



Montana Districting and Apportionment Commission

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MINUTES

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 documents.**

SALISH & KOOTENAI COLLEGE
MICHELE BUILDING
PABLO, MT
AUGUST 13, 2002

COMMITTEE MEMBERS PRESENT

Janine Pease Pretty On Top, Presiding Officer
Sheila Rice, Vice Presiding Officer
Joe Lamson
Jack D. Rehberg
Dean Jellison

STAFF PRESENT

Susan Byorth Fox, Research Analyst
John MacMaster, Staff Attorney
Lois O'Connor, Secretary

VISITORS

Visitors' list (ATTACHMENT #1)

CALL TO ORDER AND ROLL CALL

The public hearing was called to order by Commissioner Pretty On Top, Presiding Officer, at 1:00 p.m. Attendance was noted; all Commissioners were present. (ATTACHMENT #2)

Susan Fox, Research Analyst, Legislative Services Division, provided an overview of the Commission's redistricting process. (EXHIBITS #1 and #2 respectively)

John MacMaster, Staff Attorney, Legislative Services Division, provided an overview of the mandatory and discretionary criteria adopted by the Commission for legislative redistricting. (EXHIBIT #3)

Ms. Fox provided an overview of the Western Region (North) Plans. (Please refer to Exhibit #4 and Ms. Fox's description of the Western Region Plans (North) in the August 12, 2002, Kalispell public hearing minutes.)

PUBLIC HEARING

Rick Jore, Candidate, House District #73: My district would be in proposed district #1 in all three of the plans. I want to speak in strongest terms possible in opposition to all three plans simply because it seems to me that your resolution, in all three plans, in its effort to create minority-majority district is in violation of your mandatory criteria, specifically criteria #4. I understand your emphasis on mandatory criteria #3, but as far as I can tell in my research, there has been no ruling that 1990 redistricting violated the Voting Rights Act of 1965. So, I am not sure that there is a justification in creating that district specifically to create a majority-minority district. I think it is also does not take into account, not only mandatory criteria #4 but also mandatory criteria #2, as far as my definition, of compact when the district stretches from Browning, over the Continental Divide, to north of St. Ignatius or clear to the county line south of Arlee in Plan 300. It also doesn't seem to me that it is consistent in any way with the discretionary criteria as far as following political units or geographic boundaries. I suppose that according to individual perspectives that there are some who think that the communities are communities of interest. But, I do not see the economic ties or anything like that. I think that in the end, I am maybe not going to make an impact here as your resolution seems to have stated that this is what you are going to do. But, I think it is wrong and I think it will create more animosity in the future than what we have currently. I think we can define words in this age of relativeism the way we want to but I still think it is defined or called gerrymandering. Therefore, I speak in opposition to all three plans regarding proposed district #1.

Commissioner Lamson: I am just curious as you look at the current plan--the one that the 1990 Commission drew--there are several districts in the plan that geographically are considerably larger than this particular district (proposed district #1). In fact, the district that is adjoining it-- the district that Rep. Doug Mood represents--is a larger district. Why are those districts not a problem and this one is a problem in terms of size and distance?

Mr. Jore: The short answer is that it appears from your resolution regarding the Old Person case that the intent of this district was specifically to create a tribal-majority district. I don't see that in the other districts that you are referring to in the current plan.

Commissioner Lamson: Why is it a problem for large districts that involve the Indian communities and not a problem for large districts that involve non-Indian communities.

Mr. Jore: My point is that it violates mandatory criteria #4--that race cannot be the predominant factor. Also, in my opinion, one of the essential elements and fundamental principles of our American system of government is that those who make the law or control the making of the law are subject to

those laws. I think the emphasis, in this instance, where tribal members have not been entirely subject to the laws of the state of Montana, compounds the objection from my perspective.

Commissioner Lamson: You have ran twice as a Constitution Party candidate. My reading of the Constitution Party calls for the elimination of the 1965 Voting Rights Act. Is that still a position of the Party?

Mr. Jore: I appreciate your research on that. It perhaps is. That must be a national position on the national platform.

Commissioner Pretty On Top: Do you think that under the current situation in the Legislature that Native American people are represented there?

