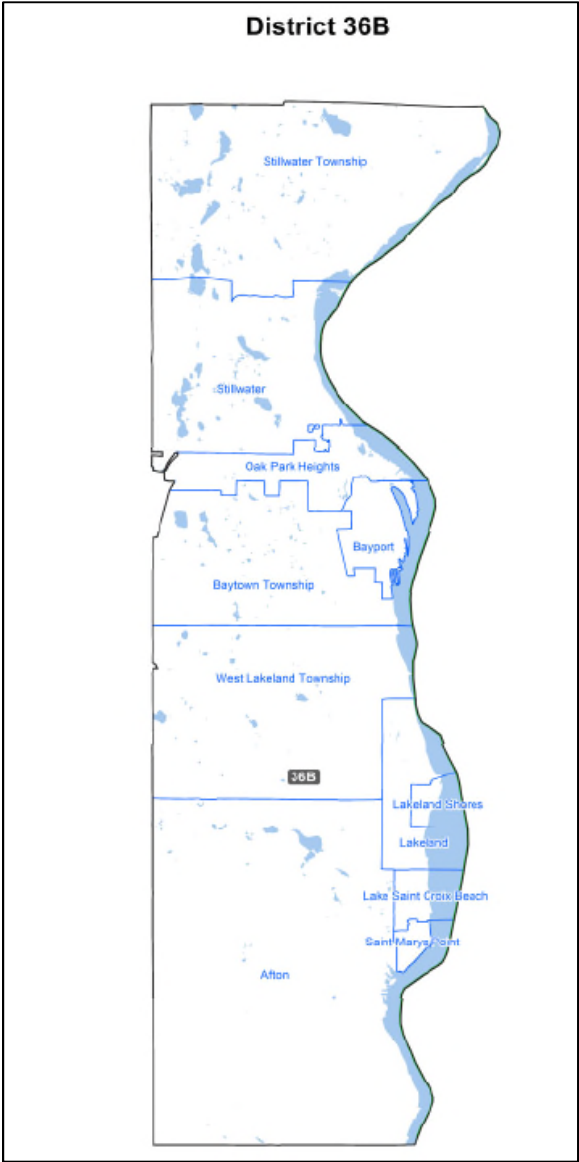


This proposed house district has a population of 42,752, a deviation of 0.39% (+166 persons) from the ideal.

13. House District 36B

The Anderson Plaintiffs’ House District 36B is a “perfect” river district running along the St. Croix River and consisting of eight cities (Afton, Bayport, Lake Saint Croix Beach, Lakeland, Lakeland Shores, Oak Park Heights, Saint Marys Point, and Stillwater) and three townships (Baytown, Stillwater, West Lakeland) in their entirety. Again, each shares the common interests associated with the river and state border.

Figure 16: Proposed House District 36B

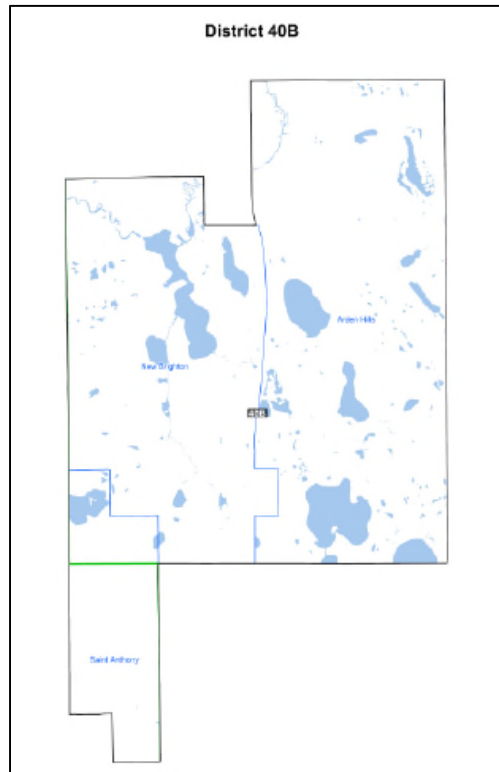


During public comment periods both before the Minnesota House Redistricting Panel and before this Panel, testimony was received from the public asking that Stillwater not be divided between two house district as it is now, and that it be kept within the more suburban district (what is now House District 39B) to avoid grouping communities with different interests together. *See, e.g.*, Written Testimony of Shannon Riley (MN House Redistricting Committee, Sept. 29, 2021) (requesting that Stillwater be kept in House District 39B); Written Testimony of Sandra Larson (Panel, Sept. 27, 2021) (all of Stillwater should be in District 39B as it is more aligned with the interests of Stillwater residents); Written Testimony of Nancy McLean (Panel, undated) (same). The Anderson Plan is responsive to these public concerns, as it keeps the City of Stillwater entirely within a more suburban district that includes a number of cities that are currently located in House District 39B (*i.e.*, Bayport, Lake St. Croix, Lakeland, Lakeland Shores, Oak Park Heights, and St. Marys Point). The Anderson Plaintiffs' House District 36B has a population of 42,606, a mere 0.05% (+20 persons) deviation from the ideal population for a house district.

14. House District 40B

The Anderson Plaintiffs' House District 40B is another "perfect" district that consists of a logical grouping of the cities of Saint Anthony, Arden Hills, and New Brighton in their entirety.

Figure 17: Proposed House District 40B



This proposed house district has a population of 42,650, which is a mere 0.15% (+64 persons) deviation from the ideal district.

B. Keeping Townships with Their Neighboring Cities and Towns

Townships, as smaller political subdivisions, are not only potential targets of annexation by adjacent cities, they also often share a number of governmental services with adjacent cities and towns. These services may include the operation of school districts, sanitary services, utilities, and other governmental functions. As a result, adjacent cities and townships form communities of interest that should be kept together, to the extent possible, in redistricting.

The Anderson Legislative Plan preserves communities of interest, both currently and in the future following any potential annexations, by avoiding the separation of

townships from their neighboring cities and towns in the drawing of district lines. Some examples of Minnesota's largest cities and the preservation of house districts that encompass their neighboring townships are as follows: (1) The Anderson Plaintiffs' House District 25A includes the northeastern portion of Rochester and all of neighboring Haverhill Township; (2) House District 25B includes the northwestern portion of Rochester and all of neighboring Cascade Township; (3) House District 26B includes the southern portion of Rochester and all of neighboring Marion Township, High Forest Township, and all of the populated contiguous area of Rochester Township; (4) House District 18B includes most of the city of Mankato and all of Mankato Township; (5) House District 18A includes the remainder of the city of Mankato, all of North Mankato, and all of neighboring Lime Township, Belgrade Township, and South Bend Township; (6) House District 9A includes most of the city of Moorhead and neighboring Moorhead Township, except for one non-contiguous census block with zero population; (7) House District 9B includes the northern portion of Moorhead and all of neighboring Oakport Township; (8) House District 14A uses the Mississippi River as its eastern border and includes parts of St. Cloud, all of Sartell west of the river, and neighboring Le Sauk Township; (9) House District 14B used the Mississippi River as its western border and includes all of Sauk Rapids, all of Sartell and St. Cloud east of the river, and neighboring Sauk Rapids Township, Minden Township, and Haven Township.

While these examples reflect these groupings with respect to Minnesota's largest cities, similar examples of avoiding the separation of townships from their neighboring cities and towns are found throughout the Anderson Legislative Plan.

C. Using Rivers as Natural District Boundaries

Rivers not only serve as the borders of many political subdivisions – they create natural geographic boundaries that result in groupings of individuals into natural communities with similar concerns and interests. The Anderson Legislative Plan respects these natural boundaries to the extent possible, creating a number of districts that utilize rivers as natural boundaries. These districts include House Districts 7B, 13A, 13B, 14A, 14B, 15A, 16B, 17A, 17B, 19A, 28A, 29A, 29B, 32A, 33A, 38A, 39B, 48B, 49B, 50B, 51B, 52A, 53A, 55A, 55B, 56A, 59A, 60A.

