

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF WRIGHT

TENTH JUDICIAL DISTRICT

Sara Hippert, Dave Greer, Linda Markowitz,
Dee Dee Larson, Ben Maas, Gregg Peppin,
Randy Penrod and Charles Roulet,
individually and on behalf of all citizens and
voting residents of Minnesota similarly
situated,

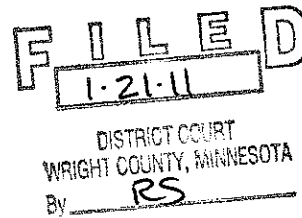
Court File No. CV 11-433

Plaintiffs,

COMPLAINT

vs.

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



Defendants.

Plaintiffs, for their Complaint against Defendants, state and allege as follows:

JURISDICTION

1. This Court has authority as a court of general jurisdiction to redress Plaintiffs' claims regarding violations of the Minnesota State Constitution ("Minnesota Constitution") and authority to grant declaratory relief under the provisions of Minnesota Statutes Section 555.01 *et. seq.*
2. This Court has jurisdiction under 42 U.S.C. §§ 1983 and 1988, to redress Plaintiffs' claims of violations of the Constitution of the United States ("United States Constitution").

PARTIES

3. Plaintiffs are citizens and qualified voters of the United States and the State of Minnesota. Plaintiffs reside in the following counties, legislative districts and congressional districts in the State of Minnesota:

<u>Plaintiff</u>	<u>County</u>	<u>Legislative Dist.</u>	<u>Cong. District</u>
Sara Hippert	Wright	SD 19	6
Dave Greer	Isanti	SD 17	8
Linda Markowitz	Washington	SD 52	6
Dee Dee Larson	Anoka	SD 48	6
Ben Maas	Carver	SD 34	2
Gregg Peppin	Hennepin	SD 32	3
Randy Penrod	Scott	SD 35	2
Charles Roulet	Hennepin	SD 32	3

4. Plaintiffs bring this action individually and on behalf of themselves and all other citizens and voters who reside in the State of Minnesota, United States of America, and who are similarly situated as having been denied equal protection of the laws as further stated herein. This class is so numerous as to make joinder impossible and impractical; there are common questions of law and fact which predominate over individual questions of law and fact; the claims of the named individuals are typical of the claims of the members of this class; and these Plaintiffs will fairly and adequately represent and protect the interests of the class. In addition, the prosecution of separate actions by individual members of the class would create a risk of inconsistency or varying adjudications which would establish incompatible standards of conduct for the named Defendants. The common questions of law which predominate are the constitutionality of the current plan of legislative districts and congressional districts established by the Minnesota Special Redistricting Panel (hereinafter the "Panel") in *Zachman v. Kiffmeyer*, Civ. File No. C0-01-160 (Final Orders dated March 19, 2002) (hereinafter "*Zachman*"), which is being enforced by the Defendants.

5. Defendants are each citizens of the United States and of the State of Minnesota, residing in the State of Minnesota. Defendant Mark Ritchie is the duly elected and qualified Secretary of State of the State of Minnesota. In his official capacity, under Minnesota Statutes Chapters 200 through 211B (the "Minnesota Election Law"), Secretary of State Ritchie is the chief election officer of the State of Minnesota and is responsible for a variety of election duties, including giving notice of offices to be voted on in the next election, accepting affidavits of candidacy from

candidates for certain public offices, supervising the preparation and distribution of ballots, receiving election returns, issuing certificates of election to certain successful candidates, distributing information on certain election laws, serving on the State Canvassing Board and other duties necessary for the conduct of elections in the State of Minnesota.

6. Defendant Robert Hiivala is the duly qualified and acting Auditor of Wright County, State of Minnesota. As such, Mr. Hiivala is the chief election officer for Wright County. This action is brought against Defendant Robert Hiivala as Wright County Auditor, individually and as representative of all other county auditors and/or chief county election officers similarly situated in the State of Minnesota, such persons being so numerous as to make it impracticable to bring them all before the Court by way of joinder. Furthermore, there are predominant common questions of law, namely the constitutionality of the current legislative apportionment system and the current plan of congressional districts ordered in *Zachman*. The defenses of the named Defendants will fairly and adequately protect the interests of the class. Finally, the prosecution of separate actions against individual members of the class would create a risk of inconsistent or varying adjudications which would establish incompatible standards of conduct for the parties here.

COUNT I
LEGISLATIVE APPORTIONMENT – MINNESOTA CONSTITUTION

7. The above-numbered paragraphs 1-7 are incorporated herein by reference.
8. Article IV, Section 2 of the Minnesota Constitution provides (emphasis added):
- The number of members who compose the senate and house of representatives shall be prescribed by law. The representation in both houses shall be apportioned equally throughout the different sections of the state in proportion to the population thereof.
9. Article IV, Section 3 of the Minnesota Constitution provides (emphasis added):
- 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...

10. Article I, Section 2 of the Minnesota Constitution provides:

SEC. 2. RIGHTS AND PRIVILEGES. No member of this state shall be disfranchised or deprived of any of the rights or privileges secured to any citizen thereof, unless by the law of the land or the judgment of his peers. There shall be neither slavery nor involuntary servitude in the state otherwise than as punishment for a crime of which the party has been convicted.

