



# Montana Districting and Apportionment Commission

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## Commission members:

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Secretary

## MINUTES

May 8, 2012  
7:00 p.m.

Havre City Council Chamber  
Havre, 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**

Jon Bennion, Acting Presiding Officer  
Joe Lamson  
Pat Smith

### **COMMITTEE MEMBERS EXCUSED**

Jim Regnier, Presiding Officer  
Linda Vaughey

### **STAFF PRESENT**

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

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

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

### **CALL TO ORDER; ROLL CALL**

00:00:01 Commissioner Bennion called the meeting to order at 7:00 p.m. The Secretary took roll, Commissioners Regnier and Vaughey were excused (Attachment 3).

### **WELCOME AND ANNOUNCEMENTS**

0:00:48 Commissioner Bennion welcomed the public to the meeting. The Commissioners introduced themselves and Commissioner Bennion introduced the Legislative Services Division (LSD) staff.

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

00:02:45 Commissioner Bennion explained the purpose of the hearing and the citizens' constitutional right to participate in the districting process. He reviewed the mandatory and discretionary criteria and also explained meeting protocol and guidelines for giving public comment. Commissioner Bennion noted that all five proposals are just starting point and he briefly reviewed each plan.

### **PUBLIC COMMENT**

- 00:08:31 **Andrew Brekke, Havre, citizen, Chair, Hill County Republican Central Committee, and President, Havre City Commission**, thanked the Commission for coming to Havre. He said that he doesn't support any particular proposal but believes in one person, one vote and in keeping communities intact. Mr. Brekke said he would like to see Havre reunited and that the population meets criteria for a house district. He said that rural and urban voters do have differences and that keeping Havre intact and in one district would serve voters better.
- 00:10:15 **John Musgrove, self, and Chair, Hill County Democratic Central Committee**, said that each districting cycle seems to get more contentious. He said that the Communities Plan that divides Havre is most representative of Havre and its needs and that he doesn't recall a time when Havre was a unified district. He said that he believes that the split satisfies concerns and that he is firmly committed to maintaining that split in order to keep area districts smaller.
- 00:11:57 **Bill Thackeray, self**, said that he serves on the Hill County Democratic Central Committee. He said that he was speaking not only for Havre but for the neighboring reservations and said that he thought the reservations were lumped together, which prevents them from having more representation. He thought it would be better to separate them in order to give them an opportunity to have more than one legislative representative. Mr. Thackeray said that he didn't have a specific plan in mind but urged the Commissioners to consider doing that.
- 00:13:49 **Blair Ward** said that he supports the Communities Plan because it keeps like interests together, has a low population deviation, and would keep senate districts more compact.

- 00:14:24 **Patricia Seidlitz, Chester**, said that she agrees with Mr. Ward's comments. She discussed how small communities rely on Havre and Chester for business, social, and recreational opportunities, and said that she likes the Communities Plan because it keeps small communities, such as Joplin, in the same district as Chester.
- 00:15:28 **Rose Campbell, Liberty County**, said that she supports the Communities Plan because it unites Liberty County with similar interests in Hill County.
- 00:15:57 **Clarena Brockie, Fort Belknap Reservation**, said that she supports the Communities Plan because it provides strong protection of minority voting rights across the state so that American Indians can fully participate in the political process. She said it unites the interests of three reservations which would be served by two house districts and one senate district. Ms. Brockie said that the Communities Plan would also maintain communities of interest along the Hi Line. She discussed how the Communities Plan would positively affect the Indian voting districts and the shortcomings of the other proposed plans.
- 00:18:08 **Arlo Skari, Chester**, said that he supports the Communities Plan because Liberty County needs part of Havre to ensure that the voting district lines make sense and work for the area. He discussed the services and businesses used by people from his community and said that the Communities Plan is the best choice. He thanked the Commission for the opportunity to comment.
- 00:19:53 **Richard Dunbar, Whitewater, Phillips County Commissioner**, said that Phillips and Valley Counties have been split north and south and that residents don't like it. He said that the Phillips County Commissioners are not supporting any of the proposed plans because they all maintain that split. He said that he submitted a letter and map to the Commission asking them to consider a proposal that would keep Phillips and Valley Counties intact. He provided a copy of the map (EXHIBIT 1).
- 00:21:11 **Kathy Bessette, Hill County Commissioner**, read into the record a letter from Greg Jergeson, Chinook, stating his support for the Communities Plan (EXHIBIT 2).
- 00:24:28 **Gerald Stiff Arm, Fort Belknap Indian Reservation**, briefly spoke in his native tongue. He then said that he prefers the Communities Plan because it preserves the aboriginal nature and authenticity of who he is as a Native American citizen and that he can vote with his Native American family, friends, and neighbors. He said that Native Americans have dealt with 246 years of disenfranchisement and that the Communities Plan is the least destructive to the Native American vote. He said that it is an honor to serve the people and that he trusts that the Commissioners will make the right decision.
- 00:26:15 **Bruce Sunchild, Chair, Chippewa Cree Tribe, Rocky Boy Reservation**, read into the record a letter stating the Tribe's support for the Communities Plan (EXHIBIT 3).

