

# Supreme Court of Wisconsin

NO. 2021AP001450 - OA

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BILLIE JOHNSON, ERIC O'KEEFE, ED PERKINS, AND  
RONALD ZAHN,

Petitioners,

LISA HUNTER, JACOB ZABEL, JENNIFER OH, JOHN  
PERSA, GERALDINE SCHERTZ, AND KATHLEEN  
QUALHEIM,

Intervenor-Petitioners,

vs.

WISCONSIN ELECTIONS COMMISSION, MARGE  
BOSTELMANN, JULIE GLANCEY, ANN JACOBS, DEAN  
KNUDSON, ROBERT SPINDELL, AND MARK THOMSEN, IN  
THEIR OFFICIAL CAPACITIES AS MEMBERS OF THE  
WISCONSIN ELECTION COMMISSION,

Respondents.

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## INTERVENOR-PETITIONERS' COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

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## ISSUES PRESENTED

1. Whether the existing state legislative maps as set forth in Wis. Stat. §§ 4.01-4.99 (State Assembly districts) and § 4.009 (State Senate districts) violate the one person, one vote principle contained in art. IV of the Wisconsin Constitution?

2. Whether the existing congressional districts as set forth in Wis. Stat. §§ 3.11-3.18 are malapportioned and whether that constitutes a violation of art. IV of the Wisconsin Constitution?

3. Whether the Respondents should be enjoined from administering any congressional or state legislative elections under the existing maps?

4. Whether sections 3 and 4 of art. I of the Wisconsin Constitution require the adoption of timely remedial redistricting plans with sufficient notice to protect associational activities in advance of the 2022 election?

## INTRODUCTION

1. On September 22, 2021, this Court granted a petition to commence an original action to resolve disputes surrounding Wisconsin's redistricting efforts in advance of the 2022 election. *Johnson v. Wisconsin Elections Comm'n*, No. 2021AP1450-OA, Order (Wis. Sept. 22, 2021). That matter was filed by Billie Johnson, Eric O'Keefe, Ed Perkins, and Ronald Zahn ("Johnson Petitioners"). The petition alleges that Wisconsin's state legislative and congressional districts are malapportioned in violation of art. IV of the Wisconsin Constitution. *See Johnson v. Wisconsin Elections Comm'n*, No. 2021AP1450-OA, Petition (Wis. Aug 23, 2021).

2. Intervenor-Petitioners Lisa Hunter, Jacob Zabel, Jennifer Oh, John Persa, Geraldine Schertz, and Kathleen Qualheim (the "Hunter Intervenors") filed similar claims in federal court nearly two months ago. *See Hunter v. Bostelmann*, 21-CV-512, Complaint (W.D. Wis. Aug 13, 2021). The Johnson Petitioners have intervened in that action and moved to stay those federal

proceedings pending the outcome of this original action before the Court. The Hunter Intervenors accordingly bring this complaint in intervention to ensure that they are not effectively denied their right to adjudicate their claims, and that they may be heard before this Court together with the claims of the Johnson Petitioners.

3. On August 12, 2021, the U.S. Secretary of Commerce delivered census-block results of the 2020 Census to Wisconsin's Governor and legislative leaders. These data confirm that population shifts that occurred during the last decade have rendered Wisconsin's state legislative and congressional districts unconstitutionally malapportioned. *See Arrington v. Elections Bd.*, 173 F. Supp. 2d 856, 860 (E.D. Wis. 2001) (three-judge court) (explaining that "existing apportionment schemes become instantly unconstitutional upon the release of new decennial census data" (internal quotation marks omitted)).

4. Specifically, the current district configurations of Wisconsin's State Assembly and State Senate, Wis. Stat. §§ 4.01-4.99 (State Assembly districts), 4.009 (State Senate districts), are

malapportioned in violation of art. IV of the Wisconsin Constitution.