Mr. Jore: As far as I can remember there is six Native American representatives in the Legislature.

Commissioner Pretty On Top: There is five members of the House and one member of the Senate. But then, there is 8% of our state that are Native American.

Mr. Jore: I appreciate your point but I am not comfortable with that criteria. The tribes are sovereign nations and instead of everybody being concerned that they get their share out of the public treasury after the government confiscates it, then it wouldn't be an issue. I am all for representation for individuals and justice for all individuals. I'm Norwegian. Should we go around the state and see what percentage of the state is Norwegian and make sure that there is a certain percentage of that population in the Legislature? I am not an advocate of that criteria.

Commissioner Pretty On Top: What do you think about the idea of over-representation? Do you think that some sectors are over represented? Because you see, if five members of the House are Native American but 8% of our population is Native American, it looks to me that somebody is under-represented. The converse of that is that somebody is over-represented.

Mr. Jore: Again you are emphasizing race, and I think that the law under a just government are equally applied regardless of race regardless of gender. I don't think it should not be an issue. The rule of law should be what prevails. Every elected official is under oath to uphold the Constitution and that law should apply to everyone equally regardless of their race.

Commissioner Jellison: You have been in politic for a while and you have campaigned in this area. How would you about campaigning if you were running for the Legislature in proposed district #1?

Mr. Jore: The same as I do now. I would tell everybody what I believe in--that it is no different for anybody, that the law should be equally applied, and that I am concerned that justice prevails for all people.

Commissioner Jellison: What I was more concerned about was the mechanics of a campaign. Is there, for instance, a television station that you could by time on that would reach this district?

Mr. Jore: Not very well. I haven't done television ads, but if I was running in proposed district #1, television ads would reach one side of the district and would not reach the other. It would be difficult.

Commissioner Jellison: What about newspaper advertising?

Mr. Jore: It think it is the same situation as far as I understand the distributorship of the local papers. This side of the Divide or even south of the Hungry Horse area is served by certain papers, and as far as I know, other papers serve the other side of the Divide.

Commissioner Jellison: Can you drive from one end of proposed district #1 to the other end without leaving the district?

Mr. Jore: I don't think so if I know the roads right. I didn't check quite frankly but I think that you are probably aware of that answer, and the answer is no.

Germaine White, Member, Salish & Kootenai Tribes: My concern lies with the potential division of the reservation community, thereby, significantly diminishing the strength of our tribal vote. I would like to encourage you to support Plan 300 that maintains the reservation community a community of interest intact.

Kevin Howlett, Director, Health and Human Services, Salish & Kootenai Tribes: I totally support Plan 300 for several reasons. First and foremost, some would believe that the Indian communities, while maintaining their own languages and their own tribal governments, are isolated unto themselves. That is simply not true. For at least five decades, Indian people have been interacting via federal policy and boarding schools. Many of our tribal members are married to members of other tribes as a result of forced relocation from the reservation. We have not been adequately or fairly represented in the Montana Legislature. There are many issues that confront Indian people that come before the Legislature, I, for one, would like to see and reach a point in our time that we can stand as sovereign people and with mutual respect for each other and each other laws. I was particularly please to hear Mr. Jore acknowledge tribal sovereignty. That is something that has long been an issue on this particular reservation. If we can find a way to, and I think Plan 300 does this, enlighten the legislative body in the state to some of the historical facts that present themselves in today's time. The Salish and Kootenai and Blackfeet Tribes share ancestral grounds in the geographic area between the two Reservations. There are countless historical sites historic to the use and the survival of both tribes in Glacier Park and the Bob Marshall Wilderness. To suggest that was an area that was impenetrable is to ignore history.

The other area that I would like to emphasize is that I spent many years in the arena of education. We have come along ways as tribes in the recognition and importance of formalized education, also in where we are and where we are going. In Montana, there is constitutional language to recognize the cultural integrity of Native American people. I worked, along with the Chairman and many members of this community, on the Class VII issue related to native languages in this state. We came together on that issue, and we now can proudly say that our language is recognized and served by the teachers in Montana's public schools. That is something that we did as Indian people recognizing that the state had the constitutional provision that was, in fact, adopted by the people of Montana. It is not something that the state did.

