

FILED

STATE OF MINNESOTA
SPECIAL REDISTRICTING PANEL

October 12, 2021

OFFICE OF
APPELLATE COURTS

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,

**AFFIDAVIT OF PETER S.
WATTSON IN SUPPORT OF THE
WATTSON PLAINTIFFS'
PROPOSED CONGRESSIONAL
AND LEGISLATIVE DISTRICTING
PRINCIPLES AND PLAN
SUBMISSION REQUIREMENTS**

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

VS.

Defendant.

Peter S. Wattson, being first duly sworn, deposes and states as follows:

2. I have resided at 5495 Timber Lane, Shorewood, MN 55331, since September 28, 1975.

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decade of redistricting litigation in Minnesota courts. My father, Marshman S. Wattson, a law professor and attorney who served as Executive Secretary of the Minnesota Branch of the American Civil Liberties Union, participated in *Magraw v. Donovan*, 163 F. Supp. 184 (D. Minn. 1958), the first malapportionment case to be successful in a federal court and an inspiration for *Baker v. Carr*, 369 U.S. 186 (1962).

4. I served as Senate Counsel to the Minnesota Senate from 1971 to 2011 and as General Counsel to Governor Mark Dayton from January to June 2011. I assisted with drawing, attacking, and defending redistricting plans throughout that time. I served as Staff Chair of the National Conference of State Legislatures' (NCSL) Reapportionment Task Force in 1989, its Redistricting Task Force in 1999, and its Committee on Redistricting and Elections in 2009. Since retiring in 2011, I have participated in redistricting lawsuits in Arkansas, Kentucky, and Florida, and lectured regularly at NCSL seminars on redistricting.

5. I have written, and regularly updated over the decades, a number of papers on redistricting law. Those papers include:

- a. *How to Draw Redistricting Plans that Will Stand Up in Court*, NCSL (first presented Apr. 1, 1989, New Orleans, LA; most recent update, NCSL National Online Seminar, Jan. 17, 2021), https://www.ncsl.org/Portals/1/Documents/Redistricting/How_to_draw_redistricting_plans_PeterWattson.pdf;
- b. *Districting Principles for 2010 and Beyond*, NCSL (last update Oct. 22, 2019), <https://www.ncsl.org/Portals/1/Documents/Redistricting/DistrictingPrinciplesFor2010andBeyond-7-1-4.pdf>;

- c. *Redistricting Case Summaries/2010 to Present*, NCSL (last update Dec. 1, 2020), <https://www.ncsl.org/research/redistricting/redistricting-case-summaries-2010-present.aspx>;
 - d. *Districting Principles in Minnesota Courts*, Minn. Leg. Ref. Lib. (last update Sept. 19, 2018), <https://www.leg.mn.gov/docs/NonMNpub/oclc1044746779.pdf>;
 - e. *History of Minnesota Redistricting*, Minn. Leg. Ref. Lib. (first published 2001, last update June 22, 2021), <https://www.lrl.mn.gov/docs/NonMNpub/oclc1268219807.pdf>; and
 - f. *Texas Redistricting 2012: The Mess in Texas*, 6 J. Parl. & Pol. L. 557 (Oct. 2012).
6. I was assistant editor of NCSL’s publication *Redistricting Law 1990* and general editor of *Redistricting Law 2000* and *Redistricting Law 2010*, https://house.louisiana.gov/H_Redistricting2011/NewsPDF/Redistricting%20Law-2010%20-%20Red%20Book_fnl.pdf. *Redistricting Law 2020*, to which I was a substantial contributor, is dedicated to me.
7. *Districting Principles in Minnesota Courts* explains how Minnesota courts derived each principle adopted by the Special Redistricting Panel in *Hippert v. Ritchie*, No. A11-152, Order Stating Redistricting Principles and Requirements for Plan Submissions (Nov. 4, 2011).
8. Pages 43 to 56 of *How to Draw Redistricting Plans That Will Stand Up in Court* explain the development of judicial standards for evaluating whether a particular plan is a partisan gerrymander.
9. In 2001, I drafted a joint resolution to establish principles for congressional