5. In addition, the current configuration of Wisconsin's congressional districts, Wis. Stat. §§ 3.11-3.18, are malapportioned, which *may* violate art. IV of the Wisconsin Constitution. While art. IV of the Wisconsin Constitution imposes a one person, one vote rule on state senate and state assembly districts, Wisconsin courts have not previously held that art. IV imposes a similar requirement on congressional districts. If this Court determines that art. IV does impose such a requirement, Wisconsin's existing congressional districts violate it.<sup>1</sup>

6. In Wisconsin, legislative and congressional district plans ordinarily are enacted through legislation, which requires

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<sup>1</sup> It is the Hunter Intervenors' view that art. IV of the Wisconsin Constitution—which on its face exclusively concerns state legislative districts—does not provide a basis to require equally apportioned congressional districts. However, given the short timeline for redistricting litigation, the lack of clear process for amending pleadings in original actions, and the Court's request to avoid unsolicited briefing, the Hunter Intervenors plead a congressional malapportionment claim on the same ground cited by the Johnson Petitioners to ensure that—in the event the Court recognizes this novel claim—the Hunter Intervenors' interests are similarly represented in resolving that claim.

the consent of both legislative chambers and the governor (unless both legislative chambers override the governor's veto by a two-thirds vote). *See State ex rel. Reynolds v. Zimmerman*, 22 Wis.2d 544, 553-59, 126 N.W.2d 551, 557-59 (1964); Wis. Const. art. V, § 10(2)(a).

7. There is no reasonable prospect that Wisconsin's political branches will reach consensus to enact lawful legislative and congressional district plans in time to be used in the upcoming 2022 election. Governor Tony Evers is a Democrat, and the State Assembly and State Senate are controlled by Republicans (though they lack veto-proof majorities). In the last four decades, each time Wisconsin's political branches were split along partisan lines, federal judicial intervention was necessary to implement new state legislative plans. This history of frequent impasse led this Court to observe "the reality that redistricting is now almost always resolved through litigation rather than legislation." *Jensen v. Wis. Elections Bd.*, 2002 WI 13, ¶ 10, 249 Wis. 2d 706, 713, 639 N.W.2d 537, 540 (2002).

8. With that likelihood of political impasse in mind, the Hunter Intervenors filed suit in federal court on August 13, 2021, alleging that Wisconsin's legislative and congressional district plans are malapportioned. *See Hunter v. Bostelmann*, No. 21-CV-512 (W.D. Wis. Aug. 13, 2021). A three-judge panel has been appointed to adjudicate that suit, which has been consolidated with another pending federal redistricting suit. *See Black Leaders Organizing for Communities v. Spinell*, No. 21-CV-534 (W.D. Wis. Aug 23, 2021).

9. Ten days after the Hunter Intervenors filed their federal complaint, the Johnson Petitioners filed their petition for an original action. On September 7, the Hunter Intervenors filed a non-party brief opposing the Johnson petition, focused on the availability of other forums to adjudicate this redistricting dispute. However, the Hunter Intervenors made clear that they would seek to intervene in this action if the Johnson petition was granted. *Johnson v. Wisconsin Elections Comm'n*, No. 2021AP1450-OA, Motion for Leave to File a Non-Party Brief, ¶ 6 (Sept. 7, 2021).

Consistent with the Hunter Intervenors' prior representations to this Court, the Hunter Intervenors now seek to intervene in this action.

10. Now that this Court has accepted jurisdiction over the Johnson petition, it should also grant intervention to consider the Hunter Intervenors' claims, all of which center on the same redistricting dispute already before the Court. Indeed, granting intervention is the most effective way to ensure this redistricting dispute is fully resolved in a timely manner.

### **JURISDICTION**

11. The basis for jurisdiction over the Hunter Petitioners' claims is the same that forms the basis for the Court's exercise of jurisdiction over the Johnson petition, and the Court should exercise that jurisdiction over this Complaint in Intervention. *See Johnson v. Wisconsin Elections Comm'n*, No. 2021AP1450-OA, Order (Wis. Sept. 22, 2021); *cf. James v. Heinrich*, 2021 WI 58, 960 N.W.2d 350 (2021) (consolidating three original actions bringing similar claims)).



