



PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

**MONTANA DISTRICTING AND APPORTIONMENT COMMISSION**  
**67th Montana Legislature**

---

**PUBLIC MEMBERS**

Commissioner Sheila Stearns - Presiding Officer  
Commissioner Jeff Essman  
Commissioner Joe Lamson  
Commissioner Kendra Miller  
Commissioner Dan Stusek

**COMMITTEE STAFF**

Rachel Weiss - Research Analyst  
K.V. Aldrich - Attorney  
Joe Kolman - Research Analyst  
Laura Sherley - Secretary

## MINUTES LOG

February 19, 2020  
Helena, Capitol Room 137

Please note: This document is a Minutes Log and provides annotation 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 recording 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 the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. From the home page, select the "Committees" drop down menu at the top, then select Administrative or Interim, and the appropriate committee. The written minutes log can be located by expanding the accordion menu for the date of the meeting. Links to the audio/video files can be located by selecting the Video/Audio button on the same page, then the "past/current recordings" button. From there, use the calendar to select the date of the meeting you wish to view/listen to. The written Minutes Log, along with links to the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the Exhibits is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed. Please contact the Legislative Services Division at 406-444-3064 for more information.

**COMMISSION MEMBERS PRESENT:**

COMMISSIONER SHEILA STEARNS, Presiding Officer  
COMMISSIONER JEFF ESSMAN  
COMMISSIONER JOE LAMSON  
COMMISSIONER KENDRA MILLER  
COMMISSIONER DAN STUSEK

**STAFF PRESENT:**

RACHEL WEISS, Research Analyst  
JOE KOLMAN, Research Analyst  
LAURA SHERLEY, Secretary

**AGENDA ([Attachment 1](#))**

**VISITORS' LIST ([Attachment 2](#))**

## **COMMITTEE BUSINESS SUMMARY**

The committee voted to adopt the draft revision of public participation guidelines.

### **CALL TO ORDER -- ROLL CALL**

08:30:07 Commissioner Stearns called the meeting to order at 8:30 a.m. The secretary took roll ([Attachment 3](#)).

### **PERSPECTIVES FROM COUNTY ELECTION ADMINISTRATORS**

08:35:24 Bret Rutherford, Yellowstone County Election Administrator ([Exhibit 1](#))

#### **Commission discussion/questions**

08:47:41 Commissioner Essmann asked Mr. Rutherford to comment on the isolated precincts in the city of Billings and how his office isolates those voters for city elections and sorts those ballots.

08:50:23 Commissioner Lamson commented on Yellowstone school district maps.

08:52:33 Mr. Rutherford continued his presentation

#### **Commission discussion/questions**

08:55:32 Commissioner Miller asked why census blocks run through voter property.

08:56:30 Commissioner Stearns asked if there are plans to clean-up census blocks.

08:59:39 Commission discussion

09:02:01 Mr. Rutherford continued his presentation

#### **Commission discussion/questions**

09:03:14 Commissioner Stearns asked how census block divisions are made and how it will affect the commission's redistricting decisions.

09:07:17 Commissioner Essmann asked Mr. Rutherford if the commission could receive a map of rural polling places.

09:08:25 Mr. Rutherford continued his presentation (see Exhibit 1)

#### **Commission discussion/questions**

09:13:52 Commissioner Miller commented on the need for district line deviations.

09:14:58 Commissioner Stusek asked Mr. Rutherford to comment on district line deviations and how wide spread issues associated with district line deviation and across the state.

09:16:31 Commissioner Stearns asked Regina Plettenberg, Ravalli County Clerk and Recorder, if she had any comments to add to the presentation.

09:17:47 Commissioner Stearns asked Mr. Rutherford and Ms. Plettenberg if there is a component on redistricting planned at the Montana Association of Clerk and Records/Election Administrators annual convention meeting.

09:18:56 Commissioner Stearns asked if staff had any comments to add.

09:20:21 Commissioner Essmann asked Ms. Weiss if the 2010 redistricting commission reached out to all county administrators for comments.