- 00:27:39 **Brad Lotten, Havre**, said that he doesn't favor one plan over another but does think that rural and urban citizens have vastly different interests. He said that then Native American interests are added in to the mix, the interests become even more diverse. He said, for those reasons, it would be best to keep urban and rural people in separate districts. He said that he doesn't want the south end of Blaine County cut off and to keep the County as one district.
- 00:29:06 **Vicky Hofeldt, rancher, Chinook**, said that she agrees with the statements made by Mr. Lotten.
- 00:29:33 **Sen. Jonathon Windy Boy, SD 16**, said that he first ran for the Legislature in 2002 because his representative would not represent tribal interests. He said that as a tribal leader, he has dealt with many issues in which Indians have not been properly represented and said that he knows first hand how vast and important the issues are. He said that he supports the Communities Plan and urged the Commission to adopt it.
- 00:32:51 **Rep. Kris Hansen, HD 43**, thanked the LSD staff for coming up with effective plans and options. She said that there has been overwhelming testimony in favor in keeping Havre whole and that a combination of the Urban Rural and Subdivision Plans would go a long way to do justice to the state. She asked that the Commissioners consider those plans as priorities. Rep. Hanson said that Rep. Wendy Warburton, HD 34, asked her to relay her support for keeping Blaine County in one district and that Rep. Warburton would submit written comment later.
- 00:36:06 **Richard Kronk, Blaine County Commissioner and Blaine County Democrats Central Committee**, said that he supports very low population deviation rates and would like to have them even lower than they are in the current proposed maps. He said that communities of interest are very important and asked that Chinook not be divided. He suggested that the district line be placed further south of Highway 2. Mr. Kronk submitted petitions signed in opposition to the Communities Plan because it divides Blaine County into three districts. He said that residents would rather have rural Blaine County in a district with rural Hill County residents than with urban residents of Havre.
- 00:38:19 **Don Richman, candidate for SD 17**, said that he was speaking on behalf of Rep. Wendy Warburton, HD 34, and that Rep. Warburton asked him to relay that she feels very strongly that people south of Chinook be included in a district with whom they share communities of interest, such as Harlem. Mr. Richmond said that Rep. Warburton thinks that these citizens have been totally disenfranchised and have nothing in common with the district they are in now. Mr. Richmond said that his own opinion is that Blaine County needs to be whole in one district or to re-draw the boundary lines to include Cleveland and Lloyd and that area. He thanked the Commissioners for their work and the opportunity to speak.
- 00:40:46 **Vicki Olson, south Phillips County**, said that many in Blaine, Phillips, and Valley Counties' communities of interest lies along the Milk River, going north

and south. She said that all of the proposed maps split this area and that the citizens would like be kept together.