12. As this Court stated in its September 22 Order, it “has long deemed redistricting challenges a proper subject for the court’s exercise of its original jurisdiction.” *Id.* at 2 (citing *Jensen v. Wisconsin Elections Board*, 2002 WI 13, ¶17, 249 Wis. 2d 706, 639 N.W.2d 537 (2002)).

13. The relief requested—an injunction against further use of the existing maps, an accompanying declaration of their unconstitutionality, and a remedial map in the event of a political impasse—are similarly implicated by the petition that was already granted.

14. The Hunter Intervenors only raise one distinct claim not already before this Court: the Hunter Intervenors claim that delayed implementation of new maps in Wisconsin would violate their freedom of association protected by Art. I, Sections 3 and 4 of the Wisconsin Constitution. Taking jurisdiction over this associational rights claim ensures that the Court has a full accounting of the issues that influence how and when this Court

must act, and it would facilitate the timely resolution of Wisconsin's 2020 redistricting cycle.

### **PARTIES**

15. The Hunter Intervenors are citizens of the United States and are registered to vote in Wisconsin. The Hunter Intervenors intend to advocate and vote for Democratic candidates in the upcoming 2022 primary and general elections.

16. Intervenor Lisa Hunter resides in Dane County, Wisconsin, within the Second Congressional District, State Senate District 26, and State Assembly District 77.

17. Intervenor Jacob Zabel resides in Dane County, Wisconsin, within the Second Congressional District, State Senate District 26, and State Assembly District 76.

18. Intervenor Jennifer Oh resides in Dane County, Wisconsin, within the Second Congressional District, State Senate District 26, and State Assembly District 78.

19. Intervenor John Persa resides in Waukesha County, Wisconsin, within the Fifth Congressional District, State Senate District 5, and State Assembly District 13.

20. Intervenor Geraldine Schertz resides in Shawano County, Wisconsin, within the Eighth Congressional District, State Senate District 2, and State Assembly District 6.

21. Intervenor Kathleen Qualheim resides in Shawano County, Wisconsin, within the Eighth Congressional District, State Senate District 2, and State Assembly District 6.

22. As the tables provided below demonstrate, *see infra* ¶¶ 34-35, the Hunter Intervenors reside in districts that are overpopulated relative to other districts in the state. Intervenor Hunter's, Zabel's, and Oh's congressional, State Senate, and State Assembly districts are all overpopulated. Intervenor Persa's State Senate and State Assembly districts (but not his congressional district) are overpopulated. And Intervenors Schertz and Qualheim's congressional and State Senate districts (but not their State Assembly district) are overpopulated. If the 2022 election is

held pursuant to the maps that are currently in place, then the Hunter Intervenors will be deprived of their right to cast an equal vote, as guaranteed to them by the Wisconsin Constitution.

23. Respondents Marge Bostelmann, Julie M. Glancey, Ann S. Jacobs, Dean Knudson, Robert F. Spindell, Jr., and Mark L. Thomsen are the six Commissioners of the Wisconsin Elections Commission (the “WEC”). They are named as Respondents in their official capacities only. The WEC is the governmental body that administers, enforces, and implements Wisconsin’s laws “relating to elections and election campaigns, other than laws relating to campaign financing.” Wis. Stat. § 5.05(1). The WEC is responsible for implementing redistricting plans, whether enacted by Wisconsin’s political branches or by a court. *See id.* §§ 3.11-3.18 (setting forth current congressional district boundaries); 4.009 (setting forth current State Senate districts); 4.01-4.99 (setting forth current State Assembly districts); *see also Whitford v. Gill*, No. 15-cv-421-BBC, 2017 WL 383360, at \*3 (W.D. Wis. Jan. 27, 2017) (three-judge court) (enjoining members of the WEC from

using existing Assembly map), *vacated on other grounds by Gill v. Whitford*, 138 S. Ct. 1916 (2018); *Baldus v. Members of Wis. Gov't Accountability Bd.*, 862 F. Supp. 2d 860, 863 (E.D. Wis. Apr. 11, 2012) (ordering members of the WEC's predecessor, the Government Accountability Board ("GAB"), to implement the court's alterations to the existing State Assembly district plan); *Baumgart v. Wendelberger*, Nos. 01-C-121, 02-C-366, 2002 WL 34127471, at \*8 (E.D. Wis. May 30, 2002) (enjoining members of the Wisconsin Elections Board—the GAB's predecessor—from using existing legislative plan and ordering use of court-drawn plan due to the Legislature's failure to enact new plans following the 2000 Census).