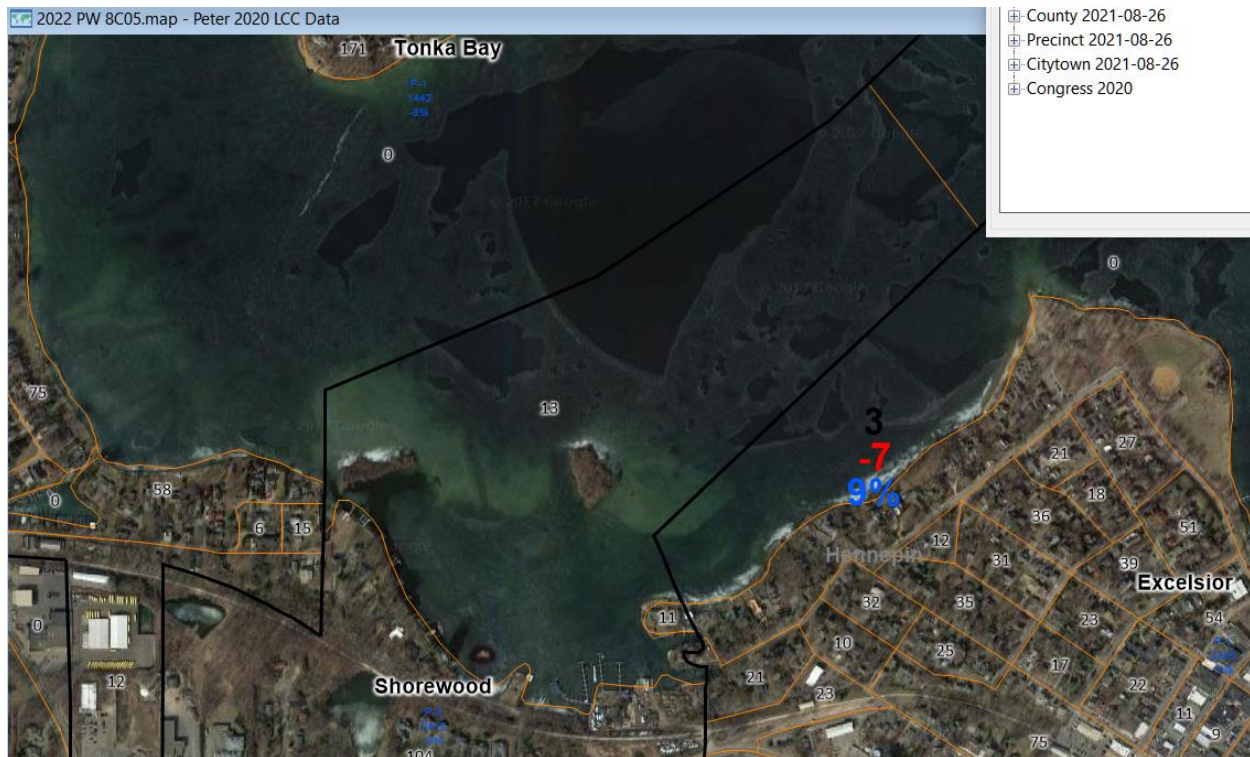
and legislative districts. The resolution died in conference committee. *See* 2001 S.F. No. 1326, Revisor's Full-Text Side-by-Side, https://www.senate.mn/departments/scr/REDIST/Red2000/SF1326_conf_comm_05.02.2001.pdf (May 2, 2001).

10. I drafted the language that is now Minn. Stat. § 2.91, subd. 2. That language was enacted by two separate laws in 1994. *See* Peter S. Wattson, *Enacting a Redistricting Plan*, <https://www.senate.mn/departments/scr/REDIST/Enact.htm> (Mar. 18, 2001); Laws 1994, ch. 406, § 9; Laws 1994, ch. 612, § 67.

