EXHIBIT 6

BOARD OF APPORTIONMENT

October 29, 2021
10:30 a.m.

Arkansas State Capitol
Little Rock, Arkansas

P R O C E E D I N G S

GOVERNOR HUTCHINSON: Good morning to everyone. I am now calling this meeting of the State Board of Apportionment to order.

And we have a number of items of business today. I want to start with our opening comments and certainly invite Secretary of State John Thurston and Attorney General Leslie Rutledge to make comments.

And then we'll have the minutes reviewed. As you can see from the agenda from the last meeting, we will recognize Betty Dickey, Justice Betty Dickey, who has done an extraordinary job as our redistricting coordinator this year. And we thank you for your service and we look forward to your comments shortly.

Today, the primary purpose of our gathering is to consider draft redistricting maps. These have been prepared based upon the priorities set by the Board and established by law; and also based upon the public comments and the excellent work of the staff.

That includes the staff of the Attorney General's office, Secretary of State, and the

Governor's office as well.

And I believe Director Dickey will be recognizing them separately; but I wanted to express my personal thanks to them for their hard work.

And it has been very important, the work of the staff with Director Dickey, in having eight public meetings across the state of Arkansas. That gave every citizen an opportunity to express themselves.

We've received, of course, other comments through our website and through letters and correspondence and we thank the public for giving the viewpoints of the community in reference to this redistricting process.

I believe Director Dickey will go through some of the standards that we have to follow by court guidance as well as by law.

I wanted to emphasize one thing from the very beginning; that is, I looked at these maps, an area of concern has always been the majority-minority districts. And I wanted to make sure, as we reviewed these and went through the process, that those majority-minority districts do not decline,

because that is a key part of our important efforts historically to improve access and representation of our free access for our minority populations.

And so I was pleased with the map that will be presented on the House side, we'll go from 11 majority-minority districts to 13.

And, as part of this, we'll have the first in history majority Latino district in Northwest Arkansas.

And so all of that combined would give us 13 majority-minority districts. The Senate map would remain at four.

But this is historic in nature in terms of access and making sure that we continue equal access by all populations of our state.

With that, let me recognize the Attorney General for her comments followed by the Secretary of State.

ATTORNEY GENERAL RUTLEDGE: Thank you, Governor.

And, as Governor aptly noted, this has been an incredible process and I want to say thank you to all of our redistricting teams for their hard work over the last several months.

I particularly want to say thank you to Andy Davis, Doug House, Devyn Young, and Brad Nye from the Attorney General's office in helping me to negotiate all of this information and to put it in front of me and to work collaboratively with all members of staff and Former Chief Justice Dickey to put these proposed maps together that we will see shortly, consider all the information, and to attend those eight meetings across the state.

I too found it very important and exciting that these maps will reflect an increase in majority-minority districts in the state of Arkansas. This speaks volumes for the work that we have put into this effort, our teams have put into this effort.

It's important also that, historical note, that we are reflective of our population growth in Northwest Arkansas; in particular, having the first Latino majority-minority district in the state.

We are going to continue, I believe, as projection occur, to see this population increase in Arkansas. And these maps reflect that.

We will be prepared for any challenges and we welcome the opportunity for discussions.

But it has been a remarkable last few months after we have gotten the numbers before us. And so a big thank you to all of those who worked on it. And thank you to not only the law makers, but in particularly, the citizens of Arkansas who took time to contact us, to attend those meetings across the state, to file comments with regard to your thoughts on redistricting.

Because, ultimately, that's who we need to hear from, are the people that are impacted, and to make sure that we are doing our job and holding us accountable.

So thank you to everyone for taking the time to make those comments.

GOVERNOR HUTCHINSON: Secretary.

SECRETARY OF STATE THURSTON: Thank you. I don't think there's much I can add except this process was much more challenging than I anticipated.