### **STATEMENT OF FACTS**

24. Over a decade ago, on August 9, 2011, Governor Scott Walker signed legislation creating new state legislative and congressional districts, which were drawn using then-recently published 2010 Census data.

25. In April 2012, a federal court made slight adjustments to Assembly Districts 8 and 9. *See Baldus*, 862 F. Supp. 2d at 863. Otherwise, the legislative and congressional plans passed in August 2011 have been used in every election cycle since 2012.

26. On August 12, 2021, the U.S. Census Bureau delivered to Wisconsin its redistricting data file in a legacy format, which the State may use to tabulate the new population of each political subdivision. These data are commonly referred to as “P.L. 94-171 data,” a reference to the legislation enacting this data production process, and are typically delivered no later than April of the year following the Census. *See Pub. L. No. 94-171*, 89 Stat. 1023 (1975).

27. According to these data, Wisconsin’s population has shifted significantly in the last decade. The 2010 population data used to draw Wisconsin’s current legislative and congressional districts are obsolete.

28. The table below, generated from the P.L. 94-171 data file provided by the Census Bureau on August 12, 2021, shows how the populations of each of Wisconsin’s congressional districts

shifted between 2010 and 2020. For each district, the “2010 Population” column represents the district’s 2010 population according to the 2010 Census, and the “2020 Population” column indicates the district’s 2020 population according to the P.L. 94-171 data. The “Shift” column represents the shift in population between 2010 and 2020. The “Deviation from Ideal 2020 Population” column shows how far the 2020 population of each district strays from the ideal 2020 congressional district population. And the “Percent Deviation” column shows that deviation as a percentage of the ideal 2020 district population.

<b>District</b>	<b>2010 Pop.</b>	<b>2020 Pop.</b>	<b>Shift</b>	<b>Deviation from Ideal 2020 Pop.</b>	<b>Percent Deviation</b>
1	710,874	727,452	+16,578	-9,262	-1.26%
2	710,874	789,393	+78,519	+52,679	+7.15%
3	710,873	733,584	+22,711	-3,130	-0.42%
4	710,873	695,395	-15,478	-41,319	-5.61%
5	710,873	735,571	+24,698	-1,143	-0.16%
6	710,873	727,774	+16,901	-8,940	-1.21%
7	710,873	732,582	+21,709	-4,132	-0.56%
8	710,873	751,967	+41,094	+15,253	+2.07%

29. The table above indicates that population shifts since 2010 have rendered Wisconsin’s First, Third, Fourth, Fifth, Sixth,

and Seventh Congressional Districts underpopulated, and its Second and Eighth Congressional Districts significantly overpopulated. According to these figures, the maximum deviation among Wisconsin's congressional districts increased from 0 to nearly 13 percent between 2010 and 2020.

30. The populations of each of Wisconsin's state legislative districts have similarly shifted in the past decade. **Exhibit A** to this Complaint in Intervention provides the same table showing, for each State Assembly district, the 2010 population, 2020 population, population shift between 2010 and 2020, deviation from the district's current ideal population, and percent deviation from the district's current ideal population. **Exhibit B** to this Complaint in Intervention provides the same information for each State Senate district.

31. According to **Exhibit A**, the maximum deviation among State Assembly districts increased from .8 percent to 32 percent between 2010 and 2020. And according to **Exhibit B**, the



maximum deviation among State Senate districts increased from .6 percent to over 22 percent between 2010 and 2020.