11. Maps of Minnesota's legislative districts since 1897 are available on the legislature's website at: https://www.gis.leg.mn/html/maps/leg_districts.html. My review of those maps suggests that one of the reasons for the separate numbering of the metropolitan areas starting in 1972 was that there were separate paper maps for them available from the Metropolitan Council, upon which the court drew its lines. The districts were numbered in accordance with the paper technology then in use. In 1991, it was my initiative to articulate a numbering scheme in order to facilitate comparing one plan to another. The resolutions introduced early in the 1991 session to set standards for legislative and congressional redistricting plans did not include a system for numbering the districts. As the caucuses began to draw their plans, I noticed that different numbering systems were being used, not just from caucus to caucus but from plan to plan. In comparing plans, I could compare the district boundaries when overlaid on a map, but comparing statistical reports was difficult when the numbering systems were wildly different. I took it upon myself to articulate the system used by the courts in 1972 and 1982. After I drafted the

necessary language and provided it to the appropriate legislators, that system was added to the resolutions by amendments recommended by the House Committee on Redistricting, adopted by the House March 21, 1991. *See* Journal of the House 665 (congressional), 666 (legislative). Both the state and federal court panels in 1991 used the system set forth in the concurrent resolutions. *See Cotlow v. Growe*, No. C8-91-985, Pretrial Order No. 2 at 5 ¶ 6, (Minn. Spec. Redis. Panel Aug. 16, 1991); *Emison v. Growe*, No. Civil 4-91-202, Order at 3 ¶ 7 (D. Minn. Oct. 21, 1991). The language of the concurrent resolutions was again included in the principles adopted by the state court panels in 2001 and 2011. *See Zachman v. Kiffmeyer*, No. C0-01-160, Order Stating Redistricting Principles and Requirements for Plan Submissions at 4 ¶ 4 (Minn. Spec. Redis. Panel Dec. 11, 2001); *Hippert v. Ritchie*, No. A11-152, Order Stating Redistricting Principles and Requirements for Plan Submissions at 7 ¶ 3 (Minn. Spec. Redis. Panel Nov. 4, 2011). Over the ensuing decades, I have seen the flaws in the scheme I articulated in 1991 and seek to fix those flaws now.

12. Adjacent to my residence is a water block consisting of the waters of Gideons Bay of Lake Minnetonka and two uninhabited islands, Duck Island to the left and Frog Island straight ahead.



Having enjoyed recreating on and in that water from that residence for more than 46 years, I am certain there are no humans living in that water block, despite the official 2020 Census Report that its population is 13: 11 non-Hispanic Whites and 2 Hispanics. The voting-age population is officially reported as 7 non-Hispanic Whites and 2 Hispanics. On information and belief, those people live somewhere else, probably not far away, but Differential Privacy, a system being used by the Census Bureau for the first time in the 2020 Census, has placed them in the water in front of my house. On information and belief, the population in that other location is 13 people more than reported by the 2020 Census.

13. The 2001 principle on not dividing political subdivisions in *Zachman v. Kiffmeyer*, No. C0-01-160, Order of Dec. 11, 2001 at 2 ¶ 6 (congressional), 4 ¶ 7 (legislative) was based on language I had drafted for a 2001 joint resolution to establish principles for congressional and legislative districts. That resolution died in conference

committee.

14. The *Hippert* panel's 2011 principle on not dividing political subdivisions, *Hippert v. Ritchie*, No. A11-152, Order Stating Redistricting Principles and Requirements for Plan Submissions at 6 ¶ 5 (congressional), 9 ¶ 7 (Minn. Spec. Redis. Panel Nov. 4, 2011), omitted the references to the political subdivisions that must not be split, the requirements that might justify a split, and that any division should be into as few districts as possible. The 2011 principles were based on Minn. Stat. § 2.91, subd. 2, which I had drafted and saw enacted by two separate laws in 1994.

15. I am not aware of a case from a state other than Florida interpreting a constitutional or statutory prohibition similar to FLORIDA CONSTITUTION, Art. III, §§ 20(a), 21(a), as added by the Fair Districts Amendments of 2010.

16. The third sentence of the Wattson Plaintiffs' Partisanship principle follows advice from redistricting experts, including Plaintiff Joe Mansky, to use:

- a. Statewide elections, not congressional or legislative district elections, because the district elections tend to turn more on the strengths of the individual candidates than on their party affiliation;
- b. Top of the ballot, high-turnout elections that are a fair test of party strength;
- c. Elections for minor constitutional officers, where voters tend to know less about the candidates than about their party affiliations; and
- d. To not use races that were not close.

