

## SENATE REDISTRICTING WORK GROUP

Tuesday October 2, 2001  
Windom City Hall  
444 9<sup>th</sup> Street, Windom, MN  
Council Chambers  
1:00 p.m.

### Members Present

Senator Belanger  
Senator Scheid  
Senator Vickerman  
Joe Mansky, Governor's Redistricting Commission  
Representative Winter

### Members Absent

Senator Pogemiller  
Senator Hottinger  
Senator Orfield

### Staff Present

Peter Wattson, Senate Counsel  
Vic Thorstenson, Senate Redistricting  
Michael Brodkorb, Republican Redistricting Staff

Senator Belanger called the meeting to order at 1:05 p.m.

Senator Belanger introduced members and staff.

Vic Thorstenson presented the Senate plan.

Michael Brodkorb presented the House plan.

Jim King, Windom City Economic Development Director asked a question.

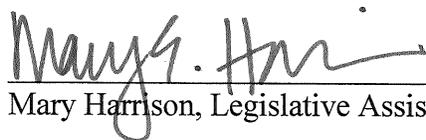
The following people offered testimony:

1. Bill Walsh, Republican Party
2. Benjamin Vander Kooi, Jr. Attorney, Vander Kooi Law Offices, P.A. (see handout)

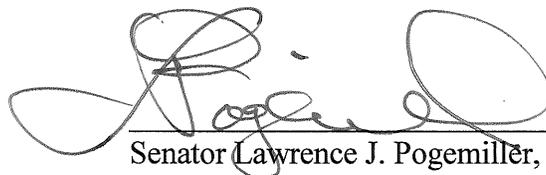
Members asked questions and held discussion.

Senator Belanger adjourned the meeting at 2:10 p.m.

Respectfully submitted by:



Mary Harrison, Legislative Assistant



Senator Lawrence J. Pogemiller, Chair

**Vander Kooi Law Offices, P.A.**

Attorneys At Law  
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October 2, 2001

The Honorable Lawrence J. Pogemeller  
Chair, Senate Redistricting Work Group  
235 Capitol  
75 Constitution Avenue  
St. Paul, MN 55155-1606

RE: TESTIMONY ON REDISTRICTING PLANS  
COMMITTEE HEARING AT WINDOM CITY HALL

Dear Senator Pogemeller:

The purpose of this letter is to summarize in writing my comments on the proposed redistricting plans which will be reviewed at a hearing to be held today in the Windom City Hall Council Chambers. I enclose with this letter a copy of my resume which summarizes my involvement in a number of local, regional and state organizations over the past twenty-five years.

My primary objective today is to compare the impact of the Senate and House Redistricting Plans on the part of Southwest Minnesota where I have lived all of my life. I assume for purposes of this testimony that both plans comply with the requirements of state and federal law as applied to the results of the 2000 census. Assuming that to be the case, I believe that there are three compelling reasons why the Senate Redistricting Plan should be adopted by the Legislature.

First, the Senate Plan contains the historic east-west orientation of the Legislative Districts which dates back at least to the 1960's and 1970's. The redistricting plans implemented in the 1980's and 1990's used a north-south orientation for the districts which, quite frankly, has been out of sync with the way in which the communities of interest in this region of the state have developed over the past twenty (20) years.

Second, city and governmental services in Southwest Minnesota have been shared on an east-west orientation rather than a north-south orientation. Put simply, there has been history of cooperation between the counties of Rock and Nobles, as well as the counties of Pipestone and Murray. Those relationships are not shared with counties to the north such as Lincoln, Lyon, Redwood and Yellow Medicine. In fact, government services have evolved in different ways in those clusters of counties. The following examples may help to clarify my point:

- A. Court Services. Three judges in the Fifth Judicial District currently serve the four counties of Southwest Minnesota. Judge Timothy K. Connell has Chambers in Rock County, but he also is scheduled regularly in Nobles County along with Judge Jeffrey L. Flynn who has Chambers at the Nobles County Courthouse. Judge David E. Christensen has Chambers in Pipestone County, and also has regularly scheduled time at the Murray County Courts Building in Slayton, Minnesota. Of course, these judges occasionally serve in the surrounding counties, but legal services are generally delivered according to this model.
- B. Legal Services. Separate state-wide legal services programs serve the Marshall and Worthington communities. Southern Minnesota Regional Legal Services (SMRLS), based in St. Paul, serves the Worthington area. Western Minnesota Legal Services, based in Willmar, serves the Marshall area.
- C. Community Corrections. The Nobles-Rock Community Corrections Program is based in Nobles County with a satellite office in Rock County. There is a long history of cooperation between these two counties which includes jail services at the Nobles County Jail (soon to be the Prairie Justice Center) in Worthington, Minnesota. To my knowledge there is virtually no sharing of services between these two counties and counties to the north, and certainly not with counties of Lincoln and Lyon which have an orientation to the regional center in Marshall, Minnesota.
- D. Health Services. The Nobles-Rock Public Health Service has a long history of providing public health services in both counties. In addition, the Southwest Mental Health Center has a long history of providing mental health services in the five counties which include Cottonwood County. The counties to the north provide mental health services through a different organization, Western Human Development Center, Inc. In fact, a recent attempt to merge the two systems was unsuccessful for a variety of reasons, not the least of which was the different approach each region took to delivering mental health services. Finally, the local hospitals in Luverne, Adrian and Worthington share a variety of medical services all tied to the Sioux Valley Health System which is based in Sioux Falls, South Dakota. Again, there is virtually no interaction between the southern counties and the northern counties which in most cases are part of different health care systems.