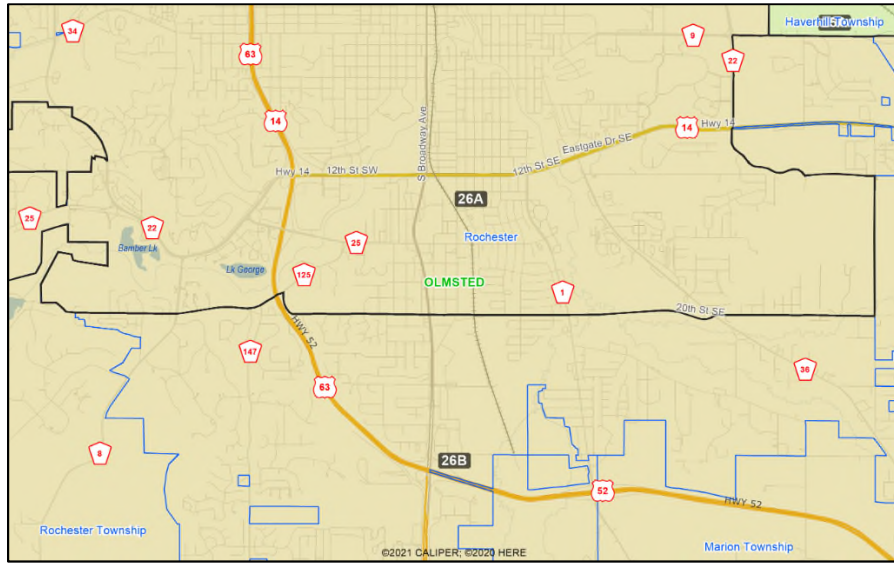
In order to preserve communities of interest living near the Red River Valley, the Anderson Legislative Plan creates a longer Senate District 9 and House District 9B (House District 9A encompasses most of the city of Moorhead), resulting in a district that more broadly includes Minnesota citizens living near the Red River Valley, acknowledging that those individuals share common interests that should be represented by a single voice in Minnesota government. Senate District 36 was likewise reconfigured to both avoid splitting subdivisions and to create a river district that encompasses those Minnesotans living along or near the St. Croix River, a community of interest testified to during public hearings.

D. Considering Major Roadways in Drawing District Lines

The Anderson Plaintiffs further sought to avoid the splitting of communities of interest by utilizing major roadways in drawing district lines. For example, while the division of Rochester cannot be avoided due to its size, the Anderson Plaintiffs divided that

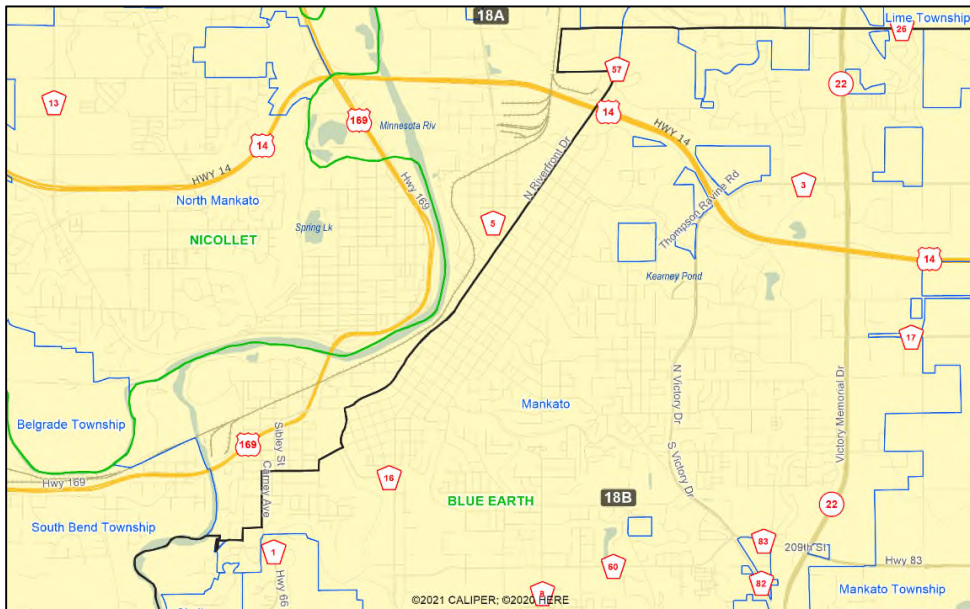
city along two of its major roadways. Notably, House District 26A and 26B are split along two roads within the city – County Road 125 and 20th Street:

Figure 18: Proposed House Districts 26A & 26B



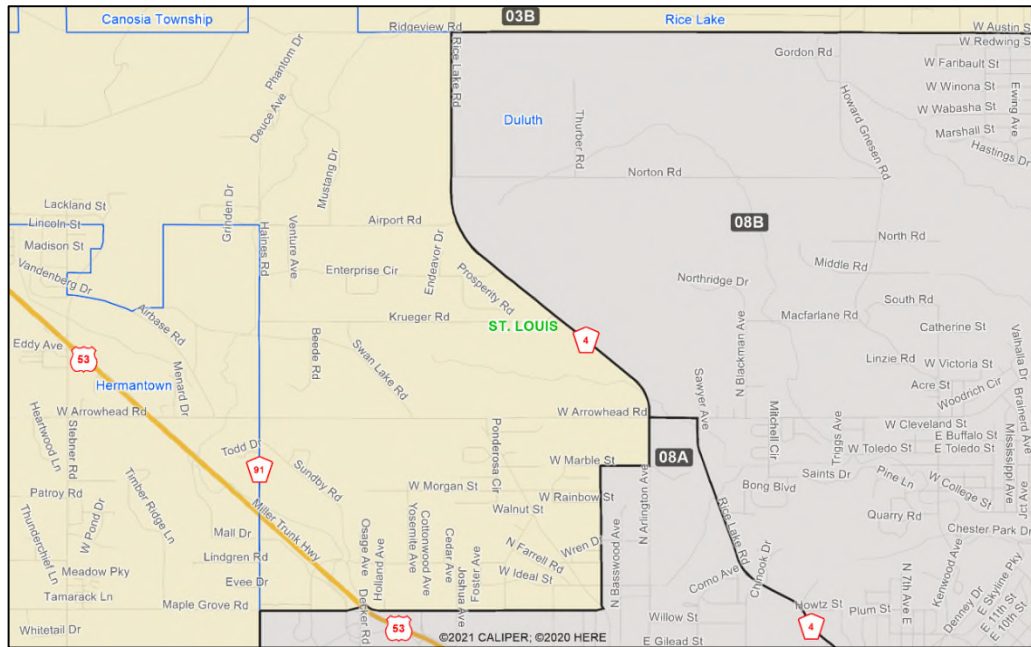
Likewise, House Districts 18A and 18B in the city of Mankato are effectively split along Riverfront Drive:

Figure 19: Proposed House Districts 18A and 18B



And in drawing Senate Districts 3 and 8, Duluth was split along County Road 4, Marble Street, Stanford Avenue, and Maple Grove Road.