In 2001, Governor Ventura’s redistricting commission followed this advice when adopting the index it used to measure plans, both its own and those submitted by others. I did the same when I created a partisan index to measure the plans considered in 2011.

17. MTR 6.0 included PSW versions of the following reports: Population Summary, Political Subdivision Splits, Incumbents, and Plan Components. The 2011 MTR 6.0 Supplemental Users Guide said, on page 105, “The Population Summary report (PSW) places the summary information at the beginning of the report. This report was designed by Peter Watson (sic), chief counsel of the Minnesota Senate. Other reports designed by Mr. Watson include “PSW” in their names.”

18. The Minority Representation report required by paragraph II, D, 2 of the Wattson Plaintiffs’ Plan Submission Requirements, using voting-age population, has traditionally been published on the Minnesota Legislature’s GIS Office website, but was not required by the 2011 *Hippert* panel or previous Minnesota state or federal courts. On information and belief, that was because it was not a standard report in Maptitude for Redistricting. Rather, it was a special report created for the Minnesota Legislature in 2001 by Caliper Corporation, the vendors of Maptitude for Redistricting. Minnesota users who purchased Maptitude for Redistricting from 2001 to 2020 were not given the Minority Representation report. They had to request it from, and be given it by, the Minnesota Legislature.

19. “Minority Representation – Voting-Age Population,” is one of two reports that can be run by the Minnesota Redistricting Tools included in Maptitude for Redistricting 2021 (“MTR-2021”). The other is “Partisanship.” The GIS Office has also

traditionally published a report on Minority Total Population. Experience with the report since 2001 has shown that challenges to a plan based on its treatment of minority populations are almost always based on the voting-age population, rather than the total population. The Minority Total Population report is thus surplus and has been omitted from the reports developed by Caliper Corp. to be run using the Minnesota Redistricting Tools. In 2021, Caliper Corp. has been including the Minnesota Redistricting Tools in the download link given to Minnesota users (though occasionally it has inadvertently not been provided).

20. The *Hippert* panel’s description of the Contiguity report required by paragraph II, D, 3 of the Wattson Plaintiffs’ Plan Submission Requirements referred to “polygons.” A polygon is “a plane figure with at least three straight sides and angles.” It is a generic term that GIS experts use to describe the areas found in a map. The Wattson Plaintiffs’ requirement uses the term “areas” rather than “polygons,” to be more colloquial. As used to specify the content of the contiguity report, it is referring to the districts created by a plan. If a district has more than one area, it is not composed of contiguous territory, unless the principles permit point contiguity, which the Wattson Plaintiffs’ proposed principles do not. If the report shows that any district has more than one area, the plan is invalid. The total number of districts with more than one area is shown at the beginning of the report. If the number is more than zero, the plan is invalid.

21. The summary information at the top of the Contiguity report worked perfectly well for the *Zachman* Panel in 2002 and the *Hippert* Panel in 2012, before Caliper Corp. converted its reports from Crystal Reports to DevExpress in 2018. Unfortunately,

the conversion did not go well for the Contiguity report. The DevExpress version no longer shows the number of districts with more than one area unless the user permits point contiguity (which the Wattson Plaintiffs' proposed principles would not). The workaround I have developed is to first run the report without allowing point contiguity, verify by close inspection that no district has more than one area, change the plan settings to "Allow Point Contiguity," and run it again. The report shows the number of districts with more than one area as zero, with the caveat "(Point Contiguity is Allowed for this Plan)." I then use Adobe Acrobat to edit the PDF to delete that sentence and change the plan settings back to not allow point contiguity.

22. The American Indian Reservations Split report is separate from the report on political subdivision splits, both because a reservation is not a political subdivision and because its digital geography is not part of the Census Bureau's digital hierarchy for political subdivisions, so it cannot be added to the Political Subdivision Splits report in Maptitude for Redistricting. It must be run separately. Even though not previously required by a court or by the legislature, a report on how a plan may or may not split a reservation has been run routinely for the last two decades using the Communities of Interest report.