The Honorable Lawrence J. Pogemeller

October 2, 2001

Page Three

- E Transportation. The southern counties are connected by Interstate 90, which is a major transportation corridor in Southern Minnesota. In fact, the MnDot offices in Windom and in Mankato administer transportation programs throughout southern Minnesota, including the counties of Rock and Nobles. MnDot offices in Marshall and Willmar administer programs for the northern counties. In addition, the Buffalo Ridge Regional Rail Authority is a joint project of the counties of Rock and Nobles. The Authority leases the former C & NW line which ran between Worthington, Minnesota, and Sioux Falls, South Dakota.
  
- F. Economic Development. We have seen a significant labor pattern develop along Interstate 90. Many residents of Nobles and Rock Counties live in one community and drive to workplaces in other communities along I-90, including Swift & Co. in Worthington, Golden Plump in Luverne, and various businesses in Brandon and Sioux Falls, South Dakota. There is very little commuting between these counties and businesses in the northern counties of Pipestone and Murray, and virtually none to the counties of Lincoln and Lyon.
  
- G. Social Services. The social services for the northern counties are administered through Region VIII which is located in Marshall, Minnesota. The southern counties, on the other hand, have administered their social services programs independently of that regional structure. The Worthington area is served by the Southwest Minnesota Opportunity Council (SMOC). The Marshall area is served by Western Community Action, Inc.
  
- H Higher Education. Southwest Minnesota has been a leader in combining administrative functions for the MnSCU System. In fact, the five (5) campuses of Minnesota West are spread out geographically throughout Southwest Minnesota, but the main campuses are located in Pipestone, Worthington, (formally Worthington Community College) and Jackson. The system has not combined with Southwest State University in Marshall, Minnesota, which has a separate identity within the MnSCU System. Private higher education needs are met at Augustana College, the University of Sioux Falls, and North American Baptist Seminary, all of which are located in Sioux Falls, South Dakota.
  
- I. Media. Print media serving the Worthington area include the *Worthington Daily Globe* and the *Sioux Falls Argus Leader*. The *Marshall Independent* serves the Marshall area.

The Honorable Lawrence J. Pogemeller

October 2, 2001

Page Four

Finally, the Senate Redistricting Plan has the advantage of maintaining the integrity of county units to a greater extent than the House Redistricting Plan. For example, the House Plan divides Nobles County into three different legislative districts and, of course, two different Senate Districts. By way of contrast, the Senate Redistricting Plan places Nobles County entirely within one House and therefore one Senate District. The other counties of Jackson, Cottonwood and Murray are divided into two legislative districts, but all except Cottonwood County share the same Senate District.

In conclusion, I am most familiar with the evolving local and regional government structures in the nine-county area of Southwest Minnesota. Based on that experience, I believe that the Senate Redistricting Plan does a far better job of recognizing those evolving patterns in a way that will enhance cooperation among local government units, and will promote communities of interest in this part of the State of Minnesota.

I hope to supplement this testimony at the hearing, and also answer any questions asked by you and members of your Senate Redistricting Working Group.

Very truly yours,



BENJAMIN VANDER KOOI, JR.  
VANDER KOOI LAW OFFICES, P.A.

BJR/es

Enclosure

**BENJAMIN VANDER KOOI, JR.**  
Resume as of October 2, 2001

**PERSONAL HISTORY**

Born: March 3, 1953  
Married: Debrah K. Ver Hoeven on June 20, 1975  
Children: William James Vander Kooi (24), born August 12, 1977  
          Katrina Mae Vander Kooi (20), born August 5, 1981  
Residence: Rural Route 1, Box 97, Luverne, Minnesota 56156  
          Home: (507) 283-8669;  
Office: 127 E. Main, P.O. Box 746, Luverne, Minnesota 56156 Work: (507) 283-9546  
          E-mail: lawkooi@prairie.lakes.com FAX: (507) 283-9629

**EDUCATIONAL BACKGROUND**

Law School: Received J.D. from University of Minnesota Law School in June 1978;  
          *Minnesota Law Review* staff, edited *Law Alumni News*.  
College: Received B.A. from Calvin College in Grand Rapids, Michigan, in June 1975; Editor of  
          *Calvin College Chimes*; 1974 Intern for Sen. Walter F. Mondale.  
High School: Graduated from Luverne High School in June 1971; co-valedictorian, speech and debate  
          awards; edited school newspaper, *LHS Echo*.

