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# Montana Districting and Apportionment Commission

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## MINUTES

March 14, 2012  
7:00 p.m.

Red Lion Hotel Ballroom B  
Kalispell, Montana

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. To the left of each section in these minutes is a time designation indicating the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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Hard copies of the exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.

### **COMMITTEE MEMBERS PRESENT**

Jim Regnier, Presiding Officer  
Jon Bennion  
Joe Lamson  
Pat Smith  
Linda Vaughey

### **STAFF PRESENT**

Rachel Weiss, Research Analyst  
Joe Kolman, Research Analyst  
Julianne Burkhardt, Staff Attorney  
Dawn Field, Secretary

### **AGENDA & VISITORS' LIST**

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

### **CALL TO ORDER AND ROLL CALL**

00:00:01 Commissioner Regnier called the meeting to order at 7:04 p.m. The Secretary took roll, all members were present (Attachment 3).

### **WELCOME AND ANNOUNCEMENTS**

Commissioner Regnier welcomed the public. The Commissioners and staff introduced themselves.

### **OVERVIEW OF ADOPTED DISTRICTING CRITERIA, HEARING PURPOSE, AND PUBLIC COMMENT GUIDELINES**

00:02:41 Commissioner Regnier reviewed the mandatory and discretionary criteria adopted by the Commission. He reviewed the maps proposed to date and explained the purpose of the public hearings and protocol to be followed.

### **PUBLIC COMMENT**

- 00:10:08 **Sen. Bruce Tutvedt, SD 3**, said that the last districting cycle was not fair and that he was happy to see the lower deviation rate. He asked that Kalispell be kept as whole as possible and have two House seats and that Whitefish have one House seat. He asked that the districts be consistent and that communities not be split. He thanked the Commissioners for their efforts to be fair.
- 00:12:13 **Reg Morris** said that as a public meeting of state officials, he was surprised that a state and national flag were not being displayed. Mr. Morris discussed concerns about school district lines, as a property owner on Bluegrass Ridge. He said he would like to be placed back in the Smith Valley district.
- 00:14:09 **Edd Blackler** thanked the Commissioners for their work and spoke in favor of the Communities Plan, saying it upholds one person, one vote; keeps small communities together; protects minority voting rights; balances the communities of interest; and creates fair and competitive districts. He suggested that the Flathead River be used as a geographic line in forming districts. Mr. Blackler also discussed keeping the communities of Lakeside and Bigfork attached.
- 00:16:09 **Joe Brenneman, Kalispell**, thanked the Commissioners for their work. He said that the Commission agreed by consensus on the mandatory and discretionary criteria was an admirable first step. He said he supports the Communities Plan.
- 00:16:52 **Joe Unterreiner, Chamber of Commerce, Kalispell**, welcomed the Commissioners and said he appreciates their work and effort. He said he agrees with Sen. Tutvedt's comments about making districts as equal as possible under the deviation rate and that he likes the 3% goal. He said that population distribution is also important and that Kalispell was under-represented last time. He noted that the growth rate has been about 40% in Kalispell. Mr. Underreiner discussed the four questions put forth by the Commissioners related to the criteria and maps and said that based them, the Urban Rural Plan would best

match Kalispell's needs and the Subdivision Plan would best fit Flathead County. Mr. Unterreiner also submitted written comment (EXHIBIT 1).

- 00:23:43 **Glen Weyhe, north east Flathead County**, spoke in support of the Subdivision Plan and said it appears to him that the Communities Plan breaks up communities.
- 00:25:29 **Tim Baldwin, attorney, candidate for HD 4**, agreed with comments made by Sen. Tutvedt. He said, regarding the discretionary criteria, that it is very important to ensure adequate representation and to keep communities of interest intact. He said that considering all elements, the Subdivision Plan is best.
- 00:27:19 **Richard Hull, Kalispell**, discussed the polarization happening in the nation and said that districts should be as neutral as possible.
- 00:28:23 **David Weinberg, Whitefish**, spoke in support of the Communities Plan, saying it makes very good sense for Whitefish.
- 00:29:15 **Bill Breen, West Valley**, voiced his support for Communities Plan. He said it meets the criteria, provides balance, and keeps communities of interest intact.
- 00:31:09 **John Fuller** said that he opposes the Communities Plan because it won't create compact districts or consistency between communities. He discussed population deviation and urged the Commissioners to consider the impact of adjacent districts with opposite population deviations.
- 00:33:24 **Keith Regier** asked the Commissioners to disregard any suggestions or information from political parties and to stay true to the adopted criteria. He asked the Commissioners to carefully consider deviation and to look carefully at growth areas and how they have changed. He suggested that the Commissioners consider underpopulating districts with high growth and overpopulating districts with slow growth as an effort to lessen disparity.
- 00:34:32 **Verdell Jackson** said he would like to see a deviation rate of less than 3%. He also discussed citizens having to drive long distances to voting precincts and said that placing that burden on citizens is a huge injustice.
- 00:37:50 **Sandy Welch** said that consistency among districts is very important and that communities of interest must be kept together in order to get fair representation, and that contiguous and compact districts help legislators in their work. She asked that the Commissioners not consider voting results in determining district boundaries. Ms. Welch discussed her support for the Subdivision Plan.
- 00:39:18 **John Conner, Columbia Falls**, spoke in support of the Communities Plan, saying it is logical and makes sense.
- 00:39:59 **Christine Hursh** thanked the Commissioners for their work. She said that she supports the Communities Plan and agrees with the comments made by Mr. Blackler and Mr. Brenneman.

