



## MONTANA DISTRICTING AND APPORTIONMENT COMMISSION

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### 68th Montana Legislature

#### 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

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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