11. Through the above provisions, the Minnesota Constitution guarantees to the residents of the State of Minnesota that their vote shall be equally as effective as any other vote cast in an election for members of the Minnesota Legislature. Furthermore, these provisions require that the Minnesota Legislature equally apportion state legislative representation throughout the State of Minnesota by districts of equal population.

12. Plaintiffs as citizens of the United States and residents of the State of Minnesota have the right under the Minnesota Constitution to have the members of the Minnesota Legislature equally apportioned and elected on the basis of the United States Census for the year 2010 (the “2010 Census”). On information and belief, based on 2009 population estimates and the 2010 Census, Minnesota’s legislative districts ordered in *Zachman* are unequally apportioned (as discussed below).

13. The Minnesota Legislature has not adopted a legislative apportionment system since 2002, when the Panel ordered the current legislative districts. The 2011 Minnesota Legislature has failed and neglected to equally apportion the legislative districts in the State of Minnesota and will, on information and belief, continue to fail to apportion said districts in a manner which reflects the mandate of Article IV, Section 2 of the Minnesota Constitution that they be “equally apportioned.”

14. Minnesota’s current legislative districts were established and remain in force by order of the Panel in *Zachman*. The *Zachman* Panel ordered senate districts with an average population of 73,425 persons (with a mean deviation of 206 persons, or 0.28%) and house districts with an average population of 36,713 persons (with a mean deviation of 118 persons, or 0.32%)(Final Order

Adopting a Legislative Redistricting Plan dated March 19, 2002). Specific 2000 population amounts of each of Minnesota legislative districts are set forth within Exhibit A-1.

15. Based on the results of the 2010 Census released by the United States Census Bureau on December 21, 2010, the population of Minnesota as of April 1, 2010 is 5,303,925¹. This number is similar to the Minnesota State Demographer's estimated Minnesota 2009 population of 5,300,9422. Hence, the ideal population for each of Minnesota's sixty-seven (67) senate districts is 79,163, and the ideal population for each of Minnesota's one hundred thirty-four (134) house districts is 39,581.5. Attached hereto as Exhibit A-2 are the 2009 population estimates and deviations of Minnesota's legislative districts ordered in *Zachman*, as prepared September 29, 2010 by the Minnesota State Demographer. The unequal apportionment of Plaintiffs' legislative districts ordered in *Zachman* deprives Plaintiffs and all other similarly-situated voters in highly-populated Minnesota legislative districts of the rights guaranteed to them under the Minnesota Constitution.

16. The Minnesota Legislature has not and, on information and belief, will not, pass a law equally apportioning itself in conformity with the Minnesota Constitution. Plaintiffs further allege, on information and belief, that all of the Defendants intend to and will, unless sooner restrained by an Order of this Court, conduct elections for the 2012 Minnesota Legislature (and future legislatures) on the basis of the legislative districts ordered in *Zachman*. The relief sought against Defendants in their official capacities relates to their respective jurisdictions in carrying out all matters relating to the election of members of the Minnesota Legislature.

17. Plaintiffs further allege that they intend to and will vote in the year 2012 Minnesota primary and general elections and thereafter for candidates for the Minnesota Legislature, and that

¹See <http://2010.census.gov/2010census/data/index.php>. By contrast, after the 2000 Census, Minnesota's population was 4,919,479. <http://www.census.gov/census2000/states/mn.html>.

²See <http://www.lmic.state.mn.us/datanetweb/php/census2000/estimate/menu.php>.

said elections conducted in accordance with *Zachman* will continue to deprive Plaintiffs of rights guaranteed under the Minnesota Constitution.

18. In the absence of reapportionment of the legislative districts of the State of Minnesota in conformity with the Minnesota Constitution, any action of these Defendants in conducting an election for members of the Minnesota Legislature in accordance with the districts ordered by *Zachman* has deprived and will continue to deprive Plaintiffs of their constitutional rights under the Rights and Privileges clause (Article I, Section 2) and the Equal Apportionment clause (Article IV, Section 2) of the Minnesota Constitution.

19. By the current and anticipated failure of the Minnesota Legislature to equally apportion the legislative districts of the state in conformity with the Minnesota Constitution, the Minnesota Legislature has and will continue to cause Defendants to violate the constitutional rights of Plaintiffs and all other similarly-situated residents of the State of Minnesota.

COUNT II
LEGISLATIVE APPORTIONMENT – UNITED STATES CONSTITUTION

20. The above-numbered paragraphs 1-18 are incorporated herein by reference.

21. The Fourteenth Amendment, Section 1 of the United States Constitution provides in pertinent part:

No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

22. The Fifth Amendment to the United States Constitution provides in pertinent part, “No person shall...be deprived of life, liberty or property without due process of law.”

23. The above provisions of the United States Constitution guarantee to the citizens of the United States in each state the right to vote in state and federal elections and guarantees that the vote of each shall be as equally effective as any other vote cast in such elections. Further, the United

States Constitution guarantees that state legislative representation shall be equally apportioned throughout a state in districts in equal population.

24. Any plan of Minnesota legislative districts that does not meet constitutional standards unlawfully discriminates against voters in more highly populated districts such as Plaintiffs while exaggerating the power of voters in less populated districts in violation of the rights guaranteed under the Fourteenth Amendment to the United States Constitution. Any action of Defendants in enforcing or implementing such a plan violates the equal protection and due process rights of Plaintiffs and other similarly-situated United States citizens residing and voting in Minnesota.