I also spent a considerable amount of time in the arena of health care. We have in excess of 2,000 people on our reservation who claim Blackfeet ancestry. That is no insignificant number. Those people are here, they go to school, and some have chosen to make their homes permanently here. I think that speaks to the interrelationships of the tribes, and it certainly does not represent the boundaries that are

impenetrable. Speaking from a personal perspective, I lost a son three years ago. He was the lead singer in Young Gray Horse Drum. He spent his last two years at home, a year of that living in Browning--learning the songs of the Blackfeet, sharing the songs with the Salish, and that to me is the single biggest contribution and testimony to our intertribal relationships that I an present to you today. To suggest that we as Indian people have this thing that we want something special is simply ignorance. We want equity; we want representation; we want fairness; we want understanding; we want justice; and we want our children to grow and our communities to prosper. We need to speak to those things as Indian people. We need to be able to stand at the legislative body. Even though we will never reach all, I have not found a man yet, when you sit down and explain the fact, that wouldn't at least take the time to listen. When you do surveys, as we did in the arena of education, about what people know about Native Americans in this state, it is absolute dismal. Yet, the Indian Nations and their homelands were here long, long before statehood. In fact, I suggest that we were gerrymandered year and years ago. We were kept out of the process. I encourage you to listen and give favorable consideration to Plan 300.

Commissioner Rehberg: Mr. Old Person was a very integral part of the hearings 10 years ago. Is he still living and what can you tell me about him?

Mr. Howlett: I know Earl Old Person very personally. I served as a legislator with him and we were elected by our own people. I know that he has been anointed the traditional chief of the Blackfeet people, and I hold him in the highest regard as an elder.

Commissioner Rehberg: Is his health good and is he still active?

Mr. Howlett: As far as I know. I do not visit him everyday, but I see him very frequently. But, I might add, I would know the day that his health wasn't. We across Indian country would know.

Fred Matt, Chairman, Salish & Kootenai Tribal Council: It seems like too often that I stand before committees and representatives talking about Indian and tribal issues, and I always feel that I am coming from a point of being a minority not only on the local and national levels, but the state level as well when I try to convey what our Indian people need and want on our reservations from a disadvantaged point of view. It again seems too often that our people who have been here for thousands of years, who have inhabited the land, and who have cherished the land and resources that across Indian country, we are a minority. When we have concerns, interests, and issues, we are always coming from that point of view. It is the Tribal Council's position to support Plan 300.

Our population is growing on the Flathead Reservation. The 2000 Census has exemplified that. The options recognize the strong tribal ties between our Indian communities on the Reservations. It is a little joke that we have in our community--we call it Little Browning because they come down here and enjoy our college and because they are treated well. Plan 300 keep all communities between Arlee and Pablo in one district. We think it would be a mistake to not include Arlee which is on the southern end of our Reservation. The Commission has the opportunity to support shared political interest between the Salish and Kootenai and Blackfeet regarding Montana state legislative matters. In addition to our shared political interests, there is a significant interaction between the Salish and Kootenai and the

Blackfeet. We pow wow together, we intermarry, we socialize together, we share tribal colleges, and we share the health care delivery system. In summary, community and political interests of the Salish and Kootenai and Blackfeet Tribes are closely related. As tribal communities formed by Indian treaties and governed by our cultures, we share a lot in common and our goals are similar, especially with regard to the Montana State Legislature.

Bob Peregoy, Director, Institutional Research, Salish Kootenai College, provided written comments regarding his support for Plan 300. (EXHIBIT #4)

Commissioner Jellison: What is there about Plan 300 that is different from Plan 100 on how it would affect you?

Mr. Peregoy: Quite frankly, I have not analyzed thoroughly the three plans so I am not in a position at this time to give you a full qualified answer. As I understand it, the record is left open and I would like to consult with Dr. McDonald when he returns and would be glad to submit additional testimony for the record in response to the question.

Commissioner Lamson: Would you think that Plan 300 might be more preferable because it includes Arlee, Ronan, and Pablo which is a broader cross section of the reservation communities that Plans 100 or 200?