- 00:40:24 **Tammy Fischer, Mayor of Kalispell**, said that she supports the Urban Rural Plan and the Subdivision Plan because they would maintain the autonomy of cities and rural areas. She said that many cities have their own identity and that she would like to have representation that would best represent that. She said rural needs are different and should have their own representative.
- 00:41:26 **Jolyn Yenne** thanked the commissioners for their work and also complimented the 1972 Constitution for putting in place the districting process. She spoke in support of the Communities Plan, saying it would create fair and competitive districts, is balanced, and best represents the democratic process.
- 00:42:30 **Dave Skinner**, discussed technical issue related to the Districting and Apportionment Commission websites. He spoke in opposition to the Communities Plan and said he would like deviations kept to a minimum, to ignore voter patterns and political information, and that he objects to the "wagon wheel" approach to drawing legislative districts.
- 00:44:05 **Leland Walbruch, Kalispell**, said that the maps clearly demonstrate the discretionary criteria and the mandatory criteria. He thanked the Commissioners for the broad variety of maps and said that he personally supports the Communities Plan but that it does need a few small modifications.
- 00:45:11 **Mike Thiel, Kalispell**, thanked the Commissioners for their work. He said he supports the Communities Plan because it maintains competition as a necessary part of the political process.
- 00:46:07 **Margie Gigmac** spoke in support of the Communities Plan, saying that it will help with fair and competitive districts. She said that it best fits Montana's spirit and independence.
- 00:46:45 **Rep. Randy Brodehl, HD 7 and self**, spoke in support of the Subdivision and the Urban Rural Plans for many of the reasons already stated. He said that deviation percentage must be reduced to lower than 3% and said that the tighter that number is, the easier it will be to maintain balanced districts.
- 00:47:42 **Carl Glimm** spoke against the Existing and Communities Plans. He said they both drown out the rural vote because they reach out from densely populated to rural areas. He said that rural voters have different interests than urban votes and that the "wagon wheel" approach to drawing district lines dilutes the rural vote.
- 00:49:14 **Rep. Mark Blasdel, HD 10 and self**, thanked the Commissioners for their work. He discussed the rapid growth of HD 10 and said that a combination of the Subdivision and Urban Rural Plans would fit a lot of the needs in Flathead County. He said that moving towards a lower deviation is good and that throwing out political party interests and election results assures that each citizen receives equal representation in their district.

- 00:50:34 **Alex Schaeffer, Kalispell**, spoke in favor of the Communities Plan and to specific concerns about certain communities in his district. He said that the Communities Plan makes the best of compromise and that with future growth and convergence of cultures and neighborhoods, it will be even more important to bridge differences and find common ground. He said that for Native Americans in particular, the Communities Plan would protect the interests of some of the unique needs of citizen needs.
- 00:53:46 **Tom Lund, Kalispell**, spoke in opposition to the Communities Plan, particularly regarding the many bedroom communities surrounding Kalispell. He said the Communities Plan offers no commonality or communities of interest because each surrounding bedroom community has very unique interests. He said the Subdivision and Urban Rural Plans would be better but would need modifications too. He said that certain communities should not be lumped into Kalispell and discussed several reasons for his opinion.
- 00:56:18 **Linda Tutvedt, Kalispell**, said she supports the Urban Rural Plan.

### **Commissioner Comments**

- 00:57:05 Commissioner Bennion thanked the public for coming to the hearing and said that good participation is essential to a good outcome. He said that current maps are simply starting points and will change as new ideas are developed. He asked the citizens to remain involved and encouraged them to submit written comments.
- 00:57:55 Commissioner Lamson thanked the public for their comments, saying they were specific and well-thought out. He commented on the low deviation in the Communities Plan, saying that he is aware that deviation is a concern in the Flathead-Kalispell area.
- 00:59:45 Commissioner Vaughey thanked the public for their comments and participation also. She encouraged them to remain involved by viewing future maps on the Districting website and continuing to submit comments.
- 01:00:12 Commissioner Smith thanked the public for their participation and said the focused comments would be helpful to the Commissioners.
- 01:00:37 Commissioner Regnier concurred with the other Commissioners' comments and said that he also appreciated the articulate comments and opinions.

### **ADJOURNMENT**

With no further business before the Districting and Apportionment Commission, the meeting was adjourned. The next hearing is scheduled for March 27, 2012, in Butte.

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