



**MONTANA DISTRICTING AND APPORTIONMENT
COMMISSION
68th Montana Legislature**

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PUBLIC MEMBERS

Commissioner Maylinn Smith
Commissioner Jeff Essmann
Commissioner Denise Juneau
Commissioner Kendra Miller
Commissioner Dan Stusek

COMMITTEE STAFF

Rachel Weiss - Research Analyst
Joe Kolman - Research Analyst
Dan Kayser - Data Analyst
Julianne Burkhardt - Attorney
Laura Sherley - Research Assistant

MINUTES LOG

February 11, 2023
Capitol Room 172 and Video Conference
Helena, Montana

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.

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MEMBERS PRESENT:

Commissioner Maylinn Smith, Presiding Officer
Commissioner Jeff Essmann
Commissioner Denise Juneau
Commissioner Kendra Miller
Commissioner Dan Stusek

STAFF PRESENT:

Rachel Weiss, Research Analyst
Joe Kolman, Research Analyst
Laura Sherley, Secretary
Dan Kayser, Data Analyst

AGENDA (Attachment 1)

COMMITTEE ACTION

The commission approved amendments to the tentative commission plan, specifically:

- certain SJ 8 recommendations,
- Somers/Lakeside area,
- Central Montana,
- Northeastern Montana, and
- House Districts 91 and 99 Missoula area.

They also adopted a final commission plan to be submitted to the Secretary of State.

RECONVENE/ROLL CALL

08:30:12 Commissioner Smith called the meeting to order at 8:30 AM. The secretary took roll.

08:30:42 Commissioner Essmann recognized former Commissioner Lamson for his work on the commission.

WORK SESSION

08:31:15 Commissioner Smith opened the discussion on revisions to TCP-3.

Motion:

08:31:57 Commissioner Essmann moved to adopt Commissioner Juneau's and Commissioner Miller's Highway 12 and SJ8 bipartisan amendments. ([Exhibit 1](#))
([Exhibit 2](#))

Discussion on the motion:

08:32:41 Commissioner Stusek

08:33:30 Commissioner Miller asked for clarification on the motion.

08:33:48 Commissioner Miller ([Exhibit 3](#))

08:39:40 Commissioner Juneau

08:40:36 Commissioner Stusek

08:41:44 Commissioner Essmann

08:43:20 Commissioner Smith

Vote:

08:44:15 Carried 4 - 1 by voice vote, with Commissioner Juneau voting no.

08:44:37 Commissioner Stusek asked to review the Somers/Lakeside amendment proposed by Commissioner Miller. ([Exhibit 4](#))

08:47:33 Commissioner Miller reviewed the Somers/Lakeside amendment (see Exhibit 4).

08:48:31 Commissioner Stusek asked to switch the numbering of districts 9 and 12 in the Somers/Lakeside amendment.

08:52:16 Commissioner Smith asked for clarification on Commissioner Stusek's request.

08:52:36 Commissioner Miller commented on the renumbering and repairing suggestions to the Somers/Lakeside amendment.

09:02:09 Commissioner Stusek asked Commissioner Miller and Commissioner Juneau to discuss the compactness of the Somers/Lakeside amendment.

09:04:06 Commission discussion on the Somers/Lakeside amendment.

Motion:

09:06:30 Commissioner Essmann moved to adopt the Somers/Lakeside amendment with district pairing changes (see Exhibit 4).

Discussion on the motion:

09:07:16 Ms. Weiss asked for clarification on the motion.

09:08:08 Commissioner Miller

Vote:

09:09:01 Carried 4 - 1 by voice vote, with Commissioner Juneau voting no.

Motion:

09:09:31 Commissioner Essmann moved to adopt the Missoula South SJ8 amendment brought forward by Commissioner Stusek. ([Exhibit 5](#))

Discussion on the motion:

09:11:30 Commissioner Stusek

09:12:17 Commissioner Miller

09:13:27 Commissioner Miller asked if the amendment has partisan implications.

09:15:05 Commissioner Stusek

09:17:26 Commissioner Miller

09:20:30 Commissioner Stusek

09:21:05 Commissioner Smith

Vote:

09:22:22 Failed 3 - 2 by voice vote, with Commissioner Essmann and Commissioner Stusek voting yes.

09:23:22 Commissioner Smith reviewed the Missoula South SJ8 amendment and discussed public comment received regarding the area.

Motion:

09:24:14 Commissioner Miller moved to adopt the Richland amendment ([Exhibit 6](#))

Discussion on the motion:

09:25:22 Commissioner Stusek

09:29:01 Commissioner Smith

09:29:39 Commissioner Stusek

Vote:

09:30:17 Failed 1 - 4 by voice vote, with Commissioner Miller voting yes.