23. The *Hippert* panel required that plans submitted by the parties for its consideration be accompanied by the eight compactness measures included in Maptitude for Redistricting 6.0, which was the software used by the legislature, the parties, and the court to draw plans in 2011-12. A ninth measure, Minimum Convex Hull, was added to Maptitude for Redistricting 2017. Two more measures, Alternative Schwartzberg and Cut Edges, were added to Maptitude for Redistricting 2019. How each measure is computed is

explained on pages 149 to 152 of the MTR-2021 Supplemental User Guide, which comes downloaded with each user's copy of MTR-2021.

24. Unfortunately, the 2018 conversion by Caliper Corp. from Crystal Reports to DevExpress reports, as discussed above with regard to the Contiguity report, did not go well for the Communities of Interest report either. The report summary had a variety of problems, including that it overcounted the number of splits. I was able to ignore those problems by continuing to use the Crystal Reports version until a required upgrade to MTR-2020 made that impossible. In May 2021, I corrected the formula and the display in the DevExpress version.

25. When MTR 2020 was replaced with MTR 2021 in June 2021, the report, then called "Communities of Interest Report (Landscape, 11x8.5)," again ceased to work properly. The report correctly listed the reservations that were split, but it no longer counted correctly the number of reservations split (and not split) nor the number of times a reservation was split. After discovering the problem, I reinstalled my May 2021 version of the Landscape report files. As reinstalled, the report has the summary information properly formatted (mostly) at the top of the report, but the split numbers are still incorrect. A user must do those counts by hand and edit the PDF to display the correct numbers. While I am at it, I also edit the report name to say "American Indian Reservation Splits," instead of "Communities of Interest (Landscape, 11x8.5)."

26. The report on communities of interest is optional, necessary only when the sponsor of the plan asserts that it preserves a community of interest. The MTR-2021 Communities of Interest report works on a geographic layer in the database. A user of the

software can easily create the layer, so long as the user has a map that clearly identifies the boundaries of the community. Once those boundaries have been added to the database, the user can run a report showing the district or districts to which each community has been assigned, and whether it has been split. Since 2001, various community of interest reports showing, for example, the extent to which a plan splits Indian reservations or Minneapolis and St. Paul neighborhoods, have been run by plan drafters for their own use but have not been posted on the GIS Office website or required by the courts. The Communities of Interest report has the flaws noted above in connection with the American Indian Reservation Splits report, requiring user effort to get the correct numbers.

27. The Core Constituencies report has never been required by Minnesota's federal or state court panels. Since 2011, it has been used by participants in the process to measure the degree to which competing plans have preserved district cores. In addition to details about each district, it must show the average percentage core of a prior district's voting-age population for all districts in the plan (to see how much of a voting base the average incumbent has retained), and the number of persons moved from one district to another (to see the overall scale of disruption).

28. The Core Constituencies report is significantly easier to read in 2021 than it was in 2011, but there were two casualties from the 2018 conversion from Crystal Reports to DevEspress: 1) the report no longer calculates the Average Core of Prior District; and 2) the report no longer calculates the Total Population Moved from one district to another. I export the report to Excel, create the necessary two formulas to calculate the numbers, then edit the PDF version to add them to the report.

29. The Partisanship report is an expansion of the Political Competitiveness report that Caliper Corp. developed at my direction for the Minnesota Legislature in 2001. The purpose of the Political Competitiveness report was to measure compliance of a plan with the Competitiveness principle first advocated by Governor Jesse Ventura and his Commission on Redistricting. Competitiveness was included in the principles adopted by the senate and proposed by the senate to the *Zachman* panel. The Political Competitiveness report has been run, at the user's discretion, on all Minnesota plans since then. It has not been required by Minnesota's court panels, who have avoided considering the partisan impact of a plan, except on incumbents. The language of this requirement is a tweak of 2021 H.F. No. 2594, § 3, subd 4(8).

