



Montana Districting and Apportionment Commission

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MINUTES

April 24, 2009

Room 335, State Capitol
Helena, Montana

Please note: These are summary minutes. Testimony and discussion are paraphrased and condensed. Committee tapes are on file in the offices of the Legislative Services Division. **Exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.**

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. The minutes are accompanied by an audio recording. For each action listed, the minutes indicate the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time may be used to locate the activity on the audio recording.

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COMMITTEE MEMBERS PRESENT

Jon Bennion
Joe Lamson
Pat Smith
Linda Vaughey

STAFF PRESENT

Susan Byorth Fox, Executive Director, Legislative Services Division (LSD)
Rachel Weiss, Research Analyst, LSD
Joe Kolman, Research Analyst, LSD
Lisa Mecklenberg Jackson, Attorney, LSD
Dawn Field, Secretary, LSD

AGENDA & VISITORS' LIST

Agenda, Attachment #1.
Visitors' list, Attachment #2.

COMMITTEE ACTION

The Commission members agreed to meet next via conference call on Thursday, April 30, 2009, at 10:00 a.m.

CALL TO ORDER AND ROLL CALL

- 00:00:02 **Susan Fox, Executive Director, Legislative Services Division (LSD)**, reviewed the agenda. She asked the commission members and staff to introduce themselves.
- 00:00:27 **Linda Vaughey, Helena**, introduced herself and provided biographical and professional information. She said she is looking forward to serving on the Commission.
- 00:02:17 **Joe Lamson, Helena**, introduced himself and provided biographical and professional information. He stated that serving on the Commission is an interesting and worthwhile endeavor and is also looking forward to serving on the Commission.
- 00:03:37 **Pat Smith, Missoula**, introduced himself and provided biographical and professional information. He said he is looking forward to working with the other commissioners in a collaborative manner.
- 00:05:35 **Jon Bennion, Clancy**, introduced himself and provided biographical and professional information. He said he was honored and excited to be appointed as a member of the Commission.
- 00:08:12 **Rachel Weiss, Research Analyst, LSD**, introduced herself and provided biographical and professional information.
- 00:08:43 **Joe Kolman, Research Analyst, LSD**, introduced himself and provided biographical and professional information.
- 00:09:15 **Lisa Mecklenberg Jackson, Attorney, LSD**, introduced herself and provided biographical and professional information.
- 00:09:47 Ms. Fox said that past Commissions have used *Mason's Manual of Legislative Procedure* as the Commission's official procedural guide and suggested that this Commission to the same. She briefly discussed a few of the differences between *Mason's Manual* and *Roberts Rules of Order* and said that she would provide copies to all members for review.
- 00:10:43 Commissioner Lamson **moved to adopt** *Mason's Manual* as the official procedural guide for conducting the Commission meetings and business. Commissioner Vaughey asked what major differences exist between *Mason's* and *Roberts Rules of Order*. Ms. Fox said she was not able to say definitively and that if there are concerns, the Commission could wait to make a decision. In the meantime, she said, she will provide copies of *Mason's Manual* to all Commissioners for review. Commissioner Vaughey said she would prefer to take

the time to review both manuals before making a decision. The Commissioners agreed to postpone adoption.

- 00:11:44 Ms. Fox said she has received interest in nomination from Boyd Roth and that she would provide his information to the members when she received it. She asked that the members submit their nominations.
- 00:12:14 Commissioner Pat Smith presented Holly Kaleczyc as the Democrat's choice as the Commission chair. He said that Ms. Kaleczyc is known for being a collaborative worker and possesses many other attributes that qualify her to serve as the Districting and Apportionment Commission chair.
- 00:16:09 Commissioner Bennion said that he is not looking for an advantage, but rather to let the process play out as the Constitution intended it to. He said the bipartisan Commission is to accomplish a nonpartisan job and said that the Commission has the opportunity to set an example for the rest of the nation. He stated that the tone could be set by agreeing to a chair without the need for the Supreme Court's involvement.
- 00:18:01 Commissioner Bennion presented a list of criteria that he and Commissioner Vaughney used in selecting their nominations: knowledge or the willingness to become knowledgeable, respected by both political parties, a willingness to facilitate compromise and act as a mediator, a commitment to an open and transparent process, and no active engagement in partisan politics.
- 00:19:44 Commissioner Bennion listed five names for consideration:
- Dr. Jeffrey Greene, Professor, Political Science, University of Montana, Missoula (EXHIBIT #1);
 - Dr. James Lopach, Professor, Political Science, University of Montana, Missoula (EXHIBIT #2);
 - Joe Roberts, former legislator, Helena, (EXHIBIT #3);
 - Dr. Craig Wilson, Professor, Political Science, Montana State University - Billings (EXHIBIT #4); and
 - C. Scott Wyckman, retired justice of the peace, (EXHIBIT #5).
- 00:25:59 The Commission members briefly discussed the timeline for selecting a presiding officer. Ms. Fox said the choice must be made by May 7, 2009. Commissioner Bennion said that he would like to meet as often as possible before the May 7 deadline, in order to have ample time to discuss each of the candidates.
- 00:28:04 The Commissioners agreed to meet via conference call at 10:00 a.m. on Thursday, April 30, 2009. Ms. Fox said she would issue public notice of the meeting and make the arrangements.
- 00:30:56 Commissioner Lamson said that other candidates may emerge in the mean time and that he would like to be able to seriously consider all candidates. Commissioner Vaughney agreed.

- 00:31:27 Commissioner Bennion commented on the importance of public comment but said it would not be used as measuring stick for popularity. He said public comment would be welcomed as a tool to get more information about a candidate for use in the deliberations process.
- 00:33:20 Ms. Fox reviewed the contents of the meeting packets and pointed out that it contained forms to be filled out by the Commissioners. Ms. Fox said the remaining documents would provide background information:
- Final Legislative Redistricting Plan (EXHIBIT #6);
 - Primer on Districting and Apportionment Basic Facts (EXHIBIT #7);
 - Guidelines and Criteria for Congressional and Legislative Redistricting (EXHIBIT #8);
 - Operational Guidelines for Congressional and Legislative Redistricting (EXHIBIT #9);
 - Districting and Apportionment Commission Litigation (EXHIBIT #10);
 - Proposal for Legislative Redistricting Procedure (EXHIBIT #11); and
 - Ideal Districting and Apportionment Schedule (EXHIBIT #12).
- Ms. Fox said that LSD staff is available to assist in information requests. She briefly discussed the upcoming National Conference of State Legislatures (NCSL) training meeting in San Francisco and encouraged all of the Commission members to attend, if possible.
- 00:36:38 Commissioner Vaughey asked if the members should make their own arrangements. Ms. Fox said yes, and that they would be reimbursed for their travel expenses. Commissioner Bennion asked if the Commission chair, should one be appointed in time, would be able to attend the NCSL training. Ms. Fox said yes.
- 00:38:55 Ms. Fox asked the members to review their contact information for accuracy. She thanked every one for attending. The meeting was adjourned.

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