

FILED

February 15, 2022

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA
SPECIAL REDISTRICTING PANEL

A21-0243
A21-0546

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,

**FINAL ORDER
ADOPTING A LEGISLATIVE
REDISTRICTING PLAN**

and

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.

ORDER

On February 19, 2021, plaintiffs Peter Wattson, et al. initiated an action in Carver County District Court alleging that the current congressional and legislative election districts are unconstitutionally malapportioned in light of the 2020 Census. The Wattson plaintiffs then petitioned the Minnesota Supreme Court to assume jurisdiction and appoint a special redistricting panel to hear and decide the issues raised in the action and any other redistricting cases if the Minnesota Legislature failed to address those issues. The chief justice granted the petition but stayed the action and appointment of a panel in deference to the legislature's primacy in the redistricting process. *Wattson v. Simon*, No. A21-0243 (Minn. Mar. 22, 2021) (Order of Chief Justice).

Plaintiffs Frank Sachs, et al. subsequently initiated an action in Ramsey County District Court alleging that the current congressional and legislative districts are unconstitutional. The chief justice consolidated the Sachs plaintiffs' action with the Wattson plaintiffs' stayed action. *Wattson*, No. A21-0243 (Minn. May 20, 2021) (Order

of Chief Justice). On June 30, 2021, the chief justice lifted the stay and appointed this panel to hear and decide the consolidated action and any other challenges to the congressional and legislative districts based on the 2020 Census. *Wattson*, No. A21-0243 (Minn. June 30, 2021) (Order of Chief Justice). The order directed the panel to implement redistricting plans “in the event that the Legislature and the Governor have not done so in a timely manner.” *Id.* We subsequently granted the motions of plaintiff-intervenors Paul Anderson, et al. and plaintiff-intervenors Dr. Bruce Corrie, et al. to intervene in this action.

To afford counties and municipalities time to complete local redistricting, the statutory deadline for completing congressional and legislative redistricting is “25 weeks before the state primary election in the year ending in two.” Minn. Stat. § 204B.14, subd. 1a (2020). In this decennium, that date is February 15, 2022. That date has arrived, and the legislature has not yet enacted a redistricting plan for the Minnesota Senate and Minnesota House of Representatives. To avoid delaying the electoral process, the panel must now act. We begin by addressing the constitutionality of Minnesota’s current legislative districts.

I. Constitutionality of Current Districts

Minnesota has 67 state senate districts and 134 state house districts, with two house districts nested within each senate district. *See* Minn. Const. art. IV, § 3 (requiring that no house district be divided in forming a senate district); Minn. Stat. §§ 2.021, .031 (2020). In accordance with the principle of population-based representation, these state legislative districts must be substantially equal in population. U.S. Const. amend. XIV; Minn. Const. art. IV, § 2; *Reynolds v. Sims*, 377 U.S. 533, 568 (1964); *see also Connor v. Finch*, 431

U.S. 407, 414 (1977) (requiring that a court-ordered legislative redistricting plan “must ordinarily achieve the goal of population equality with little more than *de minimis* variation” (quotation omitted)).

Minnesota’s total resident population after the 2020 Census is 5,706,494 people. Minn. State Demographer, *Minnesota’s Demographic and Census Overview for 2020 Redistricting* (Aug. 18, 2021), <https://www.house.leg.state.mn.us/comm/docs/C3TfSEuiGkWTnghCkp9IYg.pdf>. Based on this number, the ideal population of a senate district is 85,172, and the ideal population of a house district is 42,586. Because Minnesota’s population growth over the last decade was not uniform across the state, most legislative districts are substantially above or below these ideals.

Many urban and suburban areas grew very significantly and are, consequently, overpopulated. Hearings Before Minn. H.R. Redistricting Comm. (Aug. 18, 2021) (testimony of S. Brower, Minn. State Demographer). For example, the house district 53B established ten years ago, located within Woodbury, is now 9,034 people, or 21.2 percent, over the ideal population. Minn. Dep’t of Admin., State Demographic Center, Redistricting Data: Census 2020, *State Legislative Districts Lower (House)* [hereinafter *2020 House Data*], <https://mn.gov/admin/demography/data-by-topic/population-data/2020-decennial-census/redistricting/> (select “State Legislative Districts Lower (House) data files” for 2020). And the senate district 59 established ten years ago in north Minneapolis and downtown is 9,757 people, or 11.5 percent, overpopulated. Minn. Dep’t of Admin., State Demographic Center, Redistricting Data: Census 2020, *State Legislative Districts Upper (Senate)* [hereinafter *2020 Senate Data*], <https://mn.gov/admin/>

demography/data-by-topic/population-data/2020-decennial-census/redistricting/ (select “State Legislative Districts Upper (Senate) data files” for 2020).