25. As indicated above, Minnesota's current state legislative districts were established and remain in force by order of the Panel in *Zachman*. On information and belief, these districts exaggerate the power of voters in less populated Minnesota legislative districts and unlawfully discriminate against Plaintiffs and other similarly-situated voters in more highly populated Minnesota legislative districts.

26. On information and belief, the United States Department of Commerce, Bureau of Census will soon issue data from the 2010 Census showing that Minnesota's legislative districts as ordered by the Panel in *Zachman* are no longer equally apportioned.

27. The Minnesota Legislature has failed and will, on information and belief, continue to fail to equally apportion Minnesota's legislative districts in conformity with the Fifth and Fourteenth Amendments to the United States Constitution.

28. The unequal apportionment of Minnesota's legislative districts ordered in *Zachman* deprives Plaintiffs and all other similarly-situated voters of highly-populated Minnesota legislative districts of the rights guaranteed to them under Equal Protection and Due Process clauses of the United States Constitution.

29. The Minnesota Legislature has not and, on information and belief, will not pass a law equally apportioning itself in conformity with the United States Constitution. Plaintiffs further allege, on information and belief, that all of the Defendants intend to and will, unless sooner restrained by an Order of this Court, conduct elections for the 2012 Minnesota Legislature (and future legislatures) on the basis of the legislative districts ordered in *Zachman*. The relief sought against Defendants in their official capacities relates to their respective jurisdictions in carrying out all matters relating to the election of members of the Minnesota Legislature.

30. Plaintiffs further allege that they intend to and will vote in the year 2012 Minnesota primary and general elections and thereafter for candidates for the Minnesota Legislature, and that said elections conducted in accordance with *Zachman* will continue to deprive Plaintiffs of rights guaranteed under the United States Constitution.

31. In the absence of reapportionment of Minnesota's legislative districts in conformity with the United States Constitution, any action of these Defendants in conducting an election for members of the Minnesota Legislature in accordance with the districts ordered by *Zachman* has deprived and will continue to deprive Plaintiffs of their constitutional rights under the Fifth and Fourteenth Amendments to the United States Constitution.

32. By the current and anticipated failure of the Minnesota Legislature to equally apportion the legislative districts of the state in conformity with the United States Constitution, the Minnesota Legislature has and will continue to cause Defendants to violate the constitutional rights of Plaintiffs and all other similarly-situated residents of the State of Minnesota.

COUNT III
CONGRESSIONAL DISTRICTS – UNITED STATES
AND MINNESOTA CONSTITUTIONS

33. The above-numbered paragraphs are incorporated herein by reference.

34. Article I, Section 2 of the United States Constitution provides that:

The House of Representatives shall be composed of members chosen every second Year by the People of the several States...Representatives...shall be apportioned among the several States...according to their respective Numbers...

35. The Fourteenth Amendment, Section 1 of the United States Constitution provides in pertinent part:

No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

36. The Fifth Amendment to the United States Constitution provides in pertinent part, “No person shall . . . be deprived of life, liberty or property without due process of law.”

37. The above provisions of the United States Constitution guarantee to the citizens of the United States in each state that their vote shall be as equally effective as any other vote cast in an election and that congressional representatives shall be elected on the basis of equal representation of the individual voters in the state. Furthermore, these provisions guarantee that congressional representation shall be equally apportioned throughout a state in districts of equal population.

38. Article IV, Section 3 of the Minnesota Constitution provides:

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...districts.

39. Article I, Section 2 of the Minnesota Constitution provides:

SEC. 2. RIGHTS AND PRIVILEGES. No member of this state shall be disfranchised or deprived of any of the rights or privileges secured to any citizen thereof, unless by the law of the land or the judgment of his peers. There shall be neither slavery nor involuntary servitude in the state otherwise than as punishment for a crime of which the party has been convicted.

40. Any plan of Minnesota congressional districts that does not meet constitutional standards unlawfully discriminates against voters in more highly populated districts while exaggerating the power of voters in less populated districts in violation of the rights guaranteed

under the Fourteenth Amendment. Any action of Defendants in enforcing or implementing such a plan violates the equal protection and due process rights of Plaintiffs and other similarly-situated United States citizens residing and voting in Minnesota.

41. Minnesota's current state congressional districts were established and remain in force by order of the Panel in *Zachman*. The *Zachman* Panel ordered congressional districts with an average population of 614,935 persons. Again, according to the United States Census Bureau, the population of Minnesota as of April 1, 2010 is 5,303,925. Hence, the ideal population for each of Minnesota's eight (8) congressional districts (according to the December 2010 Census results) is 662,990.6 persons. Attached hereto as Exhibit A-2 are the 2009 population estimates and deviations of Minnesota's congressional districts ordered in *Zachman*, as prepared in September 29, 2010 by the Minnesota State Demographer. The unequal apportionment of these congressional districts ordered in *Zachman* deprives Plaintiffs residing in congressional districts 2, 3 and 6, and all other similarly-situated voters in these Minnesota congressional districts, of the rights guaranteed to them under the United States Constitution and the Minnesota Constitution.

42. The Minnesota Legislature has failed and will, on information and belief, continue to fail to equally apportion Minnesota's congressional districts in conformity with the Fifth and Fourteenth Amendments to the United States Constitution and Article IV, Section 3 of the Minnesota Constitution.