32. In light of these population shifts, Wisconsin's existing legislative and congressional districts are significantly malapportioned.

33. In Wisconsin, legislative and congressional district plans are enacted through legislation, which must pass both chambers of the Legislature and be signed by the Governor (unless the Legislature overrides the Governor's veto). *See State ex rel. Reynolds v. Zimmerman*, 22 Wis. 2d 544, 553-59, 126 N.W.2d 551, 557-59 (1964).

34. Currently, both chambers of Wisconsin's Legislature are controlled by Republicans, and the Governor is a Democrat. The Republican control of the Legislature is not large enough to override a gubernatorial veto. The partisan division among Wisconsin's political branches makes it extremely unlikely that they will pass lawful legislative or congressional redistricting

plans in time to be implemented during the upcoming 2022 election.

35. In the last four decades, when Republicans and Democrats have controlled competing political branches of Wisconsin's government, the parties have been unable to enact state legislative redistricting plans. As a result, federal courts were forced to intervene in the process of redrawing state legislative districting plans during the 1980, 1990, and 2000 redistricting cycles. Only in 2010—when Republicans held trifecta control of Wisconsin's state government—did Wisconsin enact a redistricting plan through the political branches.

36. Candidates seeking to appear on the ballot for the 2022 partisan primary election will begin circulating nomination papers as early as April 15, 2022. Wis. Stat. § 8.15(1). The deadline to file those nomination papers is June 1, 2022. *Id.* It is in everyone's best interest—voters and candidates alike—that district boundaries are set well before the start of the formal nomination process. Delaying the adoption of new plans even until

this deadline will substantially interfere with the Hunter Intervenors' ability to associate with like-minded citizens; educate themselves on the positions of their would-be representatives; and identify, recruit, and advocate for the candidates they prefer. *Cf. Anderson v. Celebrezze*, 460 U.S. 780, 787-88 (1983) ("The [absence] of candidates also burdens voters' freedom of association, because an election campaign is an effective platform for the expression of views on the issues of the day, and a candidate serves as a rallying-point for like-minded citizens.").<sup>2</sup>

37. If this Court is not prepared to act in the event that the Legislature and Governor fail to enact a redistricting plan, then the 2022 election will be held using illegal district maps, depriving the Hunter Intervenors of their constitutional rights.

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<sup>2</sup> Sections 3 and 4, art. I, of the Wisconsin Constitution "guarantee the same freedom of speech and right of assembly and petition as do the First and Fourteenth amendments of the United States constitution." *Lawson v. Hous. Auth. of City of Milwaukee*, 270 Wis. 269, 274, 70 N.W.2d 605 (1955).

## CLAIMS FOR RELIEF

### Count I

#### ***Malapportionment of State Legislative Districts in violation of Wis. Const. art. IV, § 3***

38. Under art. IV, section 3 of the Wisconsin Constitution, the districts for the state senate and state assembly must be apportioned equally by population. *See State ex rel. Reynolds v. Zimmerman*, 22 Wis. 2d 544, 556, 126 N.W.2d 551, 558 (1964) (“the [Wisconsin] constitution itself commits the state to the principle of per capita equality”).

39. In light of the significant population shifts that have occurred since the 2010 Census, and the recent publication of the results of the 2020 Census, the current configurations of Wisconsin’s legislative districts—which were drawn based on 2010 Census data—are unconstitutionally malapportioned. These districts are no longer of relative equal population.

40. Wisconsin’s current state legislative plan places voters into districts with significantly disparate populations, causing voters in overpopulated districts, like the Hunter Intervenors, to

experience vote dilution compared to voters in districts with comparatively smaller populations.

41. Any future use of Wisconsin's current legislative plan would violate the Hunter Intervenors' right to equal representation.

**Count II**  
***Malapportionment of Congressional Districts in violation of Wis. Const. art. IV***

42. Under art. IV, section 3 of the Wisconsin Constitution, state legislative districts must be equally apportioned by population. The Hunter Intervenors are unaware of any case where a Wisconsin Court has held that art. IV imposes a similar requirement on Wisconsin's congressional districts. However, this Court has been asked to determine whether art. IV does impose such a requirement and can ground a claim of malapportionment.