## **BREAK**

09:34:37 Commissioner Stearns ([Exhibit 2](#))

## **DISCUSSION 1: COMMISSIONER OBSERVATIONS AND QUESTIONS ON LEGAL BACKGROUND FOR REDISTRICTING**

- 09:37:47 Commission discussion ([Exhibit 3](#), book available to view on request at the Montana Legislative Services Division)
- 09:43:09 Commissioner Essmann asked if there has been evidence of racially polarized voting and if any political science departments have done regression analysis of previous voting patterns.
- 09:45:35 Commission discussion
- 09:48:44 Commissioner Essmann asked staff if they could obtain maps from the Montana High School Association of their Class B and C divisions.
- 09:50:49 Commissioner Stearns asked staff if information from communities of interest is easily available and helpful for the commission.
- 09:52:18 Commissioner Stearns commented on the resources available at the State Library that could be beneficial to the commission.
- 09:52:43 Commissioner Essmann asked staff if they could obtain maps of elementary school districts inside larger state cities.
- 09:55:52 Commissioner Essmann asked if it is practical to obtain maps of and use geographical delineations and features for districting lines.
- 09:57:54 Commissioner Stearns asked what the acronym TIGER (topologically integrated geographic encoding and referencing) stands for.
- 09:59:21 Commissioner Essmann asked if information is available regarding reallocating state prisoners and military to their home communities and how that affects redistricting.
- 10:00:08 Commissioner Stearns asked Commissioner Essmann for clarification on his question and asked staff if the information requested has been used in previous redistricting commissions.
- 10:01:26 Commissioner Stearns asked Commissioner Essmann for clarification on his question and asked staff if the information requested has been used in previous redistricting commissions.
- 10:02:23 Commissioner Essmann asked who defends the acts of the redistricting commission and asked to review the cases following the previous redistricting commission and the results of those cases.
- 10:04:01 Commissioner Stearns asked Commissioner Essmann for clarification on his information requests.
- 10:04:29 Commission discussion ([Exhibit 4](#))

## **DISCUSSION 2: ANNUAL SESSION IMPACT ON REDISTRICTING**

- 10:15:30 Commissioner Stearns commented on the potential FOR annual legislative sessions and asked Commissioner Miller to address how these could impact the commission's work.
- 10:17:14 Commissioner Stearns asked staff to comment on how annual legislative sessions could affect the commission's decision-making process.
- 10:19:39 Commissioner Lamson asked staff if the change to annual legislative session would have to be on the 2020 ballot.
- 10:21:14 Commission discussion

## **DISCUSSION OF POTENTIAL REVISION TO COMMISSION OPERATING PROCEDURES**

- 10:23:37 Ms. Weiss ([Exhibit 5](#))

### **Public comment**

- 10:25:14 Nancy Leifer, Montana League of Women Voters

## **MOTION**

10:26:12 Commissioner Essmann moved to adopt the draft revision of public participation guidelines (see Exhibit 5).

## **VOTE**

10:26:12 The motion carried unanimously by voice vote.

## **ADMINISTRATIVE TOPICS**

### **Update on redistricting software selection**

10:27:27 Ms. Weiss

### **Commission questions**

10:27:52 Commissioner Stearns asked Ms. Weiss to comment on the staff choice of redistricting software.

10:30:13 Commissioner Stearns commented on the growing amount of interest in public participation in the redistricting process and asked staff if public software will be compatible with the commission's software.

10:33:26 Commissioner Stearns asked Commissioner Miller if she had any further comments regarding public software to commission software compatibility.

### **Calendars, meeting and hearing scheduling, prospective timelines**

10:35:21 Ms. Weiss ([Exhibit 6](#))

### **Commission discussion/questions**

10:36:11 Commission discussion on next meeting dates.

10:48:34 Commissioner Essmann asked for clarification of the meeting dates

10:49:58 Commissioner Essmann commented on rural census undercounts.

10:51:58 Commissioner Stearns asked Commissioner Essmann for clarifications on his comments

10:53:42 Commission discussion.

11:00:48 Commissioner Miller asked Ms. Weiss if the Census and Economic Information Center provides a 2018 estimated population for every legislative district.

11:02:40 Commission discussion

11:05:26 Commissioner Stearns asked Ms. Weiss to reach out to the Census and Economic Information Center on behalf of the commission.

11:05:50 Commissioner Essmann asked for feedback from the Census and Economic Information Center regarding the recent recognition of Little Shell tribe and if they will be recognized in the census count.

11:07:21 Commissioner Lamson commented on the history of census counts regarding tribal affiliation.

11:08:23 Commissioner Miller asked if this is the first time the census count is asking for tribal affiliation.

## **GENERAL PUBLIC COMMENT**

11:09:59 Nancy Lifer, Montana League of Women Voters ([Exhibit 7](#))

11:16:17 Commission discussion

## **ADJOURNMENT**

11:21:37 Commissioner Stearns adjourned the meeting at 11:21 a.m.