Mr. Peregoy: Absolutely, there is no question about that. To cut Arlee out of the districts would just be illicit to this reservation and all the way around. That is one of the main points of contention is to keep Arlee in the district and we totally support that.

Carol Juneau, Representative, House District 85: You are faced with difficult challenges as the Redistricting Commission from Montana in drawing boundaries for the people and for who will represent Montana in the Legislature. It is a great opportunity to create legislative boundaries to allow our communities to have a greater opportunity to participate in the political process and to elect candidates of their choosing who will reflect accurately and proportionately who Montana is. The 2000 Census shows 66,320 American Indians and Alaska Natives. Interestingly, this is a 39% increase over the 1990 Census. The percentage of American Indians in Montana is approximately 7%. American Indian people in Montana are a growing population. I think that most non-Indian communities have lost population as far as decreasing birth rates. It is interesting to look ahead 50 or 100 years to wonder what Montana is going to look like. I am sure that it is going to be a lot more interesting.

I have looked at the maps that were drawn up, and I would like to comment on and support Plan 300. This is the best plan of the three that you have. At the hearing in Browning, not one person stood in opposition to Plan 300. People came from Cut Bank, Conrad, and from all over in our area and supported Plan 300.

If you look at some of the common characteristics that bind House Districts #85 and #73, which would be proposed districts #1 and #2, there is a common culture of being American Indians. Our history is

common and our traditions are common. When Arlee has its Indian celebration, many people from Browning head there to try to beat them at "hand game". It is a historical thing. The same is true in Browning. The two districts share common educational characteristics. In fact, the Blackfeet Community College and Salish and Kootenai College were sister colleges that began together in 1976. Many students from Browning come here to attend Salish Kootenai College, particularly for their nursing program. I have a good friend who came through Salish Kootenai College and got her degree in environmental science and is now teaching at Blackfeet Community College. In fact, many of the people here in the room are long-time friends--people who I have know for many years. We also share some of the same issues and concerns. We also have economic development issues with high unemployment rates, education issues, high TANF caseloads, and we are striving to maintain our culture. We are working on issues that are common together.

Recently, I served on a committee that worked with one of the local cultural committees and changed the name of mountain toward Missoula to "Shining Peak". One of the things that was mentioned too, I think the common bond that connects us is the sovereign status of Montana tribal nations and their unique government-to-government relationship. We must also remember that in our constitutional language says "The state recognizes the distinct and unique cultural heritage of the American Indian and is committed in its educational goals to the preservation of their cultural heritage". Mr. Jore indicated that we should have justice and that as legislators and lawmakers, we should uphold constitutional law. This was passed in 1972 and we are still working on it. This language means a great deal to the Indian people of this state. We must remember that this is about promoting American Indian culture for all Montanans.

I have been active in political activities for many years and have worked with the people on the Flathead Reservation on many voter projects, such as registering voters and providing voter education. When we have candidates that reflect our own community, voter participation is usually higher. Indian communities also share many common political relationships that in most cases tend to support the Democratic candidate. The Old Person v. Brown case looks at the need for creating another Indian majority Senate district in order to be in compliance with section 2 of the Voting Rights Act. Plan 300 would do so. We currently have only one Indian Senator serving in the Legislature. If we had proportional representation, we should have a minimum of three Indian Senators and eight Indian Representatives.

Section 2 of the Voting Rights Act states that "No district, plan, or proposal for a plan is acceptable if it affords members of a racial or language minority group less opportunity than other member of the electorate to participate in the political process and to elect representatives of their choice" (42 U.S.C. 1973) We have an opportunity now to meet some of these challenges and issues and to give the people of Montana a better opportunity to participate--all people of Montana whether they be Indian or non-Indian, and. I urge you to support Plan 300.

Commission Lamson: I would like the record to represent that our first person to get here to this hearing today was Rep. Juneau from one of the proposed districts.

Commissioner Pretty On Top: You can get there from here. Is that what you are trying to say?

Commissioner Jellison: But you may have to allow extra time to do that because of the distance.

Patty Stevens, Member, Confederated Salish & Kootenai Tribes: Pretty much all of my 43 years I have lived on the Reservation. My family lives here. I am employed, I am a taxpayer, and I am also a homeowner. I am pretty much no different than anybody else other than the fact that I am Indian. I am involved in learning my language right now which is very important.