Figure 20: Proposed Senate Districts 3 & 8



Examples of the use of roadways in drawing house districts further include: (1) Highway 41, Highway 5, County Road 18, and Audubon Road were used in splitting eastern and western Chanhassen in House Districts 48B and 49A; (2) Highway 394 and Hopkins Crossroad were used in drawing House District 44B in Minnetonka; (3) Interstate 35A was used in splitting the city of Blaine in drawing House District 40A; (4) Highway 47, County Roads 6 and 1, and 69th Avenue were used in splitting Fridley in drawing House District 39B; (5) Highway 100 and Highway 62 were used in splitting Edina, another city that must be split due to its size, in drawing House Districts 47B and 50A; (6) Highway 7 and Highway 100 were used in splitting St. Louis Park in drawing House Districts 46B

and 47B; and (7) Interstate 35, Highway Avenue, 185th Avenue, and 190th Street were used in splitting Lakeville in drawing House Districts 58A and 58B.

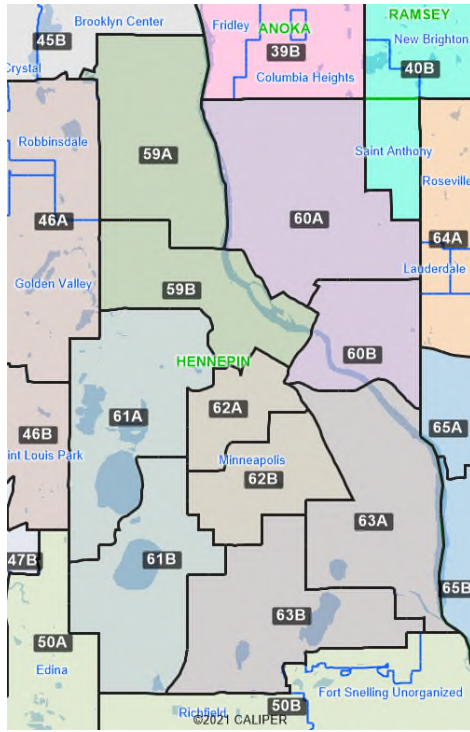
Examples of the use of roadways in drawing senate districts further include: (1) 65th Avenue, Hampshire Avenue, and Lakeland Avenue were used in splitting Brooklyn Park in drawing Senate Districts 38 and 45; (2) Highway 101, 78th Ave, and Lawndale Avenue were used in splitting Maple Grove between Senate Districts 32 and 33; (3) Pilot Knob Road and Diffley Road were used in splitting Eagan between Senate Districts 52 and 57; (4) Highways 52 and 494 were used in splitting Inver Grove Heights between Senate Districts 52 and 53; (5) McKnight Road was used to split Maplewood between Senate Districts 42 and 43; and (6) Penn Avenue, West 84th Street, and Bush Lake Road were used in splitting Bloomington between Senate Districts 50 and 51.

E. Communities of Interest in Relation to Minnesota's Largest Cities

1. Minneapolis

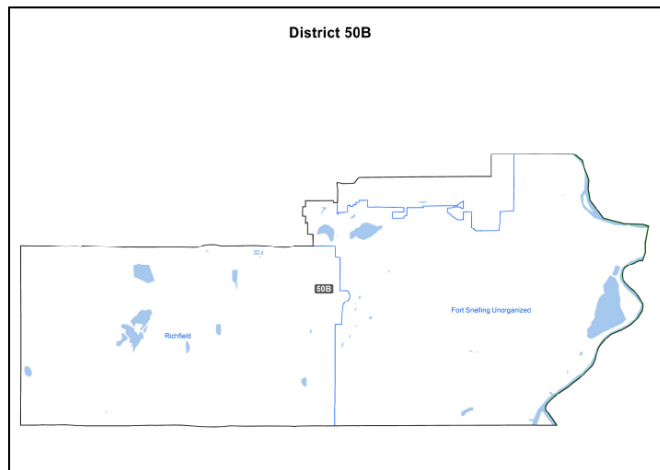
Minneapolis had significant growth in the past decade, with its population growing from 382,578 in 2010 to 429,954 in 2020. As a result, one additional house district was needed to capture the entire population of the city of Minneapolis – increasing the number of house districts covering Minneapolis from 10 to 11 – and the existing boundaries of Minneapolis's current districts required adjustment. As proposed by the Anderson Plaintiffs, Minneapolis's legislative districts would be drawn as follows:

Figure 21: Proposed Districts (Minneapolis)



As did the redistricting plan adopted by the *Hippert* Panel, the Anderson Legislative Plan proposes only one district that encompasses population beyond the Minneapolis border – namely, House District 50B, which is made up of a small portion of Minneapolis and the entirety of the neighboring city of Richfield and Fort Snelling:

Figure 22: Proposed House District 50B



It is logical to combine this small portion of Minneapolis with the city of Richfield and Fort Snelling because that portion of Minneapolis is immediately adjacent to Richfield and Fort Snelling, with those communities connected by Highway 62, Highway 5, and Cedar Avenue. The residents in this area further share common concerns related to the area, including, notably, its proximity to the Minneapolis-St. Paul International Airport. Additionally, and importantly, this district keeps Richfield and Fort Snelling whole within one house district. Indeed, the *Hippert* Panel itself similarly combined the remaining small population of Minneapolis with the city of Richfield and Fort Snelling into what is the current House District 63B.

From there, the Anderson Plaintiffs drew their House Districts 59A-63B, which are made up entirely of portions of the city of Minneapolis and do not differ substantially from the general layout of Minneapolis house districts adopted by the *Hippert* Panel. In drawing these districts, the Anderson Plaintiffs sought to follow natural boundaries. For example, House District 59A is bordered on the east by the Mississippi River and to the north and west by city borders. House District 60A is likewise bordered by the Mississippi river and neighboring city boundaries. And the border between House District 61A and 61B follows, in part, Lake Bde Maka Ska – (formerly known as Lake Calhoun), with House Districts 61A and 61B encompassing within one senate district many of the city’s lakes west of Highway 35W – *i.e.*, Lake Bde Maka Ska, Lake Harriet, Lake of the Isles, and Cedar Lake.

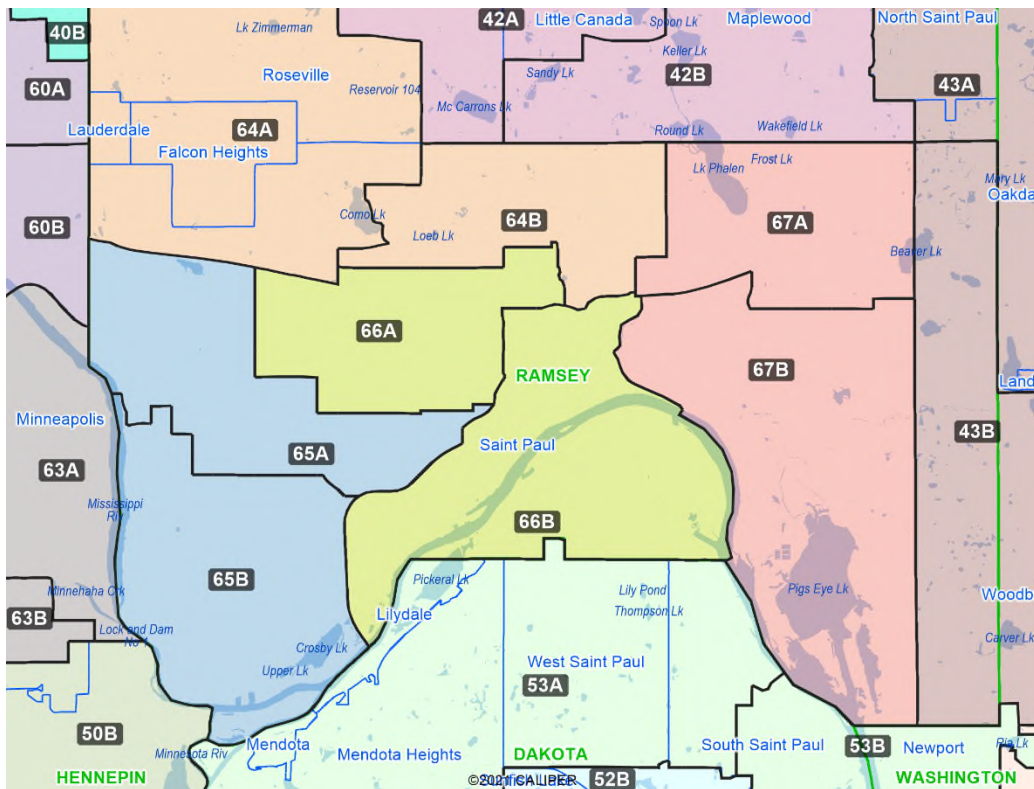
The Anderson Plaintiffs further sought, to the extent possible, to preserve other communities of interest. For example, House District 60B encompasses the entire University of Minnesota. House District 62A was drawn to consist of a total population in

which 30% of persons self-identified as Hispanic. And House Districts 59A and 62A consist of voting age populations in which 33% and 31% percent of persons, respectively, that self-identified as Black.