43. Given the significant population shifts that have occurred since the 2010 Census, and the recent publication of the results of the 2020 Census, Wisconsin's congressional districts—which were drawn based on 2010 Census data—are now significantly malapportioned.

44. Wisconsin's current congressional districts place voters into districts with significantly disparate populations, causing voters in overpopulated districts, like some of the Hunter Intervenors, to experience vote dilution compared to voters in districts with comparatively smaller populations.

45. If art. IV of the Wisconsin Constitution imposes a requirement of relative equal population between Wisconsin's congressional districts, then any future use of Wisconsin's current congressional district plan would violate Plaintiff's constitutional right to an undiluted vote.

**Count III**  
***Burden on Freedom of Association in violation of Wis.***  
***Const. art. I, §§ 3 & 4***

46. Under art. I, sections 3 and 4 of the Wisconsin Constitution, every person has a right to free speech and assembly. These protections "guarantee the same freedom of speech and right of assembly and petition as do the First and Fourteenth amendments of the United States constitution." *Lawson v. Hous. Auth. of City of Milwaukee*, 270 Wis. 269, 274, 70 N.W.2d 605 (1955).

47. Impeding candidates' ability to run for political office—and, consequently, the Hunter Intervenors' ability to assess candidate qualifications and positions, organize and advocate for preferred candidates, and associate with like-minded voters—infringes on protected associational rights. *See e.g., Anderson*, 460 U.S. at 787-88 & n.8.

48. Given the delay in the publication of the 2020 Census data and the near-certain deadlock among the political branches in adopting new legislative and congressional district plans, it is unlikely that the legislative process will timely yield new plans. This would deprive the Hunter Intervenors of the ability to associate with others from the same lawfully apportioned legislative and congressional districts, and, therefore, is likely to burden Hunter Intervenors' right to association under art. I, sections 3 and 4 of the Wisconsin Constitution.

### **RELIEF SOUGHT**

WHEREFORE, the Hunter Intervenors respectfully request that this Court:

- a. Declare that the current configurations of Wisconsin's State Assembly and State Senate Districts, Wis Stat. §§ 4.01-4.99, 4.009, violate art. IV of the Wisconsin Constitution;
- b. Declare whether the current configuration of Wisconsin's congressional districts, Wis. Stat. §§ 3.11-318, violates art. IV of the Wisconsin Constitution;
- c. Establish a schedule that will enable the Court to adopt and implement lawful redistricting plans with sufficient notice to preserve associational activities in advance of the 2022 election protected by art. I sections 3 and 4 of the Wisconsin Constitution;
- d. Implement lawful redistricting plans that comply with art. IV of the Wisconsin Constitution;
- e. Grant such other and further relief as the Court deems just and proper.



Dated: October 6, 2021

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**CERTIFICATE OF SERVICE**

I certify that on this 6th day of October 2021, I caused a copy of this brief to be served upon counsel for each of the parties via e-mail and Federal Express.