I am not sure whether the Commissioners are familiar with what happened in the Ronan School District in the last two years. We went through a redistricting that I was not much involved in as I would have liked to have been. As a result of their redistricting in the school district, they came up with an additional district for voting resulting in two tribal members being elected to the Ronan School Board. Prior to that, there were six members on the board all of whom were nonIndian. I ran my second term unopposed and I am currently serving my second term as the Chair of the Ronan School Board. It has probably been the most rewarding experience that I have had to date. It didn't start out that way because a lot of people didn't think that Indian people paid taxes, were employed, or could carry on conversations with other people.

When I came to the School Board in Ronan, the majority of people that we expelled were Native American students. Through my first two years, I spent a lot of time showing the other Board members that if we expel those children today, they will be our problem tomorrow. Through that, the numbers that we have expelled have gone considerably lower. We have been developing plans to acknowledge the difference between the discipline that we have in the Ronan School District as a result of an Office of Civil Rights investigation. This had the potential to be harmful for our district. We put together a community committee of Indians and nonIndians to address the problem of discipline. We are not trying to be treated any differently than anybody else. We just want equality and fairness. This is why I am here to support Plan 300, mainly because of the Arlee district. Arlee is within our community. We all interchange among each other from pow wows to basketball games. Education is another one that is shared. The Ronan School District has over 51% Native American students. The majority of the Native American students are members of the Confederated Salish and Kootenai Tribes. But the largest representative of another tribe is Blackfeet which is reflected at Salish and Kootenai College. When we are putting together our school calendar at Ronan, we take into consideration the Jump Masses that are held by both the Salish and Kootenai Tribes on the reservation during the new year. We take into consideration the vacation of the college students during Christmas because when they go home, they take their kids with them and we can't count them when they are here at school. There is a lot of things changing in Ronan as a result of the redistricting. It is the same for doing this here. What we want is a voice that speaks for that when they are making decisions, they think about the Indian people that want fairness and equality.

Joanne Ruth Quequesah, Member, Confederated Salish and Kootenai Tribes: I just returned from an area south of Belgrade at the Ted Turner Ranch where I was privileged to be a part of a gathering of indigenous people from the North American Continent. This country was founded on supposed principles of freedom and equality. I feel that it is a shame that this country has to pass laws to guarantee voting rights because we all know that about history--that people have been disenfranchised from that supposedly equal system. I think that it is a shame that when the country was founded over 200 years ago, that a law had to be passed in my lifetime that had to seek to guarantee those rights. I think that it is a shame that on this reservation a lawsuit had to be brought to again entreat for those rights on behalf of a minority. A minority that became a minority through history. Those of us indigenous to this land, our homeland, this is what is important. It is important to me as a person.

I would like to clarify that for the record, I also have other nationalities. I emphasize nationality not race. I am one race. I have the nationalities of French, Irish, and Scottish. I am very convinced that those nationalities are present in our Legislature so I don't fear that there is a lack of representation in my nationalities. But I do have concern that there is a lack of representation of my race. I share that with all the Native Americans of this state. If we were racially represented, we would have 12 total representatives. I feel that there shouldn't be any fear that Native Americans are going to overrun the Legislature. Eight out of 100 is pretty small as is three out of 50. I think it is small step toward that equality that is deserving and a provision of the law. I favor Plan 300. I recognize that it is an imperfect world and we don't get our way all of the time. Arlee is a significant part of the tribal community here. That connection between Arlee and this area has existed formally for at least 150 years because of the 1855 Hellgate Treaty. The tribal people who are indigenous to this area have the connection because of their habitation of the land. To eliminate Arlee from those communities would be decisive. I do not support that.