2. St. Paul

The population of St. Paul increased since the 2010 census from 285,068 to 311,527. While this population increase did not require the addition of another house district in the city, the population increase did require adjustment to the boundaries of St. Paul's eight house districts. As proposed by the Anderson Plaintiffs, those districts would be drawn as follows:

Figure 23: Proposed Districts (St. Paul)



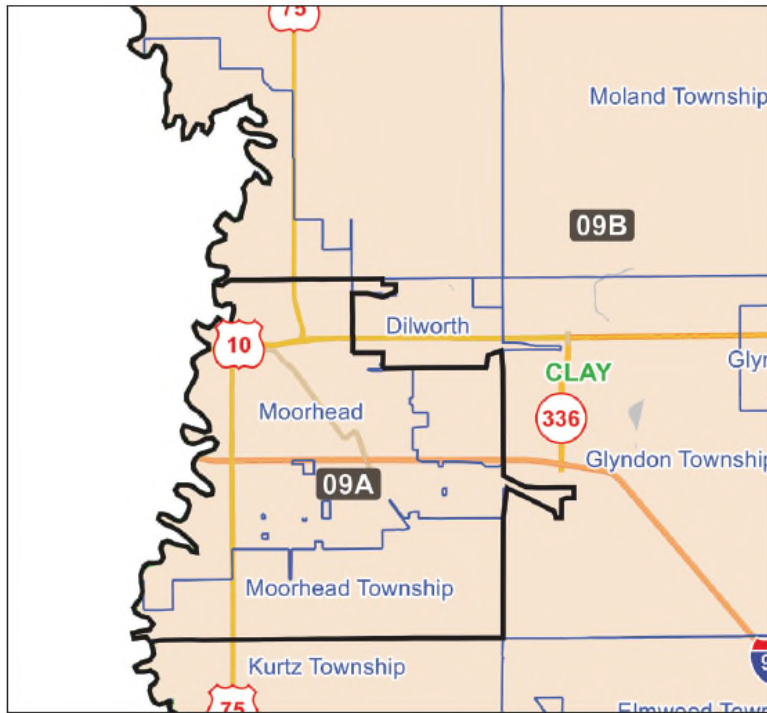
As did the redistricting plan adopted by the *Hippert* Panel, the Anderson Legislative Plan proposes only one district that encompasses population beyond the St. Paul border – House District 64A, which, similar to the current House District 66A, is made up of a portion of Saint Paul, a portion of the city of Roseville, and all of the cities of Lauderdale and Falcon Heights.

In drawing the remaining House Districts 64B-67B, which are made up entirely of portions of the city of Saint Paul, the Anderson Plaintiffs again sought to minimize adjustments to the existing district lines. In taking this approach, three house districts – House Districts 64B, 67A, 67B – consist of a total population in which more than 30% of persons self-identified as Asian. House District 66A consists of a total population in which 32.4% of persons self-identified as Black.

3. Moorhead

From 2020, the City of Moorhead grew in population from 38,065 to 44,505, making it too big to be included in its entirety within one house district. The Anderson Plaintiffs, however, drew their district lines to include most of the city of Moorhead and the entire *population* of its neighboring Moorhead Township within House District 9A. The remainder of the city of Moorhead is in House District 9B, along with seven neighboring cities and twenty-four neighboring townships in their entirety. All of Moorhead falls within Senate District 9.

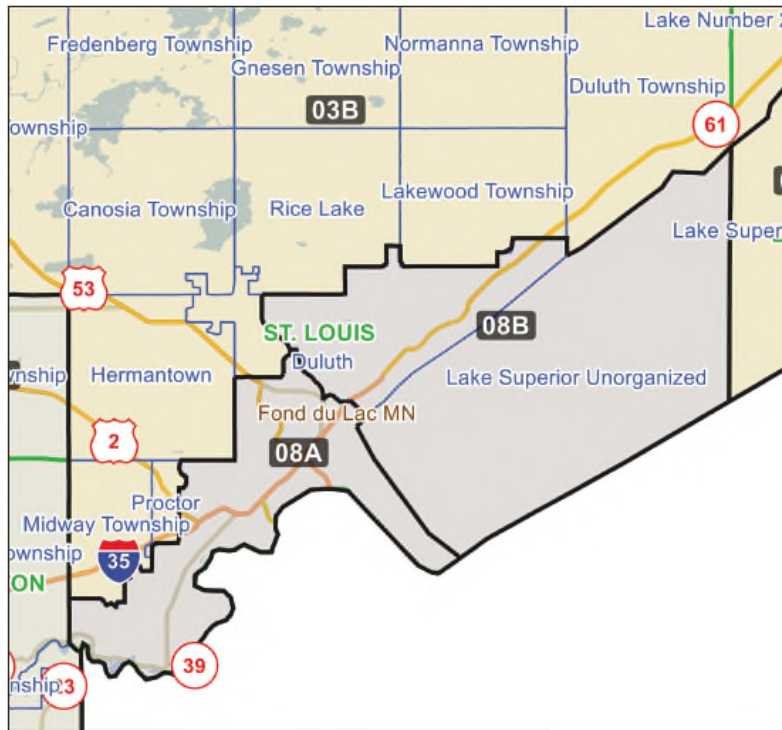
Figure 24: Proposed Districts (Moorhead)



4. Duluth

The nearly unchanged population of Duluth since 2010 (from 86,265 to 86,697), coupled with the increased ideal population size for Minnesota’s house districts, results in the near division of the city of Duluth into two Minnesota House Districts (namely, 8A and 8B), with a very small remainder of the population (only 1,773 people) being placed in House District 3B with neighboring cities north of Duluth. In dividing Duluth into Senate Districts 3 and 8, the Anderson Plaintiffs sought to avoid the division of neighborhoods and communities by drawing those district lines along County Road 4, Marble Street, Stanford Avenue, and Maple Grove Road.