At the same time, many rural areas saw slow growth or even population loss. For example, the house district 16A established ten years ago, which encompasses Lac qui Parle, Yellow Medicine, and parts of Lyon and Redwood Counties, is 4,778 people, or 11.2 percent, below the ideal population. *See 2020 House Data*. Similarly, the senate district 28 established ten years ago, which includes Houston, Fillmore, and southern Winona Counties, is 7,856 people, or 9.2 percent, underpopulated. *See 2020 Senate Data*. Accordingly, we hold that the population of Minnesota is unconstitutionally malapportioned among the state’s current legislative districts established following the 2010 Census in *Hippert v. Ritchie*, No. A11-0152 (Minn. Special Redistricting Panel Feb. 21, 2012) (Order Adopting Legis. Redistricting Plan).

II. Judicial Redistricting

To remedy this constitutional defect, the legislative districts must be rebalanced so that they all contain substantially the same number of people; this ensures that each voter has equal power to select a representative. *Reynolds*, 377 U.S. at 568. Minnesota’s constitution empowers the legislature to perform this task. Minn. Const. art. IV, § 3 (“At its first session after each enumeration of the inhabitants of this state made by the authority of the United States, the legislature shall have the power to prescribe the bounds of congressional and legislative districts.”). This responsibility accords with the legislature’s position as “the institution that is by far the best situated to identify and then reconcile traditional state policies” regarding redistricting. *Connor*, 431 U.S. at 414–15; *see also*

Ariz. State Legislature v. Ariz. Indep. Redistricting Comm’n, 576 U.S. 787, 808 (2015) (stating that “redistricting is a legislative function”).

When the legislature fails to exercise its constitutional authority, it is the role of the state courts to develop a valid legislative plan and order its adoption. *See Grove v. Emison*, 507 U.S. 25, 33 (1993) (emphasizing that “state courts have a significant role in redistricting”). In approaching this task, we are mindful that courts lack the “political authoritativeness” of the legislature and must perform redistricting in a restrained manner. *Connor*, 431 U.S. at 415. Simply put, we are not positioned to draw entirely new legislative districts, as the legislature could choose to do. Rather, we start with the existing districts, changing them as necessary to remedy the constitutional defect by applying politically neutral redistricting principles. Still, this restrained approach does not necessarily yield little change. When one district changes, so must its neighbors—a cascading effect that means even a district drawn ten years ago that remains within appropriate population deviation will need to change along with the rest of the state.

As prior special redistricting panels have done, we sought input from the parties as to the appropriate redistricting principles. After considering the parties’ written submissions and oral arguments, we determined to achieve the constitutional mandate of substantial population equality by drawing districts with a maximum deviation of no more than two percent from the ideal population. And we adopted seven principles to guide us in this work. These redistricting principles include drawing districts: (1) in accordance with Section 2 of the Voting Rights Act of 1965, as amended, 52 U.S.C. § 10301 (2018), and the Fourteenth and Fifteenth Amendments to the United States Constitution; (2) that

respect the reservation lands of federally recognized American Indian tribes; (3) that consist of convenient, contiguous territory; (4) that respect political subdivisions; (5) that preserve communities of interest¹; (6) without the purpose of protecting, promoting, or defeating any incumbent, candidate, or political party; and (7) that are reasonably compact. We balanced these neutral redistricting principles in drawing new legislative districts.

III. Redistricting Information

To supplement the population data provided by the United States Census Bureau, the panel gathered information from many sources to aid it in the redistricting process.

We held nine in-person public hearings and one virtual hearing. *Watson*, No. A21-0243 (Minn. Special Redistricting Panel Sept. 13, 2021) (Order Scheduling Public Hearings). As we drove around the state to hear directly from Minnesotans,² we had the honor and privilege to see the communities in which they live. The panel also invited and received written statements and redistricting plan proposals from members of the public.

Id.

The redistricting committees of the Minnesota House of Representatives and the Minnesota Senate undertook a similar process to elicit information from members of the public, each hosting multiple public hearings and accepting written statements. *See*

¹ We broadly defined communities of interest to include, but not be limited to, “groups of Minnesotans with clearly recognizable similarities of social, geographic, cultural, ethnic, economic, occupational, trade, transportation, or other interests.” *Watson*, No. A21-0243 (Minn. Special Redistricting Panel Nov. 18, 2021) (Order Stating Preliminary Conclusions, Redistricting Principles, and Requirements for Plan Submissions).