30. H.F. No. 2594 is a bill authored by Representative Ginny Klevorn for an act relating to elections; providing districting principles; requiring redistricting reports; requiring certain hearings and disclosures; amending Minnesota Statutes 2020, sections 2.031, by adding a subdivision; 2.731; and proposing coding for new law in Minnesota Statutes, chapter 2. https://www.revisor.mn.gov/bills/text.php?number=HF2594&session=ls92&version=list&session_number=0&session_year=2021.

31. After the decision in *Whitford v. Gill*, 218 F. Supp. 3d 837 (W.D. Wis. 2016), I modified the Competitiveness report to include a measure of the "Efficiency Gap" considered by the court in that case. *See id.* at 903-906. I later reviewed the 50 briefs filed with the U.S. Supreme Court in *Gill v. Whitford*, No. 16-1161, Docket, Amicus Briefs, *Gill v. Whitford*, No. 16-1161 (2017),

<https://www.supremecourt.gov/docket/docketfiles/html/public/16-1161.html>. Some of those briefs proposed various additional measures of partisan fairness. Based on that review, and over the period from October 2017 to May 2021, I added four measures of partisan bias accepted in the political science and statistics literature: 1) the Mean-Median Gap; 2) the Lopsided Wins Gap; 3), Declination; and 4) the Efficiency Gap. I also added a measure of my own: the Proportional Seat Gap. In view of the expanded scope of the report, I changed the name from “Competitiveness” to “Partisanship.”

32. The Partisanship report also counts the number of districts likely to be won by each party, the number of districts that are Competitive (an average historical winning margin of 8% or less), and the number that are Safe (an average historical winning margin of 20% or more). Not shown in the report is a count of the remaining districts, neither Competitive nor Safe. I call them “Strong.”

33. From 2018 to 2021, the Minnesota Legislature’s GIS Office contracted with Caliper Corp. to modify the DevExpress version of the Partisanship report to include the kind of measures required by this principle. The Partisanship report is one of two reports that can be run by the Minnesota Redistricting Tools, available to all Minnesota users, but not other users. (The other report is “Minority Representation – Voting-Age Population, discussed above.)

34. In addition to the Minnesota Tools, MTR-2021 has a report to calculate only the Efficiency Gap, and a Measures of Political Asymmetry report that calculates the Declination and the Mean-Median Difference of a plan, as well as comparing the percentage of seats won to the percentage of the vote won. The calculation and display of

these measures in the standard Maptitude reports is slightly different from the measures in the Minnesota Redistricting Tools report. Neither of the standard Maptitude reports calculates the Seat Gap or the Lopsided Wins Gap

35. The *Hippert* panel required that every page of a report list the name of the report. Past reports never have. Since at least 2001, the name of the report has been shown only on the first page. Instead, every page has shown the name of the party submitting the plan and the date and time the report was generated. This requirement conforms to past practice. The 2018 conversion of MTR reports from Crystal Reports to DevExpress dropped that information from each page and replaced it with the report name and plan name. I have modified the DevExpress reports to restore the 2001-2011 format and provided the necessary files to the LCC-GIS Office for distribution to users of the Minnesota Legislature's redistricting system. On information and belief, they have not yet been distributed.

36. Attached as **Exhibit 1** to this Affidavit is a recent article from the Star Tribune describing the real-world impact of redistricting maps dividing minor civil divisions. Briana Bierschbach, *Split Minnesota Communities Plead to become Whole in New Redistricting Maps*, STAR TRIBUNE, Sept. 27, 2021, available at <https://m.startribune.com/split-minnesota-communities-plead-to-become-whole-in-new-redistricting-maps/600101334/?clmob=y&c=n>.

Consistent with Minnesota Statute § 358.116, I declare under penalty of perjury that everything I have stated in this document is true and correct.

Date: October 12, 2021

/s/ Peter S. Wattson
Peter S. Wattson

Hennepin County, Minnesota
County and state signed

EXHIBIT 1

Split Minnesota communities plead to become whole in new redistricting maps



By [BRIANA BIERSCHBACH](#) , STAR TRIBUNE
September 27, 2021 - 12:29 PM

A decade ago, political map makers drew a line through a driveway in tiny Germantown Township in southwestern Minnesota, separating two homes on the same farm into different congressional districts.

