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Judicial Redistricting Commission

64th Montana Legislature

LEGISLATORS

SEN. KRISTIN HANSEN
REP. NATE McCONNELL

PUBLIC MEMBERS

HON. GREG TODD - CHAIR
HON. RAY DAYTON
RICK COOK
DAVE SCHULZ
EMILY JONES

COMMITTEE STAFF

RACHEL WEISS, RESEARCH ANALYST
JULIANNE BURKHARDT, ATTORNEY
LAURA SHERLEY, SECRETARY

MINUTES

August 16, 2016 -- Conference Call
Room 137, Capitol Building
Helena, Montana

Please note: This document is a Minutes Log and provides a notation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video record of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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Please contact the Legislative Services Division at 406-444-3064 for more information.

COMMITTEE MEMBERS PRESENT

HON. GREG TODD - CHAIR
SEN. KRISTIN HANSEN
REP. NATE McCONNELL
HON. RAY DAYTON
RICK COOK
DAVE SCHULZ
EMILY JONES

COMMITTEE MEMBERS EXCUSED

STAFF PRESENT

RACHEL WEISS, Research Analyst
HELEN THIGPEN, Attorney
LAURA SHERLEY, Committee Secretary

VISITORS' LIST (Attachment 1)

AGENDA (Attachment 2)

COMMITTEE ACTION

The Judicial Redistricting Commission:

- amended the final draft report language on page 5 so that 'Final Results' reads as follows: "After discussion, the commission voted against recommending any of the six proposals to the 2017 Legislature and determined that redistricting is not necessary and not the appropriate way to address the need for additional judges";
- adopted the Judicial Redistricting Commission final report draft language with the amended language in the last sentence of the 'Final Results' subsection.

CALL TO ORDER and ROLL CALL

00:00:01 Judge Todd called the meeting to order at 12:01 p.m. Judge Todd took the roll call ([Attachment 3](#)).

REVIEW OF DRAFT FINAL REPORT

Staff Review of Contents --- Rachel Weiss, Legislative Services Division

00:01:08 Ms. Weiss ([Exhibit 1](#))

WORK SESSION

Commission Discussion and Revision of Draft Report

00:01:58 Rep. McConnell made recommendations to the draft language on page 5 in the subsection of 'Final Results'.

00:03:15 Judge Dayton commented on Rep. McConnell's recommendations and requested to adopt the final draft language in its current format.

00:05:26 Sen. Hansen agreed that the report should stay in the current format without getting too detailed with the commission's decisions.

00:06:22 Judge Todd asked the commission if the decision to employ new judges was implied with the commission's recommendations of not redistricting.

00:07:43 Sen. Hansen made suggestions for the final draft language on page 5 of the final report to help clarify the commission's recommendations.

00:09:27 Judge Todd outlined the commission's work sanctioned by the 2015 Legislature.

00:10:45 Rep. McConnell requested that the other commissioners give their recommendations on the final draft language on page 5.

00:11:53 Mr. Schulz supported Rep. McConnell's recommendations to the final draft language on page 5.

00:13:07 Judge Dayton made suggestions to the final draft language on page 5 regarding the implication of employing new judges.

00:14:23 Sen. Hansen and Mr. Schulz voiced their agreement to Judge Dayton recommendations.

00:14:31 Ms. Jones agreed to Judge Dayton's suggestions to the final draft language and also requested additional language be added in regards to the commission's recognition of significant demands on specific court systems.

00:15:55 Judge Todd commented on the draft language suggestions and recommended that a consensus be reached for specific language.

00:16:44 Mr. Cook recommended having more specific language regarding the work of the commission to avoid misinterpretation.
00:17:21 Sen. Hansen commented on the 2015 legislative creation of the commission.
00:19:20 Judge Todd asked Sen. Hansen if she had a proposal for the final draft language in response to her comments.
00:20:01 Sen. Hansen recommended adopting the draft language proposal by Judge Dayton.
00:20:36 Judge Todd asked Judge Dayton to repeat his proposed draft language.
00:21:32 Sen. Hansen requested different word phrasing to Judge Dayton's proposed draft language.
00:22:14 Rep. McConnell made additional suggestions to the proposed draft language.

MOTION

00:24:12 Judge Todd moved to amend the final draft report language on page 5 so that 'Final Results' reads as follows: "After discussion, the commission voted against recommending any of the six proposals to the 2017 Legislature and determined that redistricting is not necessary and not the appropriate way to address the need for additional judges."

VOTE

00:25:16 The motion passed on a unanimous voice vote.
00:25:36 Judge Todd asked the commission for any suggests regarding the final draft language on page 5 at the bottom of paragraph three in subsection 'Reviewing the Proposals.'
00:26:12 Mr. Cook voiced his agreement to leaving the draft language in the current format.
00:26:28 Judge Dayton also voiced his agreement to leaving the draft language in the current format.
00:26:53 Judge Todd asked the commission for any other suggests to change the language in the final report.
00:28:48 Ms. Schulz commented on the work of the commission staff members.
00:29:36 Judge Todd asked the commission if there was any further discussion before the final draft language was adopted.

Public Comment

None

Adopt Report Language

MOTION

00:30:05 Judge Todd moved to adopt the Judicial Redistricting Commission final report draft language with the amended language in the last sentence of the 'Final Results' subsection.

DISCUSSION ON THE MOTION

00:30:09 Mr. Schulz voiced his agreement with Judge Todd's motion language.

VOTE

00:31:01 The motion passed unanimously on the voice.

Final Comments

- 00:31:33 Judge Todd asked Ms. Weiss if the commission needed to complete any further work before adjourning.
- 00:32:06 Mr. Schulz asked Mr. Weiss if the final report needed to be signed by the members of the commission.
- 00:32:43 Judge Todd thanked the commission and staff for their work and asked the commission if there were any further comments before adjourning.

MOTION

- 00:33:58 Judge Dayton moved to adjourn the final Judicial Redistricting Commission meeting.

VOTE

- 00:34:01 The motion passed unanimously on a voice vote.

ADJOURNMENT

- 00:34:16 With no further business before the committee, Judge Todd adjourned the meeting at 12:35 p.m.

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