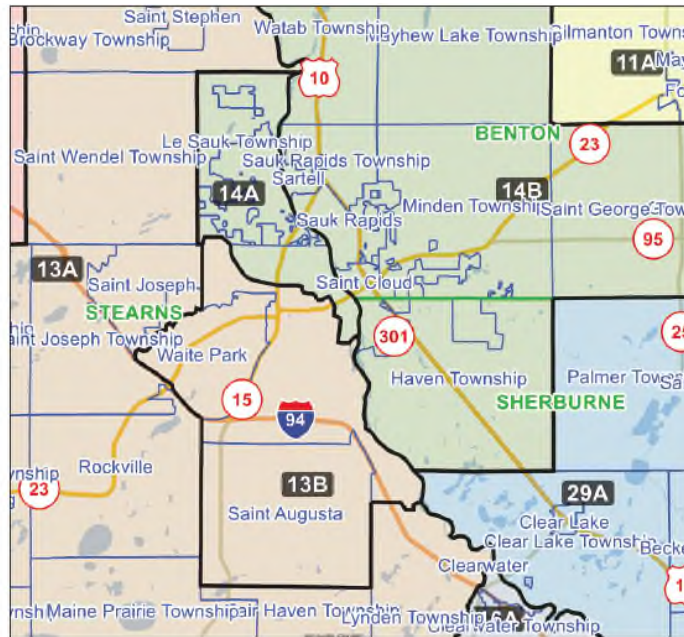
Figure 25: Proposed Districts (Duluth)



5. St. Cloud

Split into three counties (Stearns, Benton, and Sherburne) and by the Mississippi River, Saint Cloud has presented difficulties for mapmakers for decades. To make it more challenging, St. Cloud’s population, currently 68,881, has made it necessary to divide the city in redistricting. In an effort to keep communities of interest together in this city, the Anderson Plaintiffs drew their districts following the natural boundary lines – *i.e.*, the Mississippi River – in dividing the city into House Districts 13B and 14A:

Figure 26: Proposed Districts (St. Cloud)



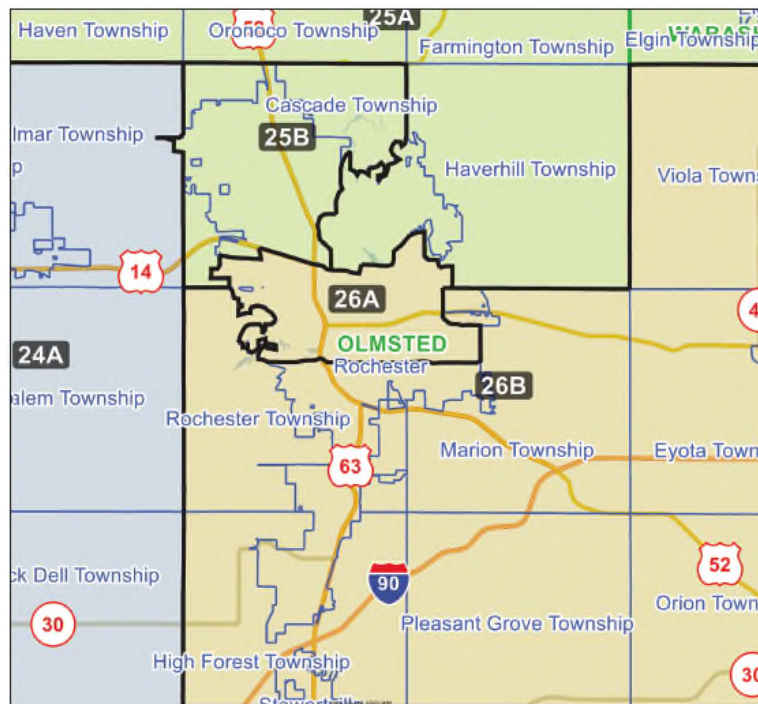
In doing so, the Anderson Plaintiffs were further able to keep the city of Waite Park in one district, which aligns with the wishes of community members as stated in public testimony. *See, e.g.*, Written Testimony of Diana Kasper (Panel, Oct. 23, 2021) (keep Waite Park in one senate and one house district). Further, consistent with the testimony of several members of the public, the University of St. Cloud was, to the extent possible, kept whole in House District 14A.

6. Rochester

The population of Rochester has experienced moderate growth of about 13% over the past decade, increasing from 106,769 to 121,395, making it too large to fit in either one house or one senate district. Additionally, due to many annexations over the years, the City of Rochester is not compact nor fully contiguous. As did the *Hippert* Panel, the Anderson Plaintiffs divide the City of Rochester into two senate districts and four house districts. In

drawing these district lines, the Anderson Plaintiffs created one all Rochester house seat in the central portion of the city (26A),⁴ one northeastern Rochester seat (25A) that further included eight undivided cities and fourteen undivided townships, one northwestern Rochester seat (25B) that also includes all of Cascade Township, and one southern Rochester seat (26B) that further includes four undivided cities and 11 undivided townships.

Figure 27: Proposed Districts (Rochester)



In addition to keeping the cities and townships that surround Rochester whole, this approach also allowed the Anderson Plaintiffs to keep Dodge County entirely within House District 24A, as discussed *supra* p. 26. The Anderson Plaintiffs further used the major

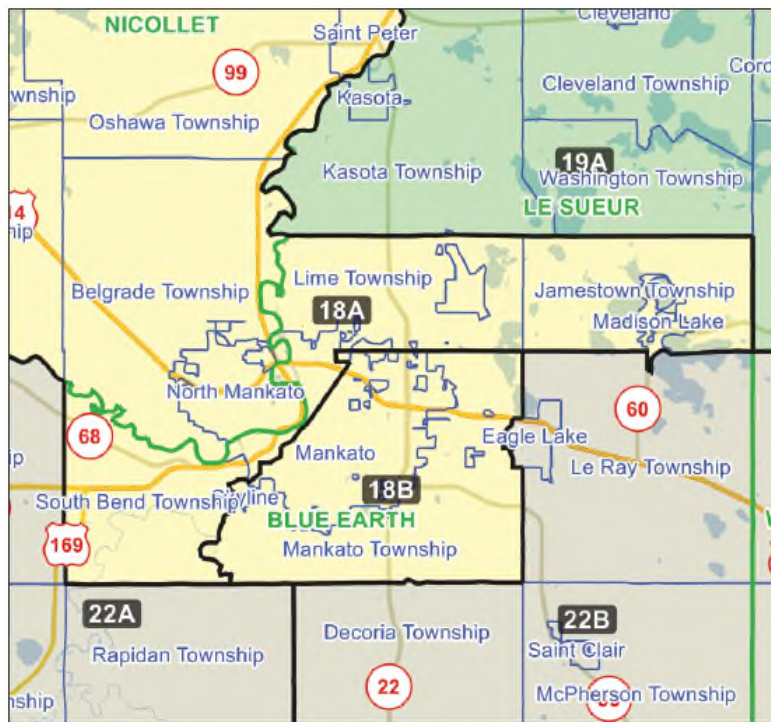
⁴ While this district includes a portion of Rochester township, the entire population of that township resides in an area falling within the Anderson Plaintiffs House District 26B. See Anderson Maptitude Reports, Political Subdivision Split (House), at Tab H.

roadways of County Road 125 and 20th Street in drawing House Districts 26A and 26B. See discussion *supra* pp. 48-49.

7. Mankato

The 2020 Census counts the population of Mankato as 44,488, too large to keep within one house district. In the Anderson Legislative Plan, however, the City of Mankato is kept whole in Senate District 18, and House Districts 18A and 18B are drawn to preserve communities of interest by splitting those districts mostly along Riverfront Drive and by avoiding the division of Mankato’s surrounding townships and cities. House District 18B was drawn to include all of Mankato Township and most of the city of Mankato, with the remainder of Mankato falling in House District 18A along with all of North Mankato and the undivided townships of Lime, Belgrade, and South Bend.

Figure 28: Proposed Districts (Mankato)



F. The Anderson Plaintiffs Also Preserve Communities of Interest in Rural Minnesota

Much of the focus in redistricting often falls on urban and suburban areas due to their density and high percentage of the overall population, but the Anderson Plaintiffs urge the Panel to also pay close attention to the important needs of the rural and often agricultural and/or land-based portions of the State. In rural Minnesota, the Anderson Plaintiffs further succeeded in preserving communities of interest by greatly reducing the number of political subdivisions split between legislative districts. For example, Becker County is currently divided between Senate Districts 2 and 4, but under the Anderson Plan, Becker County is included in its entirety within Senate District 4. The division of Beltrami County into Senate Districts 2 and 5 is also remedied, with all of Beltrami County being located in the Anderson Plaintiffs' Senate District 2. The number of splits in Benton County are reduced by the Anderson Plaintiffs from 3 to 2, as are the number of splits in Cass County. Moreover, while currently divided amongst several senate districts, the Anderson Legislative Plan avoids splitting the boundaries of Chippewa, Dodge, Kanabec, Le Sueur, Morrison, Ottertail, Renville, Steele, and Wadena Counties into more than one senate district.