43. The unequal apportionment of Minnesota's congressional districts ordered in *Zachman* deprives Plaintiffs residing in congressional districts 2, 3 and 6, and all other similarly-situated voters in these Minnesota congressional districts, of the rights guaranteed to them under Equal Protection and Due Process clauses of the United States Constitution and Article 1, Section 2 of the Minnesota Constitution.

44. The Minnesota Legislature has not and, on information and belief, will not pass a law equally apportioning Minnesota's congressional districts in conformity with the United States Constitution and/or the Minnesota Constitution. Plaintiffs further allege, on information and belief, that all of the Defendants intend to and will, unless sooner restrained by an Order of this Court, conduct elections for the 2012 United States House of Representatives (and future congressional elections) on the basis of the congressional districts ordered in *Zachman*. The relief sought against Defendants in their official capacities relates to their respective jurisdictions in carrying out all matters relating to the election of members of the United States House of Representatives.

45. Plaintiffs further allege that they intend to and will vote in the year 2012 Minnesota primary and general elections and thereafter for candidates for the United States House of Representatives from Minnesota, and that said elections conducted in accordance with *Zachman* will continue to deprive Plaintiffs residing in congressional districts 2, 3 and 6, and all other similarly-situated voters in these Minnesota congressional districts, of rights guaranteed under the United States Constitution and under the Minnesota Constitution.

46. In the absence of reapportionment of Minnesota's congressional districts in conformity with the United States Constitution, any action of these Defendants in conducting an election for members of the United States House of Representatives in accordance with the congressional districts ordered by *Zachman* has deprived and will continue to deprive Plaintiffs residing in congressional districts 2, 3 and 6, and all other similarly-situated voters in these Minnesota congressional districts, of their constitutional rights under the Fifth and Fourteenth Amendments to the United States Constitution and Article 1, Section 2 of the Minnesota Constitution.

47. By the current and anticipated failure of the Minnesota Legislature to equally apportion the congressional districts of the state in conformity with the United States Constitution

and the Minnesota Constitution, the Minnesota Legislature has and will continue to cause Defendants to violate the constitutional rights of Plaintiffs residing in congressional districts 2, 3 and 6, and all other similarly-situated voters in these Minnesota congressional districts.

WHEREFORE, plaintiffs pray for the following relief:

1. That this Court declare that the plan of legislative and congressional districts ordered in *Zachman* violates the rights of Plaintiffs and the class as follows:

- (a) the present legislative district boundaries in the State of Minnesota violate the rights of Plaintiffs and the class of citizens and voters whom they represent to equal representation and equal apportionment of legislative districts mandated by the Minnesota Constitution;
- (b) the present legislative district boundaries in the State of Minnesota violate the rights of Plaintiffs and the class of citizens and voters whom they represent to due process and equal protection guaranteed by the United States Constitution and Article 1, Section 2 of the Minnesota Constitution; and
- (c) the present congressional district boundaries in the State of Minnesota violate the rights of certain Plaintiffs and the class of citizens and voters whom they represent to due process and equal protection guaranteed by the United States Constitution and Article 1, Section 2 of the Minnesota Constitution.

2. That this Court issue a permanent injunction and judgment decreeing that Minnesota's current legislative and congressional districts are not now valid plans of state legislative and congressional apportionment.

3. That this Court issue a permanent injunction enjoining Defendants and the class of persons they represent from taking any action related to carrying out their official duties in conducting primary or general elections for Minnesota state legislators and members of the United States House of Representatives from the State of Minnesota based on the legislative and congressional districts ordered in *Zachman*.

4. That this Court retain jurisdiction of this action to determine if the Legislature has passed and the Governor has signed legislation forming new Minnesota legislative and congressional districts in conformity with the Minnesota and United States Constitutions; that should the

Legislature and Governor fail to enact such legislation, the Court will consider evidence, determine and order valid plans for Minnesota legislative and congressional districts.


5. That this Court consider evidence, determine and order valid plans for new Minnesota legislative and congressional districts in the event the Minnesota Legislature and the Governor of the State of Minnesota fail to enact legislation establishing such districts in accordance with constitutional requirements during the 2011 legislative session.

6. That this Court order Defendants to pay to Plaintiffs reasonable attorney fees and expenses, expert witness fees and costs and other expenses incurred in this action pursuant to 42 U.S.C. § 1988.

7. That this Court order such other and future relief as is just in the circumstances.

TRIMBLE & ASSOCIATES, LTD.

Dated: January 21, 2011



Tony P. Trimble, #122555
Matthew W. Haapoja, #268033
Mark D. Fosterling, #389690
10201 Wayzata Boulevard, Suite 130
Minnetonka, MN 55305

Attorneys for Plaintiffs

ACKNOWLEDGMENT

Attorneys for Plaintiffs in the above matter hereby acknowledge, pursuant to Minnesota Statutes § 549.211 that sanctions may be awarded to Defendants if it is found that claims contained in this pleading are not warranted by existing law or by a nonfrivolous argument for the extension, modification or reversal of existing law and/or that the allegations and other factual contentions do not have evidentiary support.

