



# Montana Districting and Apportionment Commission

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## Commission members:

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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.**

### NORTHEAST REGION PUBLIC HEARING JUSTICE CENTER MEETING ROOM - HAVRE JANUARY 16, 2002

#### COMMITTEE MEMBERS PRESENT

Janine Pease Pretty On Top, Presiding Officer  
Joe Lamson  
Jack D. Rehberg  
Sheila Rice  
Gregory Barkus

#### STAFF PRESENT

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

#### VISITORS

Visitors' list (ATTACHMENT #1)

#### CALL TO ORDER AND ROLL CALL

The Commission reconvened at 7:00 p.m. Attendance was noted, all Commissioners were present. (ATTACHMENT #2)

**Susan Fox, Research Analyst, Legislative Services Division:** The Districting and Apportionment Commission is charged with redistricting the legislative districts of the state. It is triggered by the decennial census every 10 years to ensure the "one-person, one-vote" principle. It redistricts all 100 legislative districts based upon the ideal population (9,022 persons) along with a plus or minus 5% deviation. The Commission has chosen to start in the Northcentral part of the state (the area around

Glacier, Flathead, and Cascade Counties. It will proceed in a clockwise direction around the state. I visited the areas previously to talk to elected officials, County Commissioners, tribal officials, Clerks and Recorders, Central Committee people, and legislators to share the population shift information.

Montana's population grew at a 12.9% rate which was considerable compared to the 1980 and 1990 round when Montana only grew 1.6%. Eastern Montana and along the Hi-Line has seen a population loss which is one of the reasons that the Commission decided to visit these regions first. One House District will be lost on either side of Havre north of the Missouri River and one will be lost south of the Missouri River. These districts will move to the Western part of the state in Gallatin, Ravalli, and Flathead Counties.

The Commission will go through the state, and in March, it will adopt the Northcentral and Northeast Region plans. Obviously, it will impact how Flathead and Lake Counties are districted, but ripple effect does move around the state. No matter where you start, somebody adjacent to that area will be affected by the ripple affect. The Flathead and Lake County area plans will not be adopted until the Commission does have a public hearing in the area. They can also make certain amendments to the plans around the edges. After each public meeting in each region, there is a 3-week period of time where people can submit written comments on the plans. Copies of the Commission's materials and documents can be found through the Legislative Home Page and Redistricting link.

**Commissioner Pretty On Top:** The Commission was appointed in 1999 and it has been at this task for approximately three years. Its entire plan will be due in 2003.

**John MacMaster, Staff Attorney, Legislative Services Division,** provided an overview of the Commission's criteria and operational guidelines for legislative redistricting. (EXHIBIT #1)

**Ms. Fox** briefly reviewed the Northcentral Region Plans #100, #200, #300, and #400 and provided an overview of the Northeast Region Plans #100, #200, #300 revised, and #500. (See Exhibits #2 and #3 and Ms. Fox's explanation of both Plans in the January 16, 2002, Executive Session Minutes -- Havre)

**Ted Kronebush, Conrad:** One thing that has bothered the city of Conrad has been that it has been split two and three times for 20 years. Plan 300 reestablishes the city of Conrad as one group. As I stated in Browning, people backing out of their driveways to go to work would go from district to another district. They are having to focus their political views in a different manner depending upon which street in Conrad that those individuals lived. Pondera County is happy with Plan 300 because it reunites the County and brings it back into a more centralized geographical area. In addition, the people in the voting districts all have the same business philosophies in adverse to some of the redistricting plans which would invite people from the recreational end or logging industries to have to oppose, concede, or agree with something that pertains to strictly agriculture. Plan 300 is the plan that Pondera

County and he personally supports the most. Mr. Kronebush provided copies of three maps showing how Conrad has been split over the years. (EXHIBITS #2, #3, and #4 respectively)

**Commissioner Rehberg:** Is Plan 300 the only one of the plans that does that?

**Mr. Kronebush:** The other plans do also bring Conrad into a solid unit, but we feel that Plan 300 encompasses the most of Pondera County and brings us back together without any geographical barriers, such as the Continental Divide, etc. This Plan is the plan that we feel is most beneficial to our county and business people assuming that we are all trying to focus in the same economic philosophies, basically based more around agriculture in adverse to tourism or logging, for example.

**Representative Merlin Wolery, House District 90, Rudyard:** If Plan 300 is the plan that we get, I would like you to consider changing the line in Plan 300 in the city of Havre. The December 28th, Plan 100, Northeast Region, Havre Revised, is closer to the lines as they are now. I would like to have you consider leaving the current lines in Havre as close as possible with adjusting the population. Right now, we are in a north-south split in Havre.

**Representative John Musgrove, House District #91, Havre:** None of the Plans impacts House District 91 very much. I like Plan 300 because it splits the town of Havre on an east-west axis rather than on a north-south axis. By the old boundary lines taking 9th Street North, my district has all of the older parts of Havre as well as all of the commercial district in Havre. The north-south split, given the population in both the eastern and western portions of Havre, would allow them a more demographically neutral splitting of the town. That is the only difference that I see among the plans that would impact my district except enlarging it.

**Tom Gordon, Toole County Commissioner:** Plan 300, it looks to me on an east-west direction, if you are going to campaign or are looking at running for an office, is a lot of area to cover. Toole, Liberty, and part of Choteau Counties, as well, is a large area for me. Plan 100 looks to be a better plan.