The division of rural cities into multiple house districts is likewise reduced under the Anderson Legislative Plan. For instance, the city of Alexandria, currently divided between Senate District 8 and 12 and House Districts 8B and 12B, is entirely in House District 12A under the Anderson Legislative Plan. Faribault County, currently split between House Districts 23A and 27A, is included in its entirety in the Anderson Plaintiffs'

House District 22A. Likewise, Sauk Rapids, currently within House Districts 13B and 14B, is entirely within the Anderson Plaintiffs' House District 14B. North Branch is fully contained in the Anderson Plaintiffs' House District 31B, instead of being divided into two house districts as it is now. Brainerd, currently divided between House Districts 10A and 10B, is undivided within the Anderson Plaintiffs' House District 6A. Both the city and township of Deer River, currently divided between House District 5A and 5B, are entirely within the Anderson Plaintiffs' House District 5B. The division of Hutchinson is likewise remedied, moving that city from House Districts 18A and 18B entirely into House District 16B. And the separation of the city of Tower into two house (3A and 6B) and senate (3 and 6) districts is remedied as that entire city is located within the Anderson Plaintiffs' House District 3A.

VIII. The Anderson Legislative Plan Was Not Drawn to Protect, Promote, or Defeat Any Incumbent, Candidate, or Political Party

The Panel next ordered that “[d]istricts must not be drawn with the purpose of protecting, promoting, or defeating any incumbent, candidate or political party.” The Panel further noted that it “will not draw districts based on the residence of incumbent officeholders and will not consider past election results when drawing districts.” Principles Order at 8, ¶ 9. Citing *Rucho v. Common Cause*, 139 S. Ct. 2484, 2497 (2019), the Panel held that it would not wade into the consideration of political factors in drawing district lines, but would instead ensure that its maps are not drawn with any political favoritism by simply applying neutral redistricting criteria. Principles Order at 16-17.

The Anderson Legislative Plan satisfies this redistricting principle as it was not drawn with the purpose of protecting or defeating any incumbent, but instead was drawn according to the neutral and traditional redistricting principles adopted by this Panel. Of course, without paying specific attention to these matters, population changes render it inevitable that the drawing of district lines will result in incumbent pairings. And while the Panel “will not draw districts based on the residence of incumbent officeholders,” it is beneficial to confirm outcomes do not unintentionally work to the material benefit or detriment of a political party, candidate, or incumbent, because such outcomes can be perceived as partisan or unfair despite no such underlying intention. It is therefore worthwhile to note that the Anderson Legislative Plan results in a nearly equal number of DFL and Republican incumbent pairings:

Table 6: Incumbent Pairings in the Anderson Plan

| District | Senators/Representatives | Previous Districts |
|--------------------|--|--|
| House District 02A | Representatives Grossell (R) and Ecklund (DFL) | House Districts 02A (Grossell) and 03A (Ecklund) |
| House District 09B | Representatives Backer (R) and Marquart (DFL) | House Districts 12A (Backer) and 04B (Marquart) |
| House District 15B | Representatives Miller (R) and Baker (R) | House Districts 17A (Miller) and 17B (Baker) |
| House District 22A | Representatives Olson (R) and Munson (R) | House Districts 23A (Olson) and 23B (Munson) |
| House District 31A | Representatives Bahr (R) and Johnson (R) | House District 31B (Bahr) and 32A (Johnson) |
| House District 40B | Representatives Feist (DFL) and Bernardy (DFL) | House District 41B (Feist) and 41A (Bernardy) |
| House District 46A | Representatives Freiberg (DFL) and Winkler (DFL) | House District 45B (Freiberg) and 46A (Winkler) |

| | | |
|--------------------|---|---|
| House District 47A | Representatives Pryor (DFL) and Acomb (DFL) | House District 48A (Pryor) and Acomb (44B) |
| House District 53A | Representatives Richardson (DFL) and Hansen (DFL) | House District 52B (Richardson) and 52A (Hansen) |
| Senate District 1 | Senators Johnson (R) and Eken (DFL) | Senate District 1 (Johnson) and 4 (Eken) |
| Senate District 4 | Senators Utke (R) and Gazelka (R) | Senate District 2 (Utke) and 9 (Gazelka) |
| Senate District 12 | Senators Westrom (R) and Ingebrigtsen (R) | Senate District 12 (Westrom) and 8 (Ingebrigtsen) |
| Senate District 13 | Senators Howe (R) and Putnam (DFL) | Senate District 13 (Howe) and 13 (Putnam) |
| Senate District 35 | Senators Benson (R) and Chamberlain (R) | Senate District 31 (Benson) and 38 (Chamberlain) |
| Senate District 37 | Senators Hoffman (DFL) and Newton (DFL) | Senate District 36 (Hoffman) and 37 (Newton) |
| Senate District 42 | Senators Isaacson (DFL) and Wiger (DFL) | Senate District 42 (Isaacson) and 43 (Wiger) |
| Senate District 35 | Senators Rest (DFL) and Eatson (DFL) | Senate District 45 (Rest) and 40 (Eaton) |
| Senate District 49 | Senators Coleman (R) and Cwodzinski (DFL) | Senate District 47 (Coleman) and 48 (Cwodzinski) |
| Senate District 57 | Senators Clausen (DFL) and Carlson (DFL) | Senate District 57 (Clausen) and 51 (Carlson) |

See Anderson Plaintiffs' Mapitude Reports, Districts and Their Incumbents Report (House), at Tab. J; Districts and Their Incumbents Report (Senate), at Tab. T.

In sum, the Anderson Plan results in the following total pairings:

Table 7: Incumbent Pairing Summary

| | Senate | House |
|---------------------|--------|-------|
| R v. R Pairings | 3 | 3 |
| DFL v. DFL Pairings | 4 | 4 |
| R. v. DFL Pairings | 3 | 2 |

See Anderson Plaintiffs' Maptitude Reports, Districts and Their Incumbents Report (House), at Tab. J; Districts and Their Incumbents Report (Senate), at Tab. T. These pairings are the natural result of population shifts and the location of the representatives.

IX. The Anderson Legislative Districts are Structured Into Compact Units

A. The Anderson Legislative Plan Reflects Similar or Better Compactness Scores Compared to the Current Legislative Map

Finally, the Panel recognized that measuring a redistricting plan's compactness is a useful "tool for ensuring districts have been drawn in accordance with neutral redistricting principles." Principles Order at 15. Reasoning, however, that "people do not live in circles or squares, they live in communities" (*Id.* at 7, ¶ 8), the Panel noted that compactness is not a goal in itself, it is rather a tool for evaluating a proposed or adopted plan (*id.* at 15).

Evaluating the Anderson Legislative Plan against measures of compactness affirms that it was "drawn in accordance with neutral redistricting principles." The Anderson Legislative Plan as it relates to house districts measures higher (and therefore more compact) than the *Hippert* Panel's house redistricting plan under two of four measures – namely, the Polsby-Popper measure and the Population Polygon measures of compactness – and as compact as the *Hippert* Panel's house redistricting plan under the remaining two – namely, Reock and Population Circle. The Area/Convex Hull measure of compactness is a new measure to this redistricting cycle that measures compactness on a range of 0 to 1, with a higher number reflecting a more compact district. The Anderson Plaintiffs' proposed house districts have a mean score of .80 on this scale.