January 21, 2011



Tony P. Trimble, #122555

EXHIBIT A

Estimated Ideal District Population

Ideal 2010 congressional district: 662,990.6 (5,303,925³ ÷ 8)
Ideal 2010 state senate district: 79,163 (5,303,925 ÷ 67)
Ideal 2010 state house district: 39,581.5 (5,303,925 ÷ 134)

Estimated Population Change

<u>District</u>	<u>Est. 2010 Population⁴</u>	<u>Deviation from Ideal Equal Population</u>
SD 17	92,651	13,488
SD 19	102,364	23,201
SD 32	92,104	12,941
SD 34	94,758	15,595
SD 35	108,051	28,888
SD 48	88,507	9,344
SD 52	90,028	10,865
CD 1	635,451	-27,540
CD 2	736,652	+73,661
CD 3	664,551	+1,560
CD 4	623,879	-39,112
CD 5	618,292	-44,699
CD 6	756,892	+93,901
CD 7	615,764	-47,227
CD 8	649,461	-13,530

³ Preliminary number as of April 1, 2010 released by U.S. Department of Commerce, Census Bureau on December 21, 2010.

⁴Source: "Memorandum: Updated Population Estimates" dated September 29, 2010, created by Minnesota Department of Administration, Office of Geographic and Demographic Analysis, Office of the State Demographer (a true and correct copy of which is attached hereto as *Exhibit A-2*).

EXHIBIT A-1

TOTAL 2000 POPULATION OF MINNESOTA
SENATE AND HOUSE DISTRICTS,
PUBLISHED BY
MINNESOTA GEOSPATIAL INFORMATION OFFICE

See attached.



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STATE SENATE DISTRICT

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	Total Population, 100% Count
District 01	73,137
District 02	73,048
District 03	73,343
District 04	73,276
District 05	73,188
District 06	73,322
District 07	73,489
District 08	73,719
District 09	73,747
District 10	72,976
District 11	73,589
District 12	73,490
District 13	73,651
District 14	73,731
District 15	73,275
District 16	73,444
District 17	73,531
District 18	73,141
District 19	73,495
District 20	73,594
District 21	73,792
District 22	73,048
District 23	73,381
District 24	73,492
District 25	73,319
District 26	73,276
District 27	73,570
District 28	73,164
District 29	73,608
District 30	73,701
District 31	73,175
District 32	73,078
District 33	73,877
District 34	73,397

District 35	73,175
District 36	73,444
District 37	73,775
District 38	73,258
District 39	73,237
District 40	73,397
District 41	73,214
District 42	73,888
District 43	73,878
District 44	73,894
District 45	73,964
District 46	73,296
District 47	73,221
District 48	73,505
District 49	73,141
District 50	73,869
District 51	73,442
District 52	73,580
District 53	73,328
District 54	73,494
District 55	73,529
District 56	73,495
District 57	73,301
District 58	73,265
District 59	73,034
District 60	73,421
District 61	73,426
District 62	73,674
District 63	73,547
District 64	73,356
District 65	73,178
District 66	73,013
District 67	73,176

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STATE HOUSE DISTRICT

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	Total Population, 100% Count
District 01A	36,485
District 01B	36,652
District 02A	36,566
District 02B	36,482
District 03A	36,745
District 03B	36,598
District 04A	36,727
District 04B	36,549
District 05A	36,702
District 05B	36,486
District 06A	36,625
District 06B	36,697
District 07A	36,809
District 07B	36,680
District 08A	36,721
District 08B	36,998
District 09A	36,798
District 09B	36,949
District 10A	36,424
District 10B	36,552
District 11A	36,795
District 11B	36,794
District 12A	36,813
District 12B	36,677
District 13A	36,758
District 13B	36,893
District 14A	36,887
District 14B	36,844
District 15A	36,702
District 15B	36,573
District 16A	36,787
District 16B	36,657
District 17A	36,799
District 17B	36,732

District 18A	36,487
District 18B	36,654
District 19A	36,766
District 19B	36,729
District 20A	36,641
District 20B	36,953
District 21A	36,975
District 21B	36,817
District 22A	36,438
District 22B	36,610
District 23A	36,889
District 23B	36,492
District 24A	36,834
District 24B	36,658
District 25A	36,729
District 25B	36,590
District 26A	36,780
District 26B	36,496
District 27A	36,705
District 27B	36,865
District 28A	36,636
District 28B	36,528
District 29A	36,793
District 29B	36,815
District 30A	36,890
District 30B	36,811
District 31A	36,723
District 31B	36,452
District 32A	36,553
District 32B	36,525
District 33A	36,934
District 33B	36,943
District 34A	36,701
District 34B	36,696
District 35A	36,485
District 35B	36,690
District 36A	36,731
District 36B	36,713
District 37A	36,915
District 37B	36,860
District 38A	36,597
District 38B	36,661
District 39A	36,581
District 39B	36,656
District 40A	

	36,882
District 40B	36,515
District 41A	36,691
District 41B	36,523
District 42A	36,923
District 42B	36,965
District 43A	36,957
District 43B	36,921
District 44A	36,955
District 44B	36,939
District 45A	36,983
District 45B	36,981
District 46A	36,558
District 46B	36,738
District 47A	36,678
District 47B	36,543
District 48A	36,919
District 48B	36,586
District 49A	36,574
District 49B	36,567
District 50A	36,916
District 50B	36,953
District 51A	36,756
District 51B	36,686
District 52A	36,767
District 52B	36,813
District 53A	36,629
District 53B	36,699
District 54A	36,735
District 54B	36,759
District 55A	36,753
District 55B	36,776
District 56A	36,812
District 56B	36,683
District 57A	36,710
District 57B	36,591
District 58A	36,578
District 58B	36,687
District 59A	36,517
District 59B	36,517
District 60A	36,682
District 60B	36,739
District 61A	36,703
District 61B	36,723
District 62A	