Motion:

09:30:40 Commissioner Stusek moved to adopt the Missoula North amendment. ([Exhibit 7](#))

Discussion on the motion:

09:33:30 Commissioner Miller

09:36:54 Commissioner Stusek

Vote:

09:40:35 Carried 3 - 2 by voice vote, with Commissioner Juneau and Commissioner Miller voting no.

Motion:

09:41:51 Commissioner Miller moved to adopt Central Montana political subdivision amendment. ([Exhibit 8](#))

Discussion on the motion:

09:48:41 Commissioner Smith asked for a review of the amendment.

09:49:31 Commissioner Stusek asked for a review of the senate pairing on the amendment.

09:49:53 Commissioner Essmann

09:51:29 Commissioner Juneau

09:51:54 Commissioner Stusek

09:54:31 Commissioner Essmann
09:55:40 Commissioner Miller
Vote:
09:57:43 Carried 3 - 2 by voice vote, with Commissioner Essmann and Commissioner Stusek voting no.

BREAK

Motion:
10:14:46 Commissioner Stusek moved to reconsider the action taken on the Highway 12 amendment.

Vote:
10:15:22 Carried unanimously by voice vote.

Motion:
10:15:39 Commissioner Stusek moved to adopt the Gallatin amendment. ([Exhibit 9](#))

Discussion on the motion:

10:22:36 Commissioner Miller
10:26:26 Commissioner Stusek

Vote:
10:27:45 Failed 3 - 2 by voice vote, with Commissioner Essmann and Commissioner Stusek voting yes.

10:27:57 Commissioner Smith commented on the amendment.

Motion:
10:28:28 Commissioner Miller moved to adopt the Northeastern Montana amendment ([Exhibit 10](#))

Discussion on the motion:

10:31:07 Commissioner Stusek
10:32:51 Commissioner Juneau

Vote:
10:33:12 Carried 4 - 1 by voice vote, with Commissioner Juneau voting no.

Motion:
10:33:35 Commissioner Stusek moved to adopt the Helena Valley amendment ([Exhibit 11](#))

Discussion on the motion:

10:40:28 Commissioner Miller
10:47:35 Commissioner Juneau
10:49:06 Commissioner Essmann

Substitute motion:

10:51:02 Commissioner Stusek made a substitute motion to reflect changes in House District 81 and House District 82.

Discussion on the substitute motion:

10:52:52 Commissioner Miller
10:55:43 Commissioner Stusek
10:57:53 Commissioner Miller asked staff to present the commission's mandatory criteria for state legislative districts ([Exhibit 12](#))

11:00:42 Commissioner Essmann
11:01:11 Commissioner Juneau
11:03:01 Commissioner Stusek
11:03:47 Commissioner Juneau

Substitute motion:

11:11:23 Commissioner Stusek provided an updated amendment to the Helena Valley, withdrew the previous substitute motion, and made a new substitute motion to the Helena Valley amendment.

Discussion on the substitute motion:

11:14:20 Commissioner Smith asked for clarification on the motion

Substitute motion withdrawn:

11:14:42 Commissioner Stusek withdrew his motion and substitute motion.

Motion:

11:14:57 Commissioner Stusek moved to adopt the Helena Valley amendment that only impacts House District 81 and House District 82.

Discussion on the motion:

11:15:24 Commissioner Miller

Substitute motion:

11:17:05 Commissioner Stusek made a substitute motion to switch the numbering of House District 81 and House District 83.

Discussion on the substitute motion:

11:17:55 Commissioner Smith asked for clarification on the substitute motion.

11:19:13 Commissioner Juneau asked if senate pairings will be changed in this amendment.

Vote:

11:20:40 Failed 3 - 2 by voice vote, with Commissioner Essmann and Commissioner Stusek voting yes.

Motion:

11:21:19 Commissioner Miller moved to adopt the Whitefish/Columbia Falls amendment and Rural Gallatin/Park County amendment. ([Exhibit 13](#))

Substitute motion:

11:29:42 Commissioner Essmann made a substitute motion to segregate the two amendments.

Discussion on the substitute motion:

11:31:00 Commissioner Miller

Vote:

11:31:07 Carried 3 - 2 by voice vote, with Commissioner Juneau and Commissioner Miller voting no.

11:31:41 Commissioner Essmann requested to a recess until the afternoon.

11:31:48 Commissioner Juneau asked for clarification on which amendments needs to be adjusted before discussion.