A graveyard, a public works building and three people living in the central Minnesota city of Royalton landed in Minnesota's Sixth Congressional District, even though the rest of the city sits in the northeastern Eighth District.

More than a dozen communities across the state were split between two congressional districts during the last round of redistricting, from inner-ring suburbs such as Edina to townships in far-flung corners of the state. For smaller communities, the lines have become a headache, zigzagging through city streets or cutting across farm fields and dividing their towns. It added layers of uncertainty for voters and extra costs to administer elections for cash-strapped local governments.

EXHIBIT 1

As lawmakers start the process of [redrawing maps for the next decade](#), some local officials are pleading with them not to divide their towns again.

"It's a lot of money, it's a lot of confusion, for us and for the voters," said Denise Anderson, the Rice County property tax and elections director who has been fighting for the past two years to unify Webster Township 45 minutes south of the Twin Cities. "Voters just assume Webster is all one district, because it was like that back in the 1900s."

In 2012, after divided government couldn't agree on new political maps, the [courts drew maps](#) that split the east and west sides of Webster Township between the First District, now represented by Republican Jim Hagedorn, and the Second District, where DFLer Angie Craig now holds the seat.

But the line wasn't drawn straight through Webster, a community of fewer than 2,000 people. It zigged and zagged erratically, in some cases putting people on one side of the street in one congressional district and neighbors across the street in the other.

The township and the county passed resolutions asking to be put back into one district. Anderson has written letters to lawmakers and testified before redistricting committees, which are starting work to redraw the maps.

The timeline for redistricting is condensed this year, after [delayed data from the U.S. Census Bureau](#) set back the legislative process by months. Lawmakers must agree on maps by a Feb. 15 deadline, but with the Legislature divided between Republicans and Democrats, most expect the process to get kicked to the state's courts, as it has for the past several decades.

In communities like Webster, being divided means extra work for often part-time or volunteer township officials. Some communities must set up extra polling places, find and train more election judges and print separate sets of ballots, sometimes for just a small fraction of voters. Webster has four ballots depending on congressional and school district divisions, including one ballot printed up for only two voters.

Getting a ballot different from their close neighbors' is confusing for voters, Anderson said, some of whom already question the integrity of the system. And it's also about representation, she said.

"In Webster Township, if they want something done, they've got two people that they have to reach out to, and it's hard enough getting through to one," she said.

In New Prague, divided along a county road between the First and Second Congressional Districts, Mayor Duane Jirik said the city needs a new post office, so he'll appeal to both representatives, but it would be less confusing for everyone if the community were squarely in one district.

"Keep us in one, I don't care which one, make the decision and don't split us up," said Jirik, who noted that voters have also been split by state legislative districts as well. "We are split on a lot of stuff down here."

EXHIBIT 1

Rep. Paul Torkelson, R-Hanska, who serves on the House Redistricting Committee, said the same communities tend to get divided each decade. Watonwan County, where he has a farm, has been "split, sliced and diced every which way since 1972."

"You can't make a map that just includes whole counties, it's just not possible, but we should look historically at what we've done with these districts and local jurisdictions in the past," he said. "We need to recognize that and try not to pile on and do this to the same people over and over."

Not everyone complains about the divisions. Edina is neatly cut into quadrants by roadways. About a quarter of residents are in the Fifth District, which includes Minneapolis, and the rest fall in the more suburban Third District.

Since the lines are clear-cut, it hasn't caused too many administrative hurdles, said City Manager Scott Neal. Both districts are represented by Democrats in Congress now, but for years, one part of the city had Republican representation and the other side Democratic.

"There was always someone in the majority representing the area that we could go to talk to," Neal said.

But the smaller the community, the more troublesome dividing lines can be. Northern Township Clerk Mary Israelson sat down with the maps in 2012 after the courts divided about 200 properties from the rest of the township near Bemidji.

She realized what was essentially a large drainage ditch popped up on most maps. She thinks the courts thought it was a road.

"It's an actual ditch, it represents no boundaries or anything," she said. "I really hope they take a closer look at municipalities this time around."

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Briana Bierschbach is a politics and government reporter for the Star Tribune.

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