I know, leading up to this process, it sounded like a lot of fun and it was exciting. But, once you dive into this and you see the

population shifts, you have communities of interest to consider, you have incumbents to consider, you have so many variables that go into producing a meaningful map.

And I will say this. There are no perfect maps. There will never be a, quote, perfect map; because I don't know if that even exists because we all have different thoughts on what a perfect map would look like.

But I will say that this. The maps that we're proposing today took a tremendous amount of hours from staff from each departments, our agencies, and we put a lot of thought into it.

And so it wasn't just something that was just thrown together. Public comments were considered. There was, like I said, a lot of variables considered. But there's also a lot of omitted variables that we may never even know that exists.

That's to my point. There's no perfect map. But I do hope that this is something that, like I said, is meaningful.

And I do want to thank Betty Dickey for your hard work. Shelby Johnson and your team, they put in a lot of hours, and also the

Governor, Attorney General and their staff, and, of course, my staff over the past several months, all the work that they put into it.

So, again, thank you so much. I don't know that I ever want to go through this again; but, again, hopefully, it's something that the state can be proud of.

GOVERNOR HUTCHINSON: Thank each of you.

And, with that, we have before us the minutes of the June 7, 2021 meeting.

Is there a motion to approve and adopt those minutes?

ATTORNEY GENERAL RUTLEDGE: So moved.

GOVERNOR HUTCHINSON: With that, all in favor say aye.

(Aye by all members.)

GOVERNOR HUTCHINSON: Motion carries unanimously.

And then we also have before us the transcripts of the statewide public hearings which, again, Director Dickey will recite as to where those occurred, eight of those.

But is there a motion to adopt the minutes of the statewide public hearings as part of our official record as well?

SECRETARY OF STATE THURSTON: So moved.

GOVERNOR HUTCHINSON: And, with all that, all say aye; or opposed -- all in favor say aye.

(Aye by all members.)

GOVERNOR HUTCHINSON: Missed my cue there. I'll wake up here in a minute.

So that passes, the adoption of the minutes from those hearings.

And, with that, let me turn the floor over to Director Betty Dickey to discuss the process that we went through, the legal requirements, but also disclose the maps and your recommendation.

JUSTICE DICKEY: Thank you, Governor, Attorney General, Secretary of State.

Let me first introduce you to those involved in the process, all of them. And I ask them to stand until I finish the list.

From the Governor's office, Andres Rhodes, Nicholas Ortiz, he's here joining us, and Rett Hatcher.

From the Attorney General's office, if you will still continue stating, Brad Nye, Doug House, Andy Davis.

From the Secretary of State's office, Kevin Niehaus, Kenneth Burleson, Richard Bearden, and Megan Earnhart who ran and managed the website; and our Geographic Information Services Director and his staff, Shelby Johnson.

My administrative assistant who has worked three jobs, she is on loan from the secretary, sorry, from the Attorney General's office, and is a law student. And she has basically answered every letter, posted every comment with Megan's help during the process.

These are the people who have worked hard, who are brilliant and determined to follow the goals that we set, the criteria that we have, and deserve our gratitude, our thanks, and the respect of the public. Thank you.

Do we have the criteria poster? And we conducted eight meetings, as this map reflects, throughout the state so that everyone could be informed and educated, as far as the process, so that they could state their problems with their own district or their concerns, which were taken back to the principals and to their staff.

We learned a lot. And I think that the people who came did. They were from all walks of life.

In one of the meetings, we had a man, an elderly man, dressed in overalls who was barefoot with a long beard, and he said I just came to understand what y'all are doing. And that was the feeling with so many of them.

And there were incumbents who came to listen to what their constituents wanted. There were people who were there who are better educated, certainly than I, who had input.

So we asked for -- in the first ever transparent set of meetings, we asked for what are your concerns, how can we educate you on this.

And we took with us a set of eight, nine criteria. Eight meetings, nine criteria. And they were based on federal and state laws, our Constitution, the NCSL, that's National Conference of State Legislature's redistricting laws handbook.