Motion:

11:32:13 Commissioner Stusek moved to adopt Whitefish/Columbia Falls amendment ([Exhibit 14](#))

Discussion on the motion:

11:34:25 Commissioner Miller

11:37:13 Commissioner Stusek
11:38:05 Commissioner Essmann
18:39:19 Commissioner Juneau

Vote:

11:39:49 Failed 3 - 2 by voice vote, with Commissioner Essmann and Commissioner Stusek voting yes.
11:40:03 Commissioner Smith reviewed the Whitefish/Columbia Falls amendment (see Exhibit 14).

Motion:

11:41:04 Commissioner Miller brought forward and moved adoption of an amendment to Yellowstone County. ([Exhibit 15](#))

Discussion on the motion:

11:44:57 Commissioner Essmann
11:45:28 Commissioner Stusek
11:46:21 Commissioner Miller
11:48:18 Commissioner Stusek
11:49:44 Commissioner Juneau asked for clarification on Commissioner Stusek's comments.

Vote:

11:51:33 Failed 3 - 2 by voice vote with Commissioner Juneau and Commissioner Miller voting yes.
11:52:14 Commissioner Juneau asked how many amendments are left for discussion.

BREAK

Motion:

13:17:05 Commissioner Miller moved to adopt the Belgrade amendment ([Exhibit 16](#))

Discussion on the motion:

13:22:02 Commissioner Stusek

Vote:

13:23:59 Failed 3 - 2 by voice vote with Commissioner Juneau and Commissioner Miller voting yes.

Motion:

13:24:50 Commissioner Essmann moved to adopt Rural Gallatin/Park County amendment ([Exhibit 17](#))

Discussion on the motion:

13:45:50 Commissioner Miller
13:51:14 Commissioner Stusek
13:53:50 Commissioner Miller

Vote:

13:55:54 Failed 3 - 2 by voice vote, with Commissioner Essmann and Commissioner Stusek voting yes.
13:56:26 Commissioner Smith discussed the Rural Gallatin/Park County amendment.

13:57:17 Commissioner Stusek asked Commissioner Smith how the commission should approach numbering the districts.

13:57:57 Commission discussion on numbering districts.

Motion:

14:05:51 Commissioner Stusek moved to switch the numbering of HD 15 and HD 16 on TCP-3.

Vote:

14:06:34 Carried unanimously by voice vote.

14:07:15 Commissioner Smith asked for discussion on any outstanding issues.

14:07:28 Commissioner Essmann asked to review the changes to central Montana and the Senate District pairings.

14:07:54 Commissioner Stusek asked staff at what point the commission officially dissolves.

14:10:05 Commissioner Essmann asked if an analysis needs to be run again on Central Montana after the amendments approved.

14:11:53 Commission discussion on Central Montana Senate District pairings.

14:13:51 Commissioner Miller spoke on the impact of the amendment to the Missoula County area.

14:20:25 Commissioner Stusek responded to Commissioner Miller's comments.

14:27:30 Commissioner Smith reviewed the discussion and the status of the current amended map.

14:28:12 Commissioner Miller discussed a potential amendment to Missoula.

Motion:

14:47:52 Commissioner Miller moved to reconsider the Missoula North amendment. (see Exhibit 7)

Vote:

14:47:52 Carried 3 - 2 by voice vote, with Commissioner Essmann and Commissioner Stusek voting no.

Motion:

14:48:39 Commissioner Miller moved to adopt the HD 91/HD 99 amendment. ([Exhibit 18](#))

Discussion on the motion:

14:50:05 Commissioner Stusek

Vote:

14:50:15 Carried 3 - 2 by voice vote, with Commissioner Essmann and Commissioner Stusek voting no.

Motion:

14:50:57 Commissioner Miller moved to adopt the Tentative Commission Plan as amended to be submitted to the Secretary of State at the discretion of the chair.

Discussion on the motion:

14:51:46 Commissioner Stusek

14:56:28 Commissioner Essmann

15:00:09 Commissioner Juneau

15:03:24 Commissioner Miller ([Exhibit 19](#))

15:27:54 Commissioner Smith

Vote:

15:33:25 Carried 3 - 2 by voice vote with Commissioner Essmann and Commission Stusek voting no.

CLOSING REMARKS

15:34:04 Commissioner Smith made closing remarks and asked staff to finalize the report to the Secretary of State.

15:34:40 Commissioner Miller made closing remarks regarding the work of the commission and thanked the staff.

ADJOURNMENT

Adjournment: 15:35:25