**Johnathon Windy Boy, Chair, MT-WY Tribal Leaders Council:** The MT-WY Tribal Leaders Council, the tribal colleges across the state, as well as the Chippewa Cree Tribal Council supports Plan 300. If a few changes were made, Harlem would be included in Plan 300.

**Brad Lotton, Hill County, Havre:** I prefer Plan 100 because it follows the county line. Under Plan 300, you are dealing with extra county commissioners and how can anyone represent or cover an area with that many districts. The Senate district in that area could go clear to North Dakota.

**Ed Diemert Liberty County Commissioner:** Plans 100, 200, and 400 are basically the same and Liberty County is kept whole in all of the plans. Liberty County is best represented by Plan 300 but he did not necessarily like Plan 300.

**Dan Sullivan, city of Conrad and Pondera County:** We are in the process of getting some economic development started in the city of Conrad and we are having trouble because of the number of representatives we have to deal with that may not have the same interests. I am in favor of Plan 300 because it keeps Conrad whole.

**Thomas Riffers:** The plans offer more opportunity for Native American voting and Plan 300 gives Native Americans more opportunities to participate.

**Ken Johnson, Pondera County:** I support Plan 300 because it keeps Pondera County whole.

**Ken Evans, Choteau County Commissioner:** I oppose Plan 300 because it creates an area too large to cover. I support Plans 100 or 400.

**Laurie Sun Child, Rocky Boy Reservation:** I support Plan 300 because it is the best plan for the Chippewa Cree Tribe.

**Toni Plummer, Flathead County:** I support Plan 300 because being from eastern Montana and having been raised there, I feel that by having those large blocks, it would bring the issues forth stronger and up front for people. I also think that it would centralize some of the more rural eastern Montana concerns along the Hi-Line areas. Plan 300 would clearly voice that. Granted, it would be hard work for the Representatives and Senators of that region, but I feel that it would provide the opportunity for a broader voice for that region for the extreme needs of Eastern Montana and the Hi-Line in terms of good jobs and other concerns, such as education, that sometimes get lost by having split out in block voting as some of the other plans are represented here. I also think that it would mean more unification of the issues and a stronger voice that is often under-represented from rural Montana.

**Mary Ann Harwood, Toole County Clerk and Recorder:** I do not like Plan 300 because it splits the town of Shelby. There are currently 400 inmates in Shelby at the private prison (Crossroads Correctional Facility). You are talking about a group of people who are unable to vote. Are they included in the census population count?

**Ms. Fox:** Yes, the inmates are counted just the same way as children and other non-voters are counted. They are included in the "one-person, one-vote" even though they are unable to vote. The Census Bureau reports it is as a single census block. It is the same issue that Deer Lodge, Glendive, and Cascade County has been dealing with.

**Commissioner Lamson:** We also face that historically in Great Falls with the Malmstrom Air Force Base where we count all of the service people, and yet, a very small number of them participate in the voting process.

**Ms. Fox:** I would like to clarify that under Plan 300, Shelby is not split. The Shelby city limits should all be within proposed district 14. There is one strange census block that is not city limits but we did keep it with the Shelby district.

**Victor Miller, Chair, Blaine County Commission:** After careful deliberation of all the plans, the Commission on behalf of Blaine County, Plans 100 or 200 are more appealing. We have noticed that the population shifts are east and west of Blaine County. Even though we had a slight increase in population, we have the stable population base between Hill and Blaine Counties. Therefore, a certain amount of stability and communities of interest should be looked at from that stand point. Speaking as a private citizen and arguably the only one that has actually campaigned from Glacier County to Dawson County as a Public Service Commissioner candidate, I encouraged you to look at communities of interest based upon not only the racial issues but also economics and trade areas. It boils down to how people play basketball and follow the teams that they follow. You need to seriously look at that because people identify by their communities very strongly. As a County Commissioner, I would say that we understand the job that you are doing more so than any other commission. It is not easy work. A special thanks to Susan Fox who had done a lot of the ground work. She should be commended for coming out ahead of time and meeting with all community leaders and actually getting people up and focused. I have serious concerns with Plan 300. As one who has campaigned in those areas, I think that instead of having communities of interest, there is enough diversity in those areas where a person not only has to campaign but also has to represent that huge diversity. The person would have a heck of time actually doing that for many reason, mainly in the economic area.

**Commissioner Rehberg:** Would you consider running in the Plan 300 district?

**Mr. Miller:** I have already indicated that I would seriously never consider running. Anyone who has ever done it knows that it is not a poor man's game.

**Commissioner Pretty On Top:** We were visiting about the prison population near Shelby and where there are population with high numbers of non-voters. Many of the Indian people on our reservations are too young to vote but they are still counted in the numbers in these districts. This is also something that this Commission has studied in the process of making the district lines.

**Ed Erickson, Pondera County:** I support Plan 300. It will bring Conrad together and not split it up as it has been.

**Loni Whitford, Chippewa Cree Tribe, Rocky Boy Reservation:** I support Plan 300 because of the reservations and the areas involved

**Commissioner Pretty On Top:** The biggest challenge we have is to be good listeners and to try to understand all of the points that you are bring to us and connect them to the plans. Our record will be open for three weeks for those who want to submit written statements.

There being no further testimony, the public hearing adjourned at 8:08 p.m.

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