**PROFESSIONAL ACTIVITY**

Profession: Attorney-at-Law licensed since September 1978 to practice in the State of Minnesota and  
          Federal Courts.

1978 to Date: Practicing law as Vander Kooi Law Offices, P.A., 127 East Main, P.O. Box 746,  
          Luverne, Minnesota 56156

1977 to 1978: Law Clerk for Smith, Juster, Feikema, Chartered, Minneapolis, Minnesota.

Professional Service:

City Attorney, Edgerton, Minnesota  
Past President, 13th District Bar Association  
Past Secretary-Treasurer, 13th District Bar Assn.  
Past Member, Minnesota State Bar Association  
Committee for the Bicentennial of the Constitution  
Member, Rock County Courthouse Planning Committee  
Co-Chair, Rock County Courthouse Centennial  
Celebration (July 4, 1987)  
Member, Judicial Merit Advisory Committee  
Permanent: March 1989 to March 1990  
Ad Hoc: May 1987 -- Fifth Judicial District  
Lecturer, University of Minnesota Extension Program  
1984-1987: Legal Issues in the Farm Crisis  
Lecturer, Continuing Real Estate Education Courses in  
association with Luverne Community Education  
1988: Rights of First Refusal  
1989: How to Use a Lawyer in Real Estate Transactions  
Lecturer, Continuing Education for Healthcare  
Professionals (STC-Pipestone)  
1992: Advance Directives for Healthcare  
Attorney-Coach: MSBA Mock Trial Program (1990 to 2000)  
Conference of Chief Judges Juvenile Law Focus Group (1996)

## COMMUNITY ACTIVITY

### 1. Education Activities:

Chair, MnSCU Trustee Candidate Advisory Council  
Past Member, Luverne Public Schools Technology Committee  
Past Trustee, Southwest State University Foundation  
Past Trustee, Science and Technology Resource Center at  
Southwest State University (predecessor of AURI)  
Past Trustee, Luverne "Dollars for Scholars"

### 2. Economic Development Activities:

Chair, Luverne Veterans Home Citizens Advisory Committee  
Past Chair, Luverne Veterans Home Task Force  
Past President, Luverne Community Economic Development Corp.  
President, Rock County Development Corporation  
Vice Chair, Luverne Convention and Visitors Bureau  
Past Chair, Luverne Chamber of Commerce Board of Directors  
Member, Alumni Coalition for Economic Growth  
Past Advisor, Southwest Minnesota Initiative Fund (now SW Minnesota Foundation)

### 3. Arts Activities:

Chair, Minnesota State Arts Board (2001 to date)  
Appointed 1999 for four-year term ending 1/1/2003  
Life Trustee and Past President, Minnesota Citizens for the Arts  
(1980 to 1984, 1988 to 1999; President 1995 to 1997)  
Prairie Disciple Award from Southwest Minnesota Arts and Humanities Council (SMAHC) -  
received in October, 1998  
President, Council for Arts and Humanities in Rock County (1992-) which operates the non-profit  
Carnegie Cultural Center  
Past Board Alternate and Grants Panel Member of SMAHC  
Past President, Green Earth Players, Inc. (Community Theater)  
Past Secretary, Blue Mound Area Theater, Inc. (non-profit corporation restoring the historic  
Palace Theater located in Luverne, Minnesota)

### 4. Political Activities:

Chair, Rock County DFL (since 1980)  
Past Member, DFL Education Foundation  
Delegate to County, Senate District, Congressional District,  
State DFL and National Democratic Conventions

### 5. Health-Related Activities:

Past Member, University of Minnesota Health System Board of Governors (1994 to 1996)  
Past President, Bethesda Christian Counseling Midwest, Inc.  
Past President, Bethesda PsychHealth Ventures, a wholly owned for-profit subsidiary of the  
non-profit Bethesda PsychHealth System  
Past Trustee, Bethesda Hospital Association (Denver, Colorado 1985-1987)

### 6. Other Activities

Vice Chair, Brandenburg Prairie Foundation, Inc.  
Chair, Blue Mounds State Park Partners, Inc.  
Chair, Selection Committee, Rock County Hall of Fame  
Past President, Luverne Rotary Club  
Member and Elder, First Presbyterian Church of Luverne  
Past Chair, Luverne Red Arrow (Community Fund)  
Member, First Farmers and Merchants National Bank Advisory Board