² Over nine days, we travelled to Woodbury, Minneapolis, Shakopee, Waite Park, St. Paul, Moorhead, Duluth, Worthington, and Rochester.

generally Minn. H.R. Redistricting Comm., <https://www.house.leg.state.mn.us/committees/home/92030> (last visited Feb. 14, 2022); Minn. Sen. Redistricting Comm., https://www.senate.mn/committees/committee_bio.html?cmte_id=3114&ls=92 (last visited Feb. 14, 2022). The house DFL majority and Republican minority and the senate Republican majority also put forth proposed legislative redistricting plans. Minn. Legis. Coordinating Comm’n, Geographic Info. Servs.: 2020 Redistricting Plans, <https://www.gis.lcc.mn.gov/redist2020/plans.html> (last visited Feb. 14, 2022). We carefully reviewed the records of both legislative redistricting committees.

The panel also received proposed legislative redistricting plans and written briefs from the four plaintiff groups in this action—the Wattson plaintiffs, Anderson plaintiffs, Sachs plaintiffs, and Corrie plaintiffs. And we heard oral arguments about the proposed redistricting plans.³ The plaintiffs did not purport to be representative of all voters, but they provided valuable insight into how we should apply the redistricting principles. Although we did not adopt any party’s proposed redistricting plan in its entirety, some proposed elements are reflected in our legislative plan.

The information we received from all of these sources was important to our work. Minnesotans from across the state urged us to recognize and respect the sovereignty and interests of federally recognized American Indian tribes, and to draw districts that enhance their opportunity to elect representatives of their choice. *See, e.g.*, Hearings Before Minn.

³ The panel also received information from amici curiae Karen Saxe, et al., a group of data scientists who propose the novel approach of creating new legislative districts by using data-driven computer algorithms to apply the redistricting principles.

Special Redistricting Panel 12-14 (Waite Park, Minn. Oct. 14, 2021); Hearings Before Minn. Sen. Redistricting Comm. (Bemidji, Minn. Aug. 9, 2021) (testimony of L. Fineday, W. LaDuke). We also learned that Minnesota’s population growth over the last decade is attributable entirely to increases among Black, Indigenous, and People of Color (BIPOC), making the BIPOC population nearly a quarter of the population statewide.⁴ Hearings Before Minn. H.R. Redistricting Comm. (Aug. 18, 2021) (testimony of S. Brower, Minn. State Demographer). In addition to the numerous BIPOC Minnesotans who spoke at public hearings, the Corrie plaintiffs brought the voices of many members of the BIPOC community to our attention through declarations detailing their experiences and redistricting preferences.⁵

The panel also heard about communities of people joined together by common interests such as economic development, education, housing, transportation, broadband expansion, and geological preservation. *See* Hearings Before Minn. Special Redistricting Panel 14 (Woodbury, Minn. Oct. 11, 2021); 10-11 (Shakopee, Minn. Oct. 13, 2021); 30 (Worthington, Minn. Oct. 20, 2021); 12, 16 (Zoom Oct. 26, 2021); Hearings Before Minn. H.R. Redistricting Comm. (Dec. 2, 2021) (testimony of D. Fisher). Minnesotans described how these communities cross political-subdivision lines. Hearings Before Minn. Special Redistricting Panel 31, 40 (Shakopee, Minn. Oct. 13, 2021); 49 (Zoom Oct. 26, 2021). But they also repeatedly reminded us of the importance of counties, cities, and townships,

⁴ This includes those who self-identify on the decennial census as “Hispanic origin.”

⁵ These declarations and the Corrie plaintiffs’ redistricting proposals that incorporated them may also be a resource for the legislature in the future.

especially for those who live in rural areas. *Id.* at 13-14 (Worthington, Minn. Oct. 20, 2021). Unnecessary splitting of political subdivisions can be burdensome to voters and to those who manage elections. *Id.* at 17; Hearings Before Minn. H.R. Redistricting Comm. (Sept. 20, 2021) (testimony of D. Anderson).