Ann Sorrell, Member, Confederated Salish and Kootenai Tribes: It is very unusual that I would stand up and speak at meeting like this after our Chairman has spoke. In our community, when he speaks, he speaks for all of us. But I want to speak as a mother of two daughters and grandmother of three. I worry tremendously about the education of those children. All of us understand that Indian youth in Montana public schools drop out at a much higher rate for a number of reasons. It is the responsibility of the Legislature to ensure that all of our young people, regardless of the color of their skin, receive the absolute best education that they have. Yet, we Indian mothers know that we have to have a particular protection to ensure that our children will be safe in those schools and will be protected and to learn the things that we want them taught. I worry about that as a mother. I worry about what job they will graduate in to. I worry about health care. I worry about the mental health status they will have to face because Indian children have a much higher rate of suicide. We know how unemployment plagues our communities. These are things that all moms worry about. I think about my mother who taught me to be a political junkie. I was young second grader putting on bumper stickers in the parking lot for Mike Mansfield. She taught me how important my vote was. How important it was for me as an Indian person to vote and be a part of that system. And yet when I look back at my 15 years of living in the Ronan district, often times, the biggest opponent to the issues that were most

important to my heart were either being sponsored or opposed by the person who was elected to represent me. To me that is really disheartening. I support Plan 300 for the single reason that I want an advocate in the Legislature for the issues that are dear to my heart as a mom and grandmother.

Cindy Willis, Candidate, House District #74: There is no single plan that everyone likes, but overall, I support Plan 300. I had some very serious reservation. As a person who is running for the Legislature, I was concerned that whoever would be elected from what is proposed district #1 would have difficulty representing people from such a diverse geographical area. I am very glad I came today because I heard the people who would be represented that they felt the kinship and they did not see that there would be a huge difference in the interest of the people who would be represented in proposed district #1.

Joey Jayne, Representative, House District #73: My father was a World War II veteran, and he joined the Navy when he was 17 years old. He fought for this country and he came back and instilled in us that the right to vote is paramount. But his grandfather could not vote because we were not allowed to vote until 1924. To spite that, my father would say let that go. You have the opportunity right now to vote, do it now.

I like Plan 300. I guess if I had it my way I would include proposed district 89 and area south of Arlee all the way to Evaro to the reservation line. However, I don't know how far the process is right now. My experience has been that, and many individuals have referenced that race cannot be predominate factor to which the mandatory and discretionary criteria are subordinated. I want to respond to that. My experience has been that when there is mention of race, when there is a mention boundaries, we all as human beings tend to say that is going to somehow make me feel uncomfortable. My experience has been that regardless of race and lines, individuals are going to vote based on a person's trustworthiness, leadership, and a person's sincerity. Therefore, some of the fears that this is all race related could be negated by that statement. When I first heard this Plan, I'm thinking, boy, that is a long way to Browning. But, it is not such a long ways because all of the interest that everybody expressed--the interests of culture, of being parents, of veterans. When you speak to them, you do not see race lines.

The role of a representative is to represent all of the people no matter who is there. Some of the common factors that Plan 300 offers is that we have agriculture. We have people in Arlee, people in the Mission, and people east side of Highway 93 that are all agriculturalists or ranchers. There is the New Jore Corporation. There a many people working very hard and there are common interests. Up in Browning, you have agricultural land, you have ranchers, farmers, and business owners. It is common interest. Throughout the whole maps, people have common interests. Lions and race tend to scare us. We may have to set that aside. I know that it is not that easy but I think that we have to start. This may be a way to do the way. Economic development is one of the biggest factors that we talked about at the Legislature. I think that having some of the businesses in common in those areas is going to help. You have heard comments that the community colleges are working together teaching kids and

educating children so that they will come back and pay taxes. The economy will be able to take care of itself so that we won't depend on the government that much. Don't get me wrong that government should not be there. Government has its role here.

Ruth Mahle, St. Ignatius: I have been involved in politics for about 27 years. This is the third time I've gone to these kinds of hearings. There is one thing that bother me about either one of these plans. I know that the Blackfeet and Flathead Reservations get along real well, but if you have a basketball game, see how they get along real well. Politics is different. You have one whole area from clear up here to clear down there. Do you know how long it take to get from up there clear down here and the representation and running as a candidate. Tough, it is real tough. Lake County is real tough to run a campaign. My whole thing is why are we doing this. Why don't we have every tribe in the state of Montana have a representative. Then you eliminate all this foolishness and you would have more people to represent the Indian people. I just makes sense. I seems to me that someone went on a wild party and the next day came up with these crazy maps. I don't know what kind of party you guys were on, but I sure hope you sober up and look at these plans.