	36,888
District 62B	36,786
District 63A	36,726
District 63B	36,821
District 64A	36,752
District 64B	36,604
District 65A	36,610
District 65B	36,568
District 66A	36,523
District 66B	36,490
District 67A	36,566
District 67B	36,610

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STATE CONGRESSIONAL DISTRICT

Download Definitions

	Total Population, 100% Count
District 01	614,935
District 02	614,934
District 03	614,935
District 04	614,935
District 05	614,935
District 06	614,935
District 07	614,935
District 08	614,935


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EXHIBIT A-2

**“MEMORANDUM: UPDATED POPULATION ESTIMATES”
DATED SEPTEMBER 29, 2010**

See attached.



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 Thursday January 20, 2011 04:19:56 PM

Dept. of Administration / Office of Geographic and Demographic Analysis / MnGeo

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MINNESOTA POPULATION

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- Minnesota Atlas

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2009 Population Estimates	
Minnesota	5,300,942
Total	5,300,942

Source: Minnesota State Demographic Center.
 Post-2000 Population and Household Estimates

Technical problems? Contact: andrew.koebrick@state.mn.us

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Datanet Links

- *LMIC Home
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**2000 CENSUS: STATE OF MINNESOTA
 POPULATION PROFILES: POPULATION IN 1970, 1980, 1990, 2000 AND 2000-2008 CHANGE**

	1970	1980	1990	2000	1990-2000 Change	
					Actual	Percent
Population	3,806,103	4,075,970	4,375,099	4,919,479	544,380	12.44
Land Area (sq. mile)	79,290.01	79,290.01	79,612.10	79,610.08	-2.02	-0.00
Density (persons per sq. mile)	48.00	51.41	54.96	61.79	6.84	12.45
Housing Units	1,276,198	1,612,960	1,848,445	2,065,946	217,501	11.77
Households	-	1,445,222	1,647,853	1,895,127	247,274	15.01
Persons Per Household	--	2.74	2.58	2.52	-0.06	-2.46
Persons in Group Quarters	-	118,738	117,621	135,863	18,262	15.53

	2000	2001 Estimate	2002 Estimate	2003 Estimate	2004 Estimate	2005 Estimate	2006 Estimate	2007 Estimate	2008 Estimate	2009 Estimate	2000-2009 Change	
											Actual	Percent
Population	4,919,479	4,977,976	5,033,661	5,088,006	5,145,106	5,205,091	5,231,106	5,263,493	5,287,976	5,300,942	381,463	7.75
Households	1,895,127	1,923,495	1,953,636	1,980,014	2,007,587	2,039,706	2,061,551	2,080,842	2,095,574	2,108,843	213,716	11.28
Persons Per Household	2.52	2.52	2.51	2.50	2.49	2.48	2.47	2.46	2.46	2.45	-0.07	-2.78
Persons in Group Quarters	135,863	136,541	139,333	141,504	142,143	141,673	142,101	141,602	143,003	141,940	6,057	4.46

* The 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008 and 2009 estimates are not available for American Indian Reservations, Unorganized Townships and Tracts.
 Definitions [Demographic Helpline](#) or 651-296-2557
 Census 2000



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DATASET
2009 POPULATION ESTIMATES BY CONGRESSIONAL, HOUSE AND SENATE DISTRICTS

View: [2009 population estimates by congressional, house and senate districts](#)

Extent: 5.4K, .csv

Description: Estimates relevant to redistricting

Date: October 18, 2010

Subject(s): Demography; Elections

Creator(s): Minnesota Department of Administration. Office of Geographic and Demographic Analysis. Office of the State Demographer

Publisher: Minnesota Department of Administration. Geographic and Demographic Analysis Division.

Minnesota Congressional Seats 2009 Population Estimate & Deviation

District	Estimate	Deviation From Equal Population
1	635,451	-27,167
2	736,652	74,034
3	664,551	1,933
4	623,879	-38,739
5	618,292	-44,326
6	756,892	94,274
7	615,764	-46,854
8	649,461	-13,157

Minnesota Senate Districts 2009 Population Estimate & Deviation

District	Estimate	Deviation From Equal Population
1	71,077	-8,042
2	70,133	-8,986
3	73,259	-5,860
4	83,873	4,754
5	68,372	-10,747
6	71,536	-7,583
7	76,502	-2,617
8	79,126	7
9	79,639	520
10	72,184	-6,935
11	75,706	-3,413
12	78,221	-898

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Subjects: A-Z
ABCDEFGHIJKLMNP
RSTUVWYZ