And those are -- do we have those? No. Those will be here eventually. I did not particularly want to read those to you.

Everyone who went to the meetings or saw them live streamed or saw them archived and were able to see them later heard these.

I think any of these men who were with us at the meetings answered the questions and know these criteria by memory. But I will go over them briefly for you.

The first one of the first obligation we have is to create a substantially equal district everywhere. And, of the 3,011,526 people, the House districts should each have substantially 30,115 people. The Senate, 86,044 people.

There is generally accepted as substantially equal what's called a plus or minus deviation. That amounts to a 10 percent deviation because it can be five above, five below.

In 2011, that deviation in the House was 8.36; and their Senate, 8.2

In 2021, the deviation is 7.9 in the House and 4.99 in the Senate.

The second challenge is, in 2011, the Senate minority districts had been reduced from five to four. They are still, in 2021 at four;

but that was no -- there was no reduction in the Senate house -- Senate minority districts.

In the House minority district, they were reduced from 13 to 11 by that Board of Apportionment.

In 2021, we added one African minority, African-American minority district, and one Latino or Hispanic minority district. So we've added two majority-minority districts.

The third challenge, the third goal, is the Equal Protection Clause which sets out -- under the 14th Amendment, it limits the redrawing of strict boundaries strictly based on race. That was not done. It was based on population and complied with the VRA, Voters' Rights Amendment of 1965.

The fourth challenge is one of compactness. These are geographical features such as rivers, highways, national forests, that we consider in the drawing of districts.

In 2011, the variation was .27 for both the House and the Senate. In 2021, it's .31 for the House, .32 for the Senate.

As to contiguous or common -- no islands, no partial districts. All districts were and

are contiguous.

Number six is the core of existing districts. To the extent possible, we maintained the existing districts.

Our goal was not to divide up counties which was, unfortunately, not able to totally achieve. But there were -- the whole counties and House districts in 2011 were 13.

This year, we have maintained whole counties in 22 of the counties; which is almost double what was done in 2011.

In the Senate, there were 37 total counties. And, this year, there are 42.

Communities of interest is another of the goals and concerns. Those are such as keeping intact Air Force bases, college campuses, industrial areas; which were kept whole to the extent possible.

Continuity of representations; this year, there is one House -- there are no Senate races in which incumbents run against each other.

And the purpose of the continuity of representation is that these people were elected and it is not -- it is our attempt to avoid making them run against each other

because they are -- they reflect the will of the voters.

In the House seat, there is one race in which incumbents are pitted against each other. Those are two Republicans -- there are three in one race. Two Republicans and one Democrat. That is in the southeast corner of the state, I believe.

And, finally, to minimize partisanship; that is the commitment to not target nor give preferential treatment to anyone because of political races to avoid gerrymandering, weird shapes to districts.

And I have to first admit that there was no gerrymandering. There are weird shapes to counties; therefore, there are weird shapes to districts.

But, in the eight hearings we conducted around the state, as far as transparency and minimizing partisanship, PBS live streamed every one of them and archived them so that anyone who wanted could see them later and is present today to live stream this meeting as a way of telling everybody what the process was going on and how they could participate in it.

We invited public comments to the website which Megan oversaw. We responded to all letters, all inquiries directed to the Board and posted them on the website, including letters from the ACLU, Indivisible, and the NAACP.

There was no targeting, no preferential treatment to either political party in this endeavor. There was no loading of political data into the computer so that we would even know how the political breakdown was.

I have quickly tried to go through the poster that I think has now been put up for you.

We have invited questions everywhere. We've been -- so everyone has already had an opportunity to ask about this criteria or to make comments.

And so, with that, I can tell you I am very proud of the people I worked with, very happy with the job we've done. We have achieved more than any other Board of Apportionment as far as meeting these goals.

And I turn it back over to you. Thank you.

GOVERNOR HUTCHINSON: Thank you, Justice Dickey. Thank you for your work and the coordination, your presentation today.

