James Emison, Judy Fairbanks, Marie Iverson,
Ken Dean, Steve Castillo, Lew Freeman, and
Yao Lo, individually and on behalf of all
Citizens and Voters of the State of Minnesota
similarly situated,

                    Plaintiffs,

and   <u>ORDER</u>

Patricia Cotlow, Phillip Krass,
Sharon LaComb, James Stein,
and Theodore Suss, individually
and on behalf of all Citizens of
Minnesota similarly situated,

                    Intervening
                    Plaintiffs,

v.

Joan Growe, Secretary of State of the State of
Minnesota Mark Lundgren, Carver County
Auditor, individually and on behalf of all
County Auditors of the State of Minnesota,

                    Defendants,

and

The Seventy-seventh Minnesota State House
of Representatives; and the Seventy-seventh
Minnesota State Senate,

                    Defendant
                    Intervenors,

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and

Patrick O'Connor, Hennepin County Auditor,
individually and on behalf of all County
Auditors of the State of Minnesota,

> Defendant
> Intervenor.

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AND

Duane Benson, Terry Dempsey, Delores
Hettig, Richard Harmon, David E. Peterson,
E.M. Patricia Pidcock, and Frank Ringsmuth,

> Plaintiffs,

v.

Joan Growe, Secretary of State of the State of
Minnesota,

> Defendant,

and

Patrick O'Connor, Hennepin County Auditor,
individually and on behalf of all County
Auditors of the State of Minnesota,

> Defendant
> Intervenor.

_____

Before CHIEF JUDGE LAY, Circuit Judge, MacLAUGHLIN, District Judge, and
MAGNUSON, District Judge.

IT IS ORDERED That plans for apportioning the Minnesota legislative districts
shall be consistent with the following criteria:

1.   There shall be sixty-seven (67) Senate districts and one hundred thirty-four (134)
House districts.

2.   Each district may elect a single member.

3.   No House district shall be divided in the formation of a Senate district.

4.   The population of the districts will be as nearly equal as possible. Minor deviations in population equality not to exceed plus or minus two percent (2%) will be permitted when necessary to facilitate recognition of other criteria.

5.   The districts shall preserve the voting strength of minority populations and will, wherever possible, increase the probability of such minority representation from areas of sizable concentrations of minority population.

6.   The districts shall be compact and consist of convenient contiguous territory. Where contiguity of a district is interrupted by water, this criterion is satisfied if the water does not seriously impede travel within the district.

7.   The districts shall be numbered in a regular series. House district IA shall begin in the northwest corner of the state, with each subsequent district proceeding in order across the state from west to east and north to south until ending in the southeast corner of the state, bypassing in the process the seven-county metropolitan area. The same process then continues for the seven- county metropolitan area outside the cities of Minneapolis and St. Paul, and ends with the cities of Minneapolis and St. Paul.

8.   The integrity of existing political subdivision boundaries of the State, e.g., counties, cities, or townships, shall be respected to the extent practicable to minimize division in the formation of a district.

9.   An apportionment plan may recognize the preservation of communities of interest in the formation of districts while adhering to the established criteria. To the extent any consideration is given to a community of interest, the data or information upon which the consideration is based shall be identified.

10.   Previous electorate voting behavior or residency of incumbents shall not be used in the development of any apportionment plan. This information may be used by the court, however, to evaluate the fairness and equity of plans submitted.

IT IS FURTHER ORDERED That plans for apportioning the Minnesota congressional districts shall be consistent with the following criteria:

1.   There shall be eight (8) districts.

2.   Each district may elect a single member.

3.   The population of the districts will be as nearly equal as possible. The maximum permissible deviation from population equality will be plus or minus one-quarter of one percent (.25%).

4.   The districts shall preserve the voting strength of minority populations and will, wherever possible, increase the probability of such minority representation from areas of sizable

concentrations of minority population.

     5.   The districts shall be compact and consist of convenient contiguous territory. Where contiguity of a district is interrupted by water, this criterion is satisfied if the water does not seriously impede travel within the district.

     6.   The districts shall be numbered in a regular series. Congressional district one shall begin in the southeast corner of the state, and congressional district eight shall end in the northeast corner of the state.

     7.   The integrity of existing political subdivision boundaries of the State, e.g., counties, cities, or townships, shall be respected to the extent practicable to minimize division in the formation of a district.

     8.   An apportionment plan may recognize the preservation of communities of interest in the formation of districts while adhering to the established criteria. To the extent any consideration is given to a community of interest, the data or information upon which the consideration is based shall be identified.

     9.   Previous electorate voting behavior or residency of incumbents shall not be used in the development of any apportionment plan. This information may be used by the court, however, to evaluate the fairness and equity of plans submitted.

     IT IS SO ORDERED.

     DATED: October 21, 1991.

                                      /s/
                             Donald P. Lay, U.S. Court of
                             Appeals for the 8th Circuit

                                      /s/
                             Harry H. MacLaughlin, U.S. District Court

                                      /s/
                             Paul Magnuson, U.S. District Court