Table 8: Comparison of Compactness Measures (House)

| | Anderson Plaintiff's House Redistricting Plan | <i>Hippert</i> Panel's House Redistricting Plan |
|----------------------------------|--|--|
| Reock (mean) | .44 | .44 |
| Polsby-Popper (mean) | .43 | .42 |
| Area/Convex Hull (mean) | .80 | n/a |
| Population Polygon (mean) | .78 | .75 |
| Population Circle | .45 | .45 |

Anderson Maptitude Report, Compactness Report (House), at Tab I.

Similarly, while measuring slightly lower than the *Hippert* Panel on four measures of compactness – namely, Reock, Polsby-Popper, Population Polygon, and Population Circle – the Anderson Plaintiffs' measures of compactness scores for their proposed senate districts are substantially similar to those of the senate redistricting plan adopted in *Hippert*. Moreover, the Anderson Plaintiffs' proposed senate districts achieve a mean score of .78 on the Area/Convex Hull scale, further establishing that they satisfy the Panel's compactness criteria.

Table 9: Comparison of Compactness Measures (Senate)

| | Anderson Plaintiff's Senate Redistricting Plan | <i>Hippert</i> Panel's Senate Redistricting Plan |
|----------------------------------|---|---|
| Reock (mean) | .42 | .45 |
| Polsby-Popper (mean) | .40 | .41 |
| Area/Convex Hull (mean) | .78 | n/a |
| Population Polygon (mean) | .76 | .77 |
| Population Circle | .44 | .48 |

Anderson Maptitude Report, Compactness Report (Senate), at Tab S.

B. The Anderson Legislative Plan Minimizes Oddly-Shaped Districts While Exceeding All Other Redistricting Principles

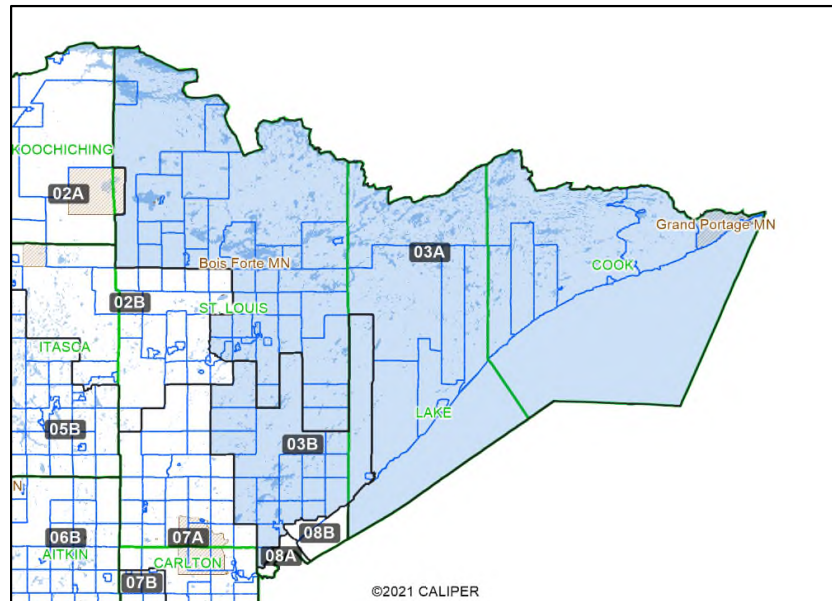
As this Panel has recognized, “people do not live in circles or squares; they live in communities.” Principles Order at 15. The *Hippert* Panel likewise recognized that “[c]reating districts that respect political subdivisions sometimes results in districts that lack neat and tidy shapes and edges.” *Hippert*, 813 N.W.2d at 383. The same result is present in the Anderson Legislative Plan. That is, preserving political subdivisions while minimizing population deviations occasionally results in the creation of oddly shaped districts. But the shape of these districts is a result of following natural boundaries, such as rivers, the boundaries of cities or townships, and/or major highways or interstates. This approach minimizes voter confusion and ensures that districts consist of convenient, contiguous territory. Certain of these districts are discussed below.

a. House Districts 3A and 3B

The Anderson Plaintiffs’ House District 3A and 3B are located in the northeastern corner of the state. House District 3A consists of 14 whole cities (Silver Bay, Aurora, Babbitt, Beaver Bay Biwabik, Cook, Ely, Gilbert, Hoyt Lakes, McKinley, Orr, Tower, Virginia, and Winton), all of Cook County, and numerous whole townships and unorganized territories within St. Louis and Lake Counties. House District 3B also consists of cities and townships within St. Louis and Lake Counties, including four whole cities (Two Harbors, Hermantown, Proctor, and Rice Lake), a portion of Duluth, and numerous whole townships and unorganized territories. Drawing these districts to avoid the division of townships and unorganized territories resulted in district boundaries that resemble

something like smokestacks – which the Anderson Plaintiffs generally tried to avoid, except where somewhat uneven boundaries served the purpose of keeping irregularly-shaped territories intact:

Figure 29: Proposed House Districts 3A & 3B



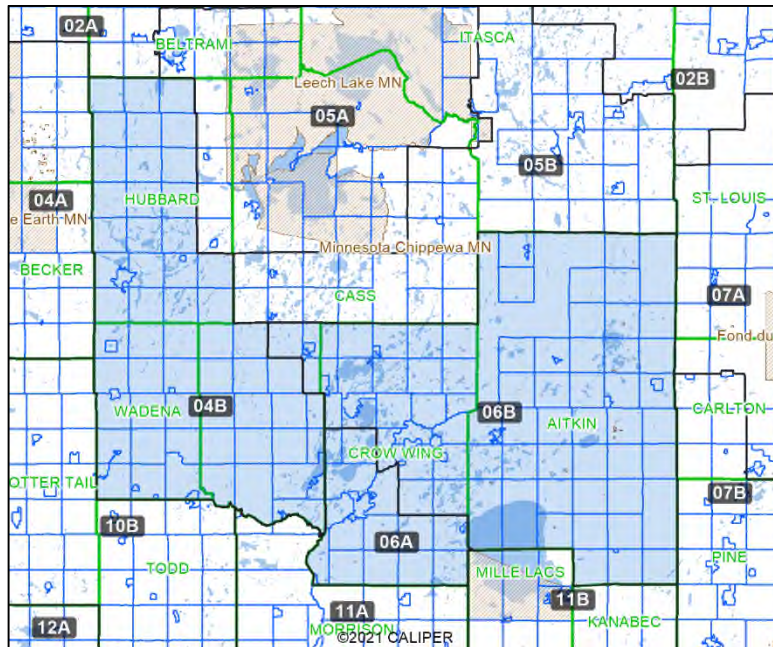
Thus, these boundaries result from keeping unorganized territories in this area of the state intact, both to preserve these natural communities of interest and to avoid imposing on these unorganized territories the burden of creating precincts, which they would be required in the event of their division but which these territories lack the financial means to do.

b. House Districts 4B, 6A, and 6B

The boundary between the Anderson Plaintiffs’ House Districts 4B and 6A and their House District 6B additionally takes on a slightly odd shape, resembling a staircase. This results from the decrease in population in Crow Wing and Aitkin counties over the past ten years and the need to increase the population in what is the current Senate District 10 (which includes Crow Wing and Aitkin Counties in their entirety) to achieve population

equality requirements. Additional townships from Cass County thus needed to be included to account for this decrease in population. The Anderson Plaintiffs' House District 6A includes southern Crow Wing County anchored by Brainerd. House District 6B includes all of Aitkin County, the remainder of Crow Wing County, as well as the entire cities of Pine River and Chickamaw Beach and Barclay Township, Wilson Township, and Pine River Township in Cass County. Accordingly, the shape of this district is the result of achieving population equality without dividing any cities or townships.