Commissioner Pretty On Top: Do you know that there is only 3,000 people at Rocky Boy but there are 16,000 Blackfeet?

Ms. Mahle: Right, I know that.

Commissioner Pretty On Top: What you are proposing is unrealistic and provides unequal representation.

Ms. Mahle: You are looking at Indians as a whole. We are talking tribal. You can't take Rocky Boy or Crow or any other and put them together. They all have separate needs. They are totally different. But for the representatives that you are going to have in our state Legislature is what we are talking about. So what is wrong with having one representative from every tribe. You are looking at tribes not areas. Right?

Commissioner Pretty On Top: It would be a serious exception to the one-person-one vote principle.

Ms. Mahle: No it wouldn't because each tribe is a nation within itself. So you are having a representative from that nation just like you would from here.

Steve McCoy, Director, Adult Learning Center, Salish Kootenai College: I would like to speak in favor of Plan 300. As the Director of the Adult Basic Education Center, I make at least one trip a year to the Blackfeet Reservation, often times, two or three. to offer some technical assistance to their adult basic education program. The federal government zeroed out Indian adult education funding at the conclusion of the 1995-96 fiscal year. Since that time, most reservations in Montana have not had functional adult basic education programs. Sometimes the receive piecemeal services from a variety of different agencies. I can tell you that in my time hear, I feel a connection with the students from the area of Browning and a personal commitment to try to help them build a solid adult basic education program. One, because I do see them as an extension of our own community and also because of them come here and we end up serving them here anyway. It would be good for them to get those services

at home. It is also a sign of respect when you here a lot of the teasing back and forth. When you are getting teased in a Native American community, it is out of respect. Ideally, I don't think these boundaries should exist at all. I spent a little time in Holland and I learned a little bit about their political system. It is a system of direct representation where, in Holland, they have an election. An X amount of people vote for a political party. That same percentage of seats in their legislature are occupied by representatives from that party. In essence, you don't vote for individual, you vote for a party. The thing that I admire most about the work that you have done is that you are trying to make the representation in the state more equitable. I think that is a very valid concern. In an ideal system, if we had X amount of Native Americans in the state, maybe there would be a political party to represent those unique those views. I also serve on the volunteer fire department in Polson. There are some issues that are coming up in our fire district between the city protection and the rural protection. Of these three maps, Plan 300 leaves the Polson fire district intact. It would be really nice in the future if there was one representative who would reflect that geographical region.

Anita Big Spring, Salish Kootenai College and Member, Blackfeet Tribe: I have lived on this reservation for 21 years and I have a daughter who is an enrolled member of the Confederated Salish and Kootenai Tribes. I also have a son who is enrolled in the Little Shell Tribe. My heritage--I am from the Indian race, but I have many nationalities. I represent French, Scottish, Blackfeet, Cree, and, along with my daughter, Salish and Kootenai and German. I think my family represents a lot of intertribal relations. I also want to express that I come from a very political family and Indian Veterans. My grandfather fought in one of the last Blackfeet-Crow war parties. My father was a World War II vet. I have cousins who fought in Viet Nam. I have immediate family who fought in Saudi Arabia, and currently, three that are serving in US Army.

I was raised to speak out for our rights and vote. I also support Plan 300, but I think that you should include the Flathead Reservation boundary by Evaro. I think it is really important for all of here who live on the reservation. When I say the word "Montana", Montana is Indian. I want to elect candidates of my choosing who truly represent who Montana is. As a member of this community, we have worked very hard to get out the Indian vote and getting people to vote. I have worked every aspect of the voting process. At one time, I was a bus driver, a poll watcher, and an election judge. We went door to door asking people to please vote for the new Ronan school. My daughter was going to school in terrible mold. I couldn't believe the school was serving children in a molding classroom that would cause sickness. That was shameful. We have an intertribal community on the Flathead Reservation. Please support Plan 300 but include the Evaro boundary.