Dated: October 6, 2021

/s/ Aria C. Branch  
Aria C. Branch

**Exhibit A: Shifts in State Assembly Districts**

<b>District</b>	<b>2010 Population</b>	<b>2020 Population</b>	<b>Shift</b>	<b>Deviation from Ideal Population</b>	<b>Percent Deviation</b>
1	57,220	59,834	+2,614	+301	+0.51%
2	57,649	62,564	+4,915	+3,031	+5.09%
3	57,444	61,906	+4,462	+2,373	+3.99%
4	57,486	58,716	+1,230	-817	-1.37%
5	57,470	67,428	+9,958	+7,895	+13.26%
6	57,505	57,409	-96	-2,124	-3.57%
7	57,498	59,355	+1,857	-178	-0.30%
8	57,196	53,999	-3,197	-5,534	-9.30%
9	57,283	57,339	+56	-2,194	-3.69%
10	57,428	52,628	-4,800	-6,905	-11.60%
11	57,503	54,275	-3,228	-5,258	-8.83%
12	57,494	56,305	-1,189	-3,228	-5.42%
13	57,452	61,779	+4,327	+2,246	+3.77%
14	57,597	60,136	+2,539	+603	+1.01%
15	57,372	57,145	-227	-2,388	-4.01%
16	57,458	53,739	-3,719	-5,794	-9.73%
17	57,354	55,343	-2,011	-4,190	-7.04%
18	57,480	52,987	-4,493	-6,546	-11.00%
19	57,546	62,056	+4,510	+2,523	+4.24%
20	57,428	56,812	-616	-2,721	-4.57%
21	57,449	59,100	+1,651	-433	-0.73%
22	57,495	60,750	+3,255	+1,217	+2.04%
23	57,579	60,761	+3,182	+1,228	+2.06%
24	57,282	60,737	+3,455	+1,204	+2.02%
25	57,322	57,986	+664	-1,547	-2.60%
26	57,581	58,710	+1,129	-823	-1.38%
27	57,536	59,294	+1,758	-239	-0.40%
28	57,467	59,274	+1,807	-259	-0.44%
29	57,537	61,746	+4,209	+2,213	+3.72%
30	57,241	62,735	+5,494	+3,202	+5.38%
31	57,240	59,952	+2,712	+419	+0.70%
32	57,524	59,397	+1,873	-136	-0.23%
33	57,565	58,490	+925	-1,043	-1.75%
34	57,387	60,803	+3,416	+1,270	+2.13%
35	57,562	56,431	-1,131	-3,102	-5.21%
36	57,432	57,713	+281	-1,820	-3.06%
37	57,507	61,182	+3,675	+1,649	+2.77%
38	57,493	61,646	+4,153	+2,113	+3.55%
39	57,387	58,192	+805	-1,341	-2.25%
40	57,366	57,138	-228	-2,395	-4.02%

41	57,337	57,743	+406	-1,790	-3.01%
42	57,285	58,322	+1,037	-1,211	-2.03%
43	57,443	59,492	+2,049	-41	-0.07%
44	57,395	58,574	+1,179	-959	-1.61%
45	57,658	57,664	+6	-1,869	-3.14%
46	57,458	65,092	+7,634	+5,559	+9.34%
47	57,465	63,646	+6,181	+4,113	+6.91%
48	57,506	63,754	+6,248	+4,221	+7.09%
49	57,346	57,941	+595	-1,592	-2.67%
50	57,624	58,713	+1,089	-820	-1.38%
51	57,580	56,878	-702	-2,655	-4.46%
52	57,232	59,848	+2,616	+315	+0.53%
53	57,240	58,579	+1,339	-954	-1.60%
54	57,250	57,411	+161	-2,122	-3.56%
55	57,493	61,992	+4,499	+2,459	+4.13%
56	57,582	64,544	+6,962	+5,011	+8.42%
57	57,501	57,937	+436	-1,596	-2.68%
58	57,227	59,054	+1,827	-479	-0.80%
59	57,391	58,158	+767	-1,375	-2.31%
60	57,385	59,358	+1,973	-175	-0.29%
61	57,614	59,972	+2,358	+439	+0.74%
62	57,345	58,422	+1,077	-1,111	-1.87%
63	57,365	59,808	+2,443	+275	+0.46%
64	57,270	57,845	+575	-1,688	-2.84%
65	57,455	57,248	-207	-2,285	-3.84%
66	57,545	56,026	-1,519	-3,507	-5.89%
67	57,239	60,513	+3,274	+980	+1.65%
68	57,261	61,896	+4,635	+2,363	+3.97%
69	57,649	57,134	-515	-2,399	-4.03%
70	57,552	58,276	+724	-1,257	-2.11%
71	57,519	57,866	+347	-1,667	-2.80%
72	57,449	57,669	+220	-1,864	-3.13%
73	57,453	58,507	+1,054	-1,026	-1.72%
74	57,494	59,010	+1,516	-523	-0.88%
75	57,462	58,751	+1,289	-782	-1.31%
76	57,617	71,685	+14,068	+12,152	+20.41%
77	57,433	62,992	+5,559	+3,459	+5.81%
78	57,546	67,142	+9,596	+7,609	+12.78%
79	57,461	69,732	+12,271	+10,199	+17.13%
80	57,585	65,830	+8,245	+6,297	+10.58%
81	57,403	59,943	+2,540	+410	+0.69%
82	57,430	59,196	+1,766	-337	-0.57%
83	57,423	58,770	+1,347	-763	-1.28%
84	57,365	59,529	+2,164	-4	-0.01%
85	57,480	58,671	+1,191	-862	-1.45%