And we heard Minnesotans around the state voice the desire to keep partisan politics out of the redistricting process. Hearings Before Minn. Special Redistricting Panel 14-15, 33 (Woodbury, Minn. Oct. 11, 2021); 12-13, 19 (Shakopee, Minn. Oct. 13, 2021); 15 (St. Paul, Minn. Oct 15, 2021); 21 (Duluth, Minn. Oct. 19, 2021); 14 (Worthington, Minn. Oct. 20, 2021). We carefully considered all of this information in drawing the new legislative districts.

We are grateful for the public's participation in our hearing-and-comment process and that of the legislative redistricting committees. Despite the challenge of an ongoing pandemic, which delayed the release of the census data and required changes in court procedures, we witnessed the same robust civic engagement that spurred Minnesotans to the highest census self-response rate in the nation. U.S. Census Bureau, *2020 Census: Tracking Self-Response Rates Map* (Jan. 28, 2021), <https://www.census.gov/library/visualizations/interactive/2020-census-self-response-rates-map.html>; *see* Hearings Before Minn. Special Redistricting Panel 52 (Zoom Oct. 26, 2021). We are also grateful to the parties for diligently navigating a compressed redistricting timeline and providing us helpful and varied perspectives on how to best serve the interests of Minnesotans in this redistricting process.

IV. New Districts

This order establishes 67 senate districts and 134 nested house districts. Minn. Const. art. IV, § 3; Minn. Stat. §§ 2.021, .031, subd. 1. The districts are numbered in a regular series.⁶ Minn. Const. art. IV, § 3. And they comport with all of the panel’s redistricting principles, as we discuss below.

A. Population Equality

The legislative districts satisfy the constitutional mandate of substantial population equality. U.S. Const. amend. XIV, § 1; Minn. Const. art. IV, § 2; *Reynolds*, 377 U.S. at 568. No district’s population deviates by more than two percent from the population of the ideal district. The largest negative deviation from the ideal for a senate district is 0.97 percent; the largest positive deviation is 0.92 percent. App’x C. The largest negative deviation from the ideal for a house district is 0.99 percent; the largest positive deviation is 0.97 percent. *Id.* The mean deviation from the ideal for the senate districts established in this order is 0.38 percent. *Id.* The mean deviation from the ideal for the house districts established in this order is 0.52 percent. *Id.*

B. Equal Voting Rights

The legislative districts were not drawn with either the purpose or effect of denying or abridging the voting rights of any United States citizen on account of race, ethnicity, or membership in a language minority group. U.S. Const. amends. XIV, XV; 52 U.S.C.

⁶ Because equalizing the populations of the districts changes their geography, the numbering of the districts changes throughout the state to ensure that they continue to be numbered in a regular series, as the Minnesota Constitution requires.

§ 10301(a). Rather, they were drawn 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. 52 U.S.C. § 10301(b).

We accomplished this by recognizing the growth of BIPOC populations across Minnesota and particularly noting those areas where this growth led to substantial numbers of BIPOC Minnesotans from various backgrounds living together in compact areas. These communities are most common in the Twin Cities area: St. Paul's East Side and its Rondo and Frogtown neighborhoods; north and central Minneapolis and the Cedar-Riverside neighborhood; the northern suburbs of Fridley, Brooklyn Park, and Brooklyn Center; and the southern suburbs of Burnsville, Savage, and Shakopee. Compact BIPOC communities have also blossomed around the state, from Worthington, Albert Lea, Austin, and Rochester, to Faribault and Northfield, to St. Cloud and Moorhead. Through this population growth and careful attention to numerous Minnesotans' requests to preserve these communities, we have drawn an unprecedented number of legislative districts in which BIPOC Minnesotans collectively make up more than 30 percent of the voting-age population.⁷ These districts will afford BIPOC Minnesotans an increased opportunity to

⁷ There are nine house districts in which BIPOC Minnesotans make up more than 50 percent of the voting-age population and 22 house districts in which they make up more than 30 percent of the voting-age population. *See* App'x G. There are five senate districts in which BIPOC Minnesotans make up more than 50 percent of the voting-age population and ten senate districts in which they make up more than 30 percent of the voting-age population. *Id.* Overall, these numbers are comparable to those in the parties' proposed plans and exceed those attributable solely to population growth within the districts drawn ten years ago.

influence their legislators and elect legislators of their choice, should they choose to vote together.