13	75,317	-3,802
14	87,490	8,371
15	78,705	-414
16	95,239	16,120
17	92,651	13,532
18	76,547	-2,572
19	102,364	23,245
20	67,589	-11,530
21	70,669	-8,450
22	69,551	-9,568
23	79,720	601
24	70,425	-8,694
25	86,323	7,204
26	78,529	-590
27	71,398	-7,721
28	74,875	-4,244
29	86,402	7,283
30	82,282	3,163
31	72,656	-6,463
32	92,104	12,985
33	79,682	563
34	94,758	15,639
35	108,051	28,932
36	95,139	16,020
37	84,690	5,571
38	75,704	-3,415
39	78,115	-1,004
40	74,027	-5,092
41	75,105	-4,014
42	81,544	2,425
43	78,297	-822
44	76,192	-2,927
45	73,537	-5,582
46	79,084	-35
47	78,391	-728
48	88,507	9,388
49	81,335	2,216
50	74,369	-4,750
51	85,662	6,543
52	90,028	10,909
53	78,459	-660
54	73,980	-5,139
55	76,715	-2,404
56	90,251	11,132
57	82,125	3,006
58	74,013	-5,106
59	73,780	-5,339
60	74,171	-4,948
61	74,176	-4,943
62	74,359	-4,760
63	72,798	-6,321
64	73,488	-5,631
65	73,309	-5,810
66	73,327	-5,792
67	73,307	-5,812

Minnesota House Districts 2009 Population Estimate & Deviation

District	Estimate	Deviation From Equal Population
01A	35,161	-4,399
01B	35,916	-3,644
02A	35,503	-4,057
02B	34,630	-4,930
03A	36,616	-2,944
03B	36,643	-2,917
04A	41,911	2,351
04B	41,962	2,402
05A	33,653	-5,907
05B	34,719	-4,841
06A	35,537	-4,023
06B	35,999	-3,561
07A	38,318	-1,242
07B	38,184	-1,376
08A	38,862	-698
08B	40,264	704
09A	41,225	1,665
09B	38,414	-1,146
10A	35,894	-3,666
10B	36,290	-3,270
11A	39,781	221
11B	35,925	-3,635
12A	38,768	-792
12B	39,453	-107
13A	38,328	-1,232
13B	36,989	-2,571
14A	46,913	7,353
14B	40,577	1,017
15A	37,796	-1,764
15B	40,909	1,349
16A	44,273	4,713
16B	50,966	11,406
17A	47,189	7,629
17B	45,462	5,902
18A	38,678	-882
18B	37,869	-1,691
19A	45,875	6,315
19B	56,489	16,929
20A	33,094	-6,466
20B	34,494	-5,066
21A	35,666	-3,894
21B	35,003	-4,557
22A	34,467	-5,093
22B	35,085	-4,475
23A	38,727	-833
23B	40,993	1,433
24A	34,285	-5,275
24B	36,141	-3,419
25A	40,776	1,216
25B	45,547	5,987
26A	39,442	-118
26B	39,087	-473
27A	34,974	-4,586
27B	36,424	-3,136

28A	37,571	-1,989
28B	37,304	-2,256
29A	42,315	2,755
29B	44,087	4,527
30A	44,267	4,707
30B	38,015	-1,545
31A	36,684	-2,876
31B	35,972	-3,588
32A	47,211	7,651
32B	44,893	5,333
33A	42,142	2,582
33B	37,541	-2,019
34A	48,704	9,144
34B	46,054	6,494
35A	57,838	18,278
35B	50,213	10,653
36A	47,479	7,919
36B	47,659	8,099
37A	39,067	-493
37B	45,623	6,063
38A	37,689	-1,871
38B	38,015	-1,545
39A	36,719	-2,841
39B	41,397	1,837
40A	37,730	-1,830
40B	36,298	-3,262
41A	38,273	-1,287
41B	36,832	-2,728
42A	39,456	-104
42B	42,088	2,528
43A	40,305	745
43B	37,992	-1,568
44A	38,056	-1,504
44B	38,136	-1,424
45A	37,367	-2,193
45B	36,170	-3,390
46A	40,836	1,276
46B	38,248	-1,312
47A	38,783	-777
47B	39,608	48
48A	47,245	7,685
48B	41,262	1,702
49A	43,440	3,880
49B	37,894	-1,666
50A	36,847	-2,713
50B	37,523	-2,037
51A	47,479	7,919
51B	38,183	-1,377
52A	44,773	5,213
52B	45,255	5,695
53A	40,644	1,084
53B	37,815	-1,745
54A	36,907	-2,653
54B	37,074	-2,486
55A	38,412	-1,148
55B	38,302	-1,258
56A	43,596	4,036
56B	46,655	7,095
57A	38,993	-567

57B	43,132	3,572
58A	36,952	-2,608
58B	37,062	-2,498
59A	36,890	-2,670
59B	36,890	-2,670
60A	37,057	-2,503
60B	37,114	-2,446
61A	37,078	-2,482
61B	37,098	-2,462
62A	37,265	-2,295
62B	37,095	-2,465
63A	36,526	-3,034
63B	36,272	-3,288
64A	36,818	-2,742
64B	36,670	-2,890
65A	36,676	-2,884
65B	36,634	-2,926
66A	36,589	-2,971
66B	36,739	-2,821
67A	36,632	-2,928
67B	36,676	-2,884

Alternative record formats: [XML](#) | [MARC record](#) (for inclusion in library catalogs)