- 00:42:15 **Bonnie Parenteau, Havre City Council**, said that she likes the Communities Plan because Havre is a regional trade center and a focal point of northern Montana. She said that she disagrees that Havre doesn't share like interests with rural residents and said that Havre is uniquely both urban and rural.
- 00:44:10 **Dustin Hofeldt, rancher, Chinook**, said that he agrees with the statements made by Mr. Richman and Ms. Olson that communities of interest run north and south and that voting districts should follow.
- 00:44:41 **Karen Sloan, candidate for HD 34**, said that she supports the Communities Plan and that it would provide effective representation because candidates will be better known by voters, which would bring out more voters and decrease voter apathy. She thanked the Commission for the opportunity to comment on the proposed maps.
- 00:45:34 **Julie Warburton** said that she agrees with the comments made by the Hofeldts, Mr. Lotten, and Mr. Richmond. She thanked the Commissioners for their time.
- 00:45:55 **Kathy Sangray, Havre**, said that communities of interest need to remain intact and that the standard deviation needs to be as low as possible. She said the Communities Plan splits Havre, which doesn't make sense because it is a community of interest. She said that Communities Plan also splits Blaine County, which would break up communities of interest in that county also. Ms. Sangray said that she likes the Deviation Plan because it has the lowest population deviation.
- 00:47:26 Commissioner Bennion recessed the hearing for a short break.
- BREAK**
- 01:00:10 Commissioner Bennion called the hearing back to order at 8:00 p.m.
- 01:00:26 **Antoinette R. Hagener, Havre**, said that she is a long-time resident of Havre and appreciates the opportunity to comment. She said that she supports the Communities Plan.
- 01:01:06 **Mike Wendland** said that he supports the Communities Plan.
- 01:01:27 **Val Murri** said that he supports the Communities Plan because it best represents the area and the state.
- 01:02:01 **Andrew R. Werk Jr., enrolled member and council member, Fort Belknap Tribe**, said that the Fort Belknap Tribes support the Communities Plan because it best complies with the federal Voting Rights Act. Mr. Werk discussed other benefits of the Plan, saying that it would create a compact district that maintains strong Indian populations, and keep communities of interest together such as shared economies, education, social issues, and family ties. Mr. Werk said that there are times when it is very important that Indian voting be united and he

strongly urged the Commission to retain his district's Indian majority senate seat along the Hi-Line. He thanked the Commission for its work and said that much progress has been made in promoting Indian voting rights. He thanked the Commissioners for the opportunity to comment.

01:06:39 **Bob Waldron, Ward 4, Precinct 2, Havre**, commented on each proposed plan. He discussed how each house district in the area would be affected by the different plans and gave a recommendation for each.

01:09:28 Commissioner Bennion closed the hearing at 8:11 p.m. but noted that public comment may continue to be submitted to the Commission in written form, fax, or by email. He said that contact information is available on the Districting and Apportionment Commission's website.

#### **COMMISSIONER COMMENT**

01:10:34 Commissioner Lamson thanked everyone for their attendance and comments and said that the Commission greatly appreciates the testimony. He discussed the loss of a house seat in the area due to the loss in population and encouraged the citizens to continue to submit public comment.

01:11:45 Commissioner Smith thanked everyone for attending the hearing. He said that the public participation to date has been wonderful and asked that the public continue to submit comment. He said that public comment can be taken until final adoption in 2013 and that the Commissioners will carefully consider each comment.

01:13:02 Commissioner Bennion said that the Commission will meet for a week in August to begin incorporating comments and suggestions into the map proposals. He said that after maps have been modified and changed, the Commission will continue to refine and draft the final product, which will be submitted to the 2013 for comment. He said the Commission will formally adopt its final plan later in 2013.

#### **ADJOURN**

01:14:46 With no further business before the Districting and Apportionment Commission, Acting Chair Bennion adjourned the meeting at 8:18 p.m. The Commission will meet next on May 9, 2012, in Wolf Point.

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