C. American Indian Reservations

In recognition of the sovereignty of federally recognized American Indian tribes within Minnesota’s borders, these districts preserve and do not divide the tribes’ contiguous reservation lands. *See* Minn. Stat. § 10.65, subd. 1(a) (2020) (stating that Minnesota “acknowledges and supports” tribal nations’ “absolute right to existence, self-governance, and self-determination”); *Michigan v. Bay Mills Indian Cmty.*, 572 U.S. 782, 788 (2014) (“Indian tribes are domestic dependent nations that exercise inherent sovereign authority.” (quotations omitted)). They also respect the resounding request from tribal members and Minnesotans across the state to afford tribal communities with shared interests an opportunity to join their voices. *See* Hearings Before Minn. Special Redistricting Panel 14 (Woodbury, Minn. Oct. 11, 2021); 12-14 (Waite Park, Minn. Oct. 14, 2021); 30-31 (Duluth, Minn. Oct. 19, 2021); *see also* Hearings Before Minn. Sen. Redistricting Comm. (Bemidji, Minn. Aug. 9, 2021) (testimony of L. Fineday, W. LaDuke); Hearings Before Minn. H.R. Redistricting Comm. (Sept. 20, 2021) (testimony of M. Fairbanks); (Dec. 2, 2021) (testimony of L. Fineday). Accordingly, senate district 2 contains all of the contiguous land and the entire populations of the three largest reservations in Minnesota—those of the Leech Lake Band, the White Earth Band, and the Red Lake Nation.⁸ And

⁸ In doing so, we also eliminate the senate split of Bemidji and Beltrami County.

house district 2B contains the contiguous reservation lands of the White Earth Band and the Leech Lake Band.

The other tribal lands in Minnesota are also preserved around the state. House district 3A continues to encompass all of the reservation lands of the Grand Portage Band and now encompasses all of the reservation lands of the Bois Forte Band. Most of the reservation lands of the Mille Lacs Band are now within house district 10A. House district 11A includes all of the Fond du Lac Band's populated reservation lands. The reservation lands of the Upper Sioux Community continue to be whole in house district 15A, while the reservation lands of the Lower Sioux Indian Community continue to be whole in house district 15B. The populated reservation lands of the Prairie Island Indian Community are entirely within house district 20A. The Ho-Chunk Nation's Minnesota reservation lands remain intact in house district 26B. And the Shakopee Mdewakanton Sioux Community is once again whole in house district 54B.

D. Contiguous and Convenient

The legislative districts established in this order are all contiguous. Where necessary, we have provided for contiguity by water along bridges or other established means of transport. Contiguity, in turn, facilitates convenience, since a wholly connected district is most easily traversed. But we also have drawn districts to provide for easy travel, making the districts convenient for legislators and voters alike.

E. Political Subdivisions

The legislative districts respect political subdivisions, both counties and minor civil divisions like cities and townships. Minn. Stat. § 2.91, subd. 2 (2020). As we heard

repeatedly from the public and the parties, this minimizes voter confusion and facilitates election administration. It also gives political subdivisions a stronger voice. *See Reynolds*, 377 U.S. at 580 (recognizing that “insuring some voice to political subdivisions, as political subdivisions” justifies some population deviation between legislative districts). Consequently, many of the districts are composed entirely of intact political subdivisions. For example, house district 1A is composed of the entire northwest counties of Kittson, Roseau, Marshall, and Pennington; and senate district 57 is composed of undivided cities and townships in Scott and Dakota Counties.

Respecting city boundaries poses a particular challenge in redistricting, since cities grow in irregular shapes, cross rivers and county borders, and commonly are not contiguous. This is true for large cities, like St. Cloud and Rochester, and smaller ones like Lake Crystal and Granite Falls. As a result, drawing district lines often requires keeping one type of political subdivision whole at the expense of another—a careful balancing in each instance. Creating districts that respect political subdivisions also may result in districts that lack tidy shapes and precise edges.⁹

Respecting political subdivisions also is a principle subordinate to the constitutional mandate of substantial population equality. *See* U.S. Const. amend. XIV, § 1; Minn. Const. art. IV, § 2; *Reynolds*, 377 U.S. at 568. Consequently, some subdivision splits are

⁹ Nonetheless, we recognize that compactness serves to support convenience and demonstrate the absence of political influences in drawing districts. Accordingly, the districts are reasonably compact, as demonstrated by multiple compactness measures. *See* App’x H.

inevitable.¹⁰ To provide for convenient and practical district boundaries, we split political subdivisions along roads, rivers, neighborhood boundaries, or similar geographic features wherever practicable. For example, Eden Prairie is divided along U.S. Route 212 and Minnesota State Highway 5 between house districts 49A and 49B; and St. Cloud is divided along Minnesota State Highway 23 between house districts 14A and 14B.