86	57,454	60,462	+3,008	+929	+1.56%
87	57,358	57,051	-307	-2,482	-4.17%
88	57,556	62,894	+5,338	+3,361	+5.65%
89	57,634	60,143	+2,509	+610	+1.02%
90	57,608	57,912	+304	-1,621	-2.72%
91	57,359	59,397	+2,038	-136	-0.23%
92	57,431	59,334	+1,903	-199	-0.33%
93	57,548	60,667	+3,119	+1,134	+1.90%
94	57,266	62,080	+4,814	+2,547	+4.28%
95	57,372	58,704	+1,332	-829	-1.39%
96	57,484	58,372	+888	-1,161	-1.95%
97	57,279	56,590	-689	-2,943	-4.94%
98	57,513	61,407	+3,894	+1,874	+3.15%
99	57,496	57,780	+284	-1,753	-2.94%

**Exhibit B: Shifts in State Senate Districts**

<b>District</b>	<b>2010 Population</b>	<b>2020 Population</b>	<b>Shift</b>	<b>Deviation from Ideal Population</b>	<b>Percent Deviation</b>
1	172,313	184,304	+11,991	+5,706	+3.19%
2	172,461	183,553	+11,092	+4,955	+2.77%
3	171,977	170,693	-1,284	-7,905	-4.43%
4	172,425	163,208	-9,217	-15,390	-8.62%
5	172,421	179,060	+6,639	+462	+0.26%
6	172,292	162,069	-10,223	-16,529	-9.25%
7	172,423	177,968	+5,545	-630	-0.35%
8	172,356	182,248	+9,892	+3,650	+2.04%
9	172,439	175,990	+3,551	-2,608	-1.46%
10	172,245	183,755	+11,510	+5,157	+2.89%
11	172,329	177,839	+5,510	-759	-0.42%
12	172,381	174,947	+2,566	-3,651	-2.04%
13	172,387	181,020	+8,633	+2,422	+1.36%
14	171,988	173,203	+1,215	-5,395	-3.02%
15	172,496	175,730	+3,234	-2,868	-1.61%
16	172,429	192,492	+20,063	+13,894	+7.78%
17	172,550	173,532	+982	-5,066	-2.84%
18	171,722	175,838	+4,116	-2,760	-1.55%
19	172,576	184,473	+11,897	+5,875	+3.29%
20	172,003	176,570	+4,567	-2,028	-1.14%
21	172,324	178,202	+5,878	-396	-0.22%
22	172,270	171,119	-1,151	-7,479	-4.19%
23	172,149	179,543	+7,394	+945	+0.53%
24	172,520	173,811	+1,291	-4,787	-2.68%
25	172,409	176,268	+3,859	-2,330	-1.30%
26	172,596	201,819	+29,223	+23,221	+13.00%
27	172,449	195,505	+23,056	+16,907	+9.47%
28	172,218	177,495	+5,277	-1,103	-0.62%
29	172,292	176,184	+3,892	-2,414	-1.35%
30	172,798	180,949	+8,151	+2,351	+1.32%
31	172,338	179,398	+7,060	+800	+0.45%
32	172,122	179,156	+7,034	+558	+0.31%
33	172,288	175,777	+3,489	-2,821	-1.58%