Jeff Smith, New Director, KERR-KQRK Radio: Plan 300 seems to be the most popular plan in the room today. If look at Plan 200 and 100, the region in Lincoln, Libby, and Sanders County is a lot different in Plan 300. Did you already have meeting over there to see how folks in that area feel about it? Obviously, this is drastically different. I'm just curious how those people feel in that region?

Commissioner Lamson: The key difference is that Plan 300 follows the Lincoln County line. We were fortunate that the population was about equal after it had two representatives. There has been

traditional bad feelings in the Community of Troy that has been split in previous plans. In Plan 300, we were able to put Troy and Libby together. We heard from their County Commissioner last night. They hadn't taken a formal position on it. They were going to do that next week. As a Commissioner, I have talked to people in the Lincoln County area, and Plan 300 seemed to be their preference as well as the representatives in the Sanders County area. We hoping to here in Missoula tonight some of the Mineral County folks.

Mr. Smith: What about last night in Kalispell? What was there take?

Commissioner Lamson: We just had the one commissioner come down and she had some questions on exactly how the plans had worked. They were going to take a formal position next week.

Mr. Smith: In the future, are you going to be able to tinker a little bit and there. . . ?

Commissioner Lamson: That is what the public hearing process is for. We have not adopted any regional plans in which we haven't taken some of those ideas and tried to make them work.

Mr. Smith: We can see a little bit of what is wanted here in regards to what would be proposed district #1.

Commissioner Lamson: Our first thing is always the population because of the population constraints that we have. Sometime, because of the way the census district went, we have to build on census building blocks. Sometimes when you grab an area, it is not quite as simple as it seems. So, I have no doubt that there will be some modifications made on it.

Mr. Smith: Would it be fair to say that it is more than likely that the two reservations will be connected?

Commissioner Pretty On Top: Yes, if you look at all three plans, that is the case.

Mr. Smith: The will be connected eventually?

Commissioner Pretty On Top: I think that is a fair statement.

Ms Fox: The one thing that I wanted to mention regarding the Lincoln County area is that much of the difference in the plans, although they are population based, is that there is vast amounts of area that little to no population. Though she didn't speak publically, the Clerk and Recorder did submit the precinct maps in hopes that some of the precincts, even though they don't have a lot of population, we may be able to "tweak" them somehow. You may see some changes in Lincoln County.

Commissioner Pretty On Top: As you see the descriptions of the districts, we have sort of a general description of what each district will look like in terms of boundaries. It is not a legal description, but it gets, at least, the concept of the district.

Mr. Smith: Does that explain those legislators that would carryover into the new system? If this was invoke right now, would John (Rep. Brueggeman) now be in proposed district 89 or would he be in proposed district 90?

Ms. Fox: For House members, because they have to run every two years, Representatives Brueggeman and Jayne will get to choose which district based on their residency. The 25 Senators, on the other hand, who will be elected this fall will be assigned to a Senate district. Though we do hope that they will be districts that have the predominant population that elected them, when you lose three

House district on one side of the state, and they are going to flip considerably, we will have some Senate districts that are completely differently from they have been. There may be districts where two Senators may live in the same district or they may be representing a district in which they don't live. They are guaranteed their 4-year term. So they will serve two years under the district of the people who elected them, and they will finish out their term in a district that may or may be one in which they can run in the future, depending again on residency and configuration of the districts. But, when you lose that many districts in eastern Montana and gain that many in the west, there is bound to be some oddities in that.

Commissioner Pretty On Top: It takes a while to transition into this plan. Voter will have the opportunity to gradually adjust to whether they go to vote and who they vote for.

Commissioner Lamson: These districts belong to the people of the districts and the communities there. While we would certainly like to see Representatives Brueggeman and Jayne representing their particular areas, because the people have spoken about term limits, the definition is going to change. We are looking more at the districts rather than individuals in the communities.

Commissioner Pretty On Top: But the transition does have consideration for incumbence. It is important that we try to communicate that. A lot of times, this process catches our citizens all of a sudden and they get panic stricken by it. But remember, that the record for this hearing is open for three more weeks. These plans are before use, even when we get to the September 3rd, we will be tentatively adopting them still then. There is a hearing ahead of us.

There being no further public comment, the public hearing adjourned at 3:05 p.m.

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