F. Communities of Interest

The new districts preserve communities of people with shared interests whenever it is possible to do so consistent with the other principles. The districts continue to pair rural, suburban, and urban communities with their like. They also respect discernible communities throughout the state. In the northwest, the Red River Valley is placed in as few legislative districts as is practicable. And Moorhead and Detroit Lakes continue to share a senate district. In the northeast, the Iron Range continues to be substantially intact within a single senate district. St. Cloud remains whole within a senate district, along with nearby communities that share a school district and similar demographics, while the necessary division of the city into two house districts respects clearly defined transportation

¹⁰ There are 12 counties larger than the ideal senate district and 23 counties larger than the ideal house district. Minn. Dep’t of Admin., State Demographic Center, Redistricting Data: Census 2020, *Counties*, <https://mn.gov/admin/demography/data-by-topic/population-data/2020-decennial-census/redistricting/> (select “Counties” data file for 2020). And there are six cities larger than the ideal senate district and 23 cities larger than the ideal house district. Minn. Dep’t of Admin., State Demographic Center, Redistricting Data: Census 2020, *County Subdivisions*, <https://mn.gov/admin/demography/data-by-topic/population-data/2020-decennial-census/redistricting/> (select “County Subdivisions” data file for 2020).

and county borders.¹¹ The districts along the St. Croix River corridor continue to respect the unique relationship between cities and counties along the state’s eastern border. In the south, the cities of Worthington, Windom, and St. James, which have grown together along Minnesota Highway 60, are united in one house district. Similarly, the cities of Albert Lea and Austin continue to share a senate district along Interstate Highway 90. Rochester is paired with its neighboring communities of Oronoco and Kasson, and Mankato and North Mankato are paired with their neighboring communities of St. Peter and Kasota, with whom they share common interests.

In Minneapolis and St. Paul, we draw lines that respect each city as its own community of interest, with districts increasingly confined to city boundaries. Where appropriate, we have paired each city with similar adjacent suburbs. Within each city, we respect recognized neighborhoods and planning districts, minimizing divisions to the extent permitted by our redistricting principles.

G. Incumbents

The panel did not draw the legislative districts with the purpose of protecting, promoting, or defeating any incumbent, candidate, or political party. Nor did we draw districts based on the residence of incumbent officeholders or past election results. We are

¹¹ In doing so, we honor public comment regarding keeping the St. Cloud State University Community whole. Hearings Before Minn. H.R. Redistricting Comm. (Sept. 13, 2021) (testimony of J. Melcher, B. Mikkelsen). And around the state, we have preserved higher-education communities whole and combined associated higher-education communities—like St. John’s and St. Benedict’s near St. Cloud, and St. Olaf and Carlton in Northfield—to the greatest extent practicable. Hearings Before Minn. H.R. Redistricting Comm. (Aug. 25, 2021) (testimony of C. Yost).

aware that the changes to district lines have consequences for incumbent legislators—placing some outside the districts they currently represent, and pairing some with incumbent legislators of their own or an opposing party. But election districts do not exist for the benefit of any particular legislator or political party. Rather, they exist for the people to select their representatives. And our role in this redistricting process is to establish legislative districts of equal population so that each Minnesotan has equal voting power in doing so. We have done so through application of neutral redistricting principles.

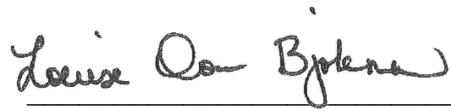
V. Injunction

Because the existing legislative districts are unconstitutional for purposes of the 2022 primary and general elections, we enjoin their use in these elections and hereby adopt the state senate and house boundaries set forth in Appendices A and B to this order. Defendants shall conduct elections using the legislative districts adopted in this order or any constitutional legislative plan subsequently enacted by the Minnesota Legislature and the Governor of the State of Minnesota.¹²

¹² Secretary of State Steve Simon is hereby provided a block-equivalency file and a copy of this order to facilitate the implementation of this legislative plan. Should any ambiguity arise regarding the plan set forth in this order, the secretary of state is directed to act in accordance with Minn. Stat. §§ 2.91, subds. 2-3, 204B.146, subd. 3 (2020).

Dated: February 15, 2022

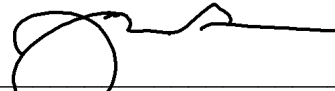
BY THE PANEL:



Louise Dovre Bjorkman
Presiding Judge



Diane B. Bratvold



Jay D. Carlson



Juanita C. Freeman



Jodi L. Williamson