Figure 30: Proposed House Districts 4B, 6A, & 6B

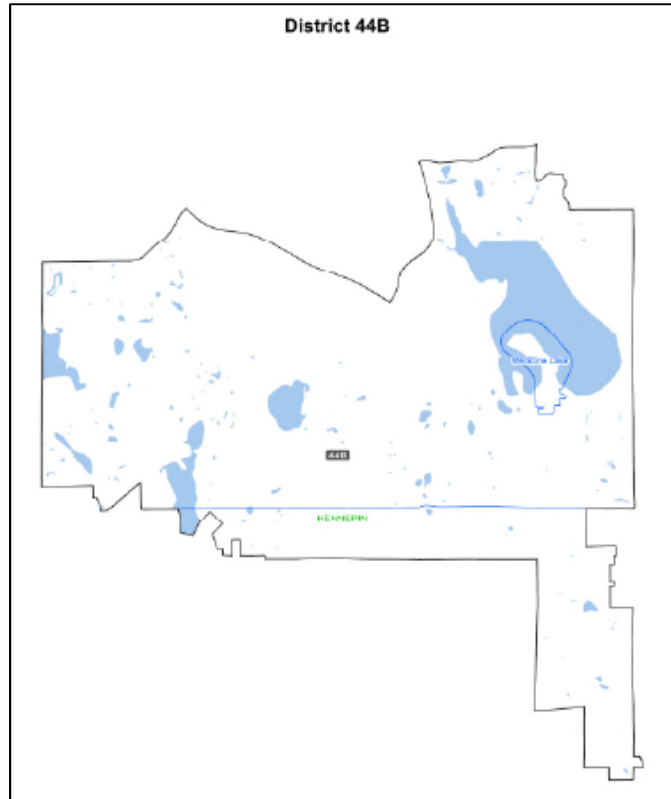


c. House District 44B

House District 44B is located in Hennepin County and consists of the City of Medicine Lake, the southern half of the City of Plymouth, and portions of Minnetonka that are north of Highway 394 and east of Hopkins Crossroads. Thus the slightly odd shaped boundaries are created by major roadways, and the resulting southern tail of this district

consists of a western boundary created by Hopkins Crossroad, a southern border created by the Hopkin border, and an eastern boundary created by the St. Louis Park border.

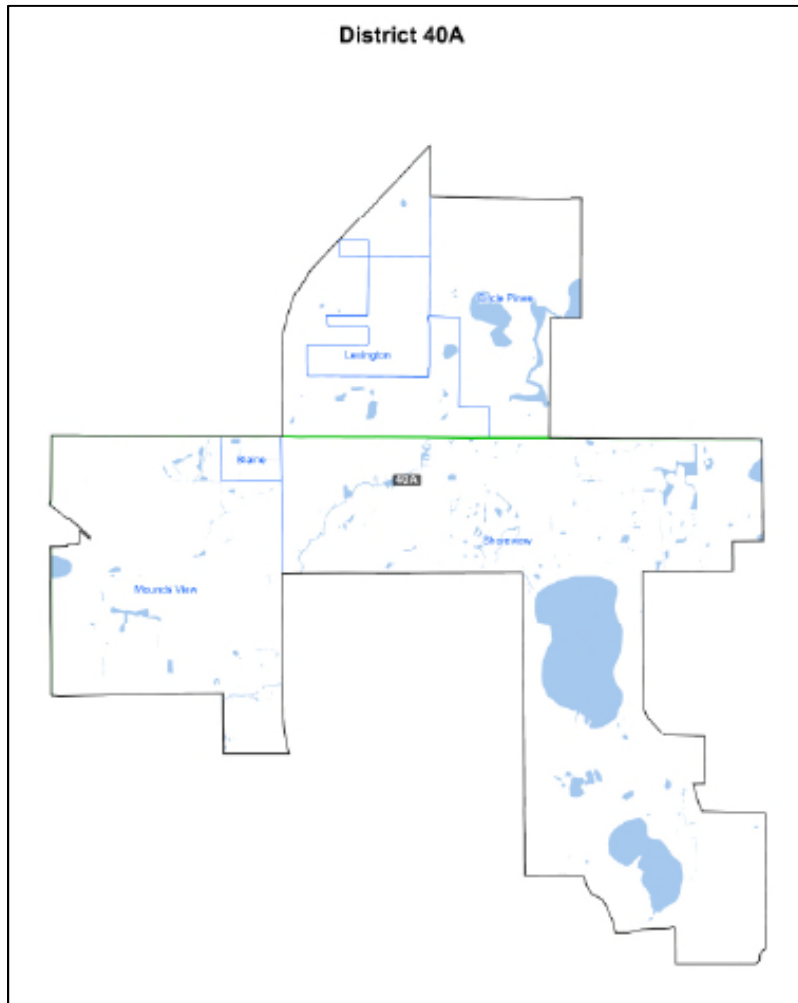
Figure 31: Proposed House District 44B



d. House District 40A

While House District 40A appears to have an odd shape, it results in large part from following the borders of the city of Circle Pines, the border of the city of Shoreview, which wraps around the city of Arden Hills (kept entirely within the “perfect” House District 40B), and Interstate 35W, which the Anderson Plaintiffs follow in splitting the city of Blaine.

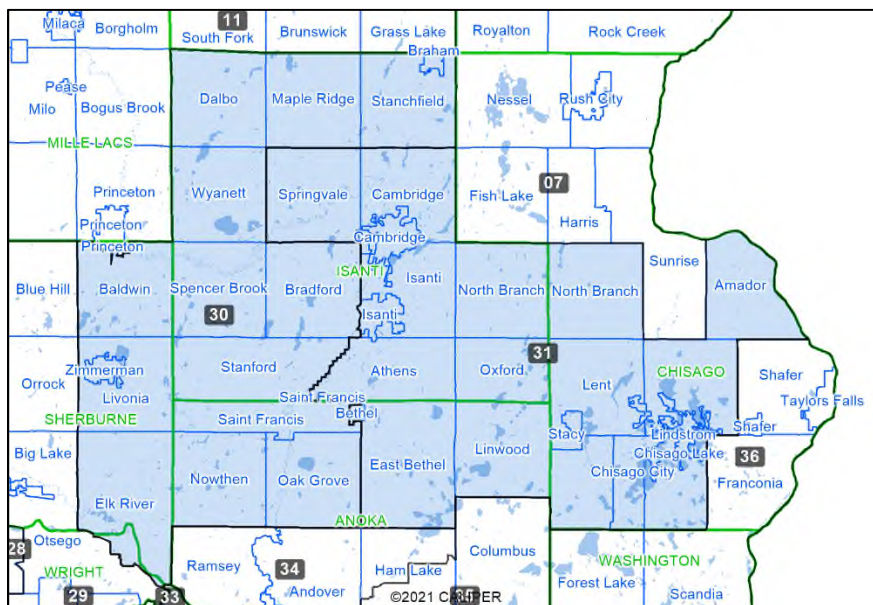
Figure 32: Proposed House District 40A



e. Senate Districts 30 and 31

Finally, the drawing of Senate Districts 30 and 31 resulted in district boundaries drawn at what at first glance appear to be odd right angles:

Figure 33: Proposed Senate Districts 30 & 31



These right angles were drawn because it was the only way to draw these districts without dividing townships therein while maintaining reasonable population deviations.

CONCLUSION

The Anderson Legislative Plan was drawn with a focus on preserving political subdivisions and American Indian Reservation as some of Minnesota’s most fundamental communities of interest. In doing so, the Anderson Plaintiffs have drawn a legislative map that preserves communities of interest, increases minority opportunity districts, is politically neutral, fair, and achieves a high level of population equality. Their Legislative Plan should be adopted by this Panel in its entirety.

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Respectfully submitted,

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