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& Deviation**

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6	71,536	-7,583
7	76,502	-2,617
8	79,126	7
9	79,639	520
10	72,184	-6,935
11	75,706	-3,413
12	78,221	-898
13	75,317	-3,802
14	87,490	8,371
15	78,705	-414
16	95,239	16,120
17	92,651	13,532
18	76,547	-2,572
19	102,364	23,245
20	67,589	-11,530
21	70,669	-8,450
22	69,551	-9,568
23	79,720	601
24	70,425	-8,694
25	86,323	7,204
26	78,529	-590
27	71,398	-7,721
28	74,875	-4,244
29	86,402	7,283
30	82,282	3,163
31	72,656	-6,463
32	92,104	12,985
33	79,682	563
34	94,758	15,639

35	108,051	28,932
36	95,139	16,020
37	84,690	5,571
38	75,704	-3,415
39	78,115	-1,004
40	74,027	-5,092
41	75,105	-4,014
42	81,544	2,425
43	78,297	-822
44	76,192	-2,927
45	73,537	-5,582
46	79,084	-35
47	78,391	-728
48	88,507	9,388
49	81,335	2,216
50	74,369	-4,750
51	85,662	6,543
52	90,028	10,909
53	78,459	-660
54	73,980	-5,139
55	76,715	-2,404
56	90,251	11,132
57	82,125	3,006
58	74,013	-5,106
59	73,780	-5,339
60	74,171	-4,948
61	74,176	-4,943
62	74,359	-4,760
63	72,798	-6,321
64	73,488	-5,631
65	73,309	-5,810
66	73,327	-5,792
67	73,307	-5,812

Minnesota House Districts 2009 Population Estimate & Deviation

District	Estimate	Deviation From Equal Population
01A	35,161	-4,399
01B	35,916	-3,644
02A	35,503	-4,057
02B	34,630	-4,930
03A	36,616	-2,944
03B	36,643	-2,917
04A	41,911	2,351
04B	41,962	2,402
05A	33,653	-5,907
05B	34,719	-4,841
06A	35,537	-4,023
06B	35,999	-3,561
07A	38,318	-1,242
07B	38,184	-1,376
08A	38,862	-698
08B	40,264	704
09A	41,225	1,665
09B	38,414	-1,146
10A	35,894	-3,666
10B	36,290	-3,270
11A	39,781	221
11B	35,925	-3,635
12A	38,768	-792
12B	39,453	-107
13A	38,328	-1,232
13B	36,989	-2,571
14A	46,913	7,353
14B	40,577	1,017
15A	37,796	-1,764
15B	40,909	1,349
16A	44,273	4,713
16B	50,966	11,406
17A	47,189	7,629
17B	45,462	5,902
18A	38,678	-882

18B	37,869	-1,691
19A	45,875	6,315
19B	56,489	16,929
20A	33,094	-6,466
20B	34,494	-5,066
21A	35,666	-3,894
21B	35,003	-4,557
22A	34,467	-5,093
22B	35,085	-4,475
23A	38,727	-833
23B	40,993	1,433
24A	34,285	-5,275
24B	36,141	-3,419
25A	40,776	1,216
25B	45,547	5,987
26A	39,442	-118
26B	39,087	-473
27A	34,974	-4,586
27B	36,424	-3,136
28A	37,571	-1,989
28B	37,304	-2,256
29A	42,315	2,755
29B	44,087	4,527
30A	44,267	4,707
30B	38,015	-1,545
31A	36,684	-2,876
31B	35,972	-3,588
32A	47,211	7,651
32B	44,893	5,333
33A	42,142	2,582
33B	37,541	-2,019
34A	48,704	9,144
34B	46,054	6,494
35A	57,838	18,278
35B	50,213	10,653
36A	47,479	7,919
36B	47,659	8,099
37A	39,067	-493
37B	45,623	6,063
38A	37,689	-1,871

38B	38,015	-1,545
39A	36,719	-2,841
39B	41,397	1,837
40A	37,730	-1,830
40B	36,298	-3,262
41A	38,273	-1,287
41B	36,832	-2,728
42A	39,456	-104
42B	42,088	2,528
43A	40,305	745
43B	37,992	-1,568
44A	38,056	-1,504
44B	38,136	-1,424
45A	37,367	-2,193
45B	36,170	-3,390
46A	40,836	1,276
46B	38,248	-1,312
47A	38,783	-777
47B	39,608	48
48A	47,245	7,685
48B	41,262	1,702
49A	43,440	3,880
49B	37,894	-1,666
50A	36,847	-2,713
50B	37,523	-2,037
51A	47,479	7,919
51B	38,183	-1,377
52A	44,773	5,213
52B	45,255	5,695
53A	40,644	1,084
53B	37,815	-1,745
54A	36,907	-2,653
54B	37,074	-2,486
55A	38,412	-1,148
55B	38,302	-1,258
56A	43,596	4,036
56B	46,655	7,095
57A	38,993	-567
57B	43,132	3,572
58A	36,952	-2,608

58B	37,062	-2,498
59A	36,890	-2,670
59B	36,890	-2,670
60A	37,057	-2,503
60B	37,114	-2,446
61A	37,078	-2,482
61B	37,098	-2,462
62A	37,265	-2,295
62B	37,095	-2,465
63A	36,526	-3,034
63B	36,272	-3,288
64A	36,818	-2,742
64B	36,670	-2,890
65A	36,676	-2,884
65B	36,634	-2,926
66A	36,589	-2,971
66B	36,739	-2,821
67A	36,632	-2,928
67B	36,676	-2,884