And, at this point, the Coordinator Betty Dickey and the staffs of the Attorney General, Secretary of State, and Governor's office are making two recommendations to the Board of Apportionment for review.

The first recommendation is the proposed House map. And the second is the proposed Senate map.

And I will go through, later, the timeframe; but the purpose, I would hope, today is to accept these for public comment. They will be accepted with the discussion of the Board of Apportionment, and then we'll have 30 days for the public to comment on these before they would be finally considered later.

But, at this point, what is the pleasure of the Board in reference to the House map?

ATTORNEY GENERAL RUTLEDGE: Mr. Chairman, I move that we accept the proposed map for the Arkansas House of Representatives.

GOVERNOR HUTCHINSON: And is there a second?

ATTORNEY GENERAL RUTLEDGE: Second.

GOVERNOR HUTCHINSON: And motion seconded; all in favor say aye.

(Aye by all members.)

GOVERNOR HUTCHINSON: The motion carries to accept the House map.

Is there a motion in reference to the Senate map?

SECRETARY OF STATE THURSTON: Governor, if I may, before I make the motion, just so everyone knows that these maps will be on Arkanasredistricting.org as soon as this meeting is over.

So there will be -- I don't know if it's been mentioned yet. Just wanted to make sure.

So I move we accept the proposed map for the Arkansas Senate.

This map should go out for public comment for 30 days. The map will be reconsidered by the Board of Apportionment after 30 days of public comment and technical review by Arkansas GIS office.

GOVERNOR HUTCHINSON: And is there a second to that motion?

ATTORNEY GENERAL RUTLEDGE: Second.

GOVERNOR HUTCHINSON: All in favor say aye.

(Aye by all members.)

GOVERNOR HUTCHINSON: Motion unanimously carries.

So let the record reflect that both the House and Senate map, as recommended, has been unanimously accepted by the Board of Apportionment.

And, as Secretary of State has indicated, let me go through the timeline. So, today, we have accepted these two maps for public comment. And so we will accept public comment on these for the next 30 days.

And November 29th is designed that the Board of Apportionment will reconvene to consider any public comments.

And, if there's not any objections or concerns that have been expressed that need to have adjustments, then we would hopefully have final approval of those maps.

And then, under the law, there's a period that there could be legal challenges filed from November 29th to December 29th.

And, hopefully, if that does not take

place or when they're resolved, the maps would become official, if there are no legal impediments on December 30th of 2021.

That's been the timeframe we have set. We obviously had some delays early on because of waiting to get the full census data.

But they worked very diligently, the staff and our coordinator, once we received that information.

And that's a timeline that we've tried to stick with because we know the clerks' offices, we know the candidates all have to make decisions coming up. We wanted to get this done as soon as possible.

With that action, I want to ask if there's any other discussion or comments from the Board.

SECRETARY OF STATE THURSTON: I'm good. Thank you so much for, you know, hiring me to do this job. It's been an absolute honor.

Again, it's -- it was challenging. I'll be honest with you. It's not as easy as just moving lines around; so much to consider.

But it has been an extreme honor; so I just want to thank Arkansas for giving me this

privilege. So thank you.

ATTORNEY GENERAL RUTLEDGE: Thank you to both members of the Board of Apportionment and, again, to all of the staff of our respective offices and the Board of Apportionment for working diligently. It's a very complicated process.

And, as you all are reviewing these proposed maps, as we are over the next month, and providing comments, we look forward to those.

Please keep in mind that our team and, certainly my team, led by Andy Davis, has done incredible work to make some historical points and to make these maps even stronger than what we've had previously.

And that's why you see that very low deviation on these maps versus what they were in 2011. We're very proud of that, to make sure that Arkansans are equally represented.

The one district that Justice Dickey mentioned that has three incumbents running in it, it is important to note that that is a majority-minority district. That is one of those 13 majority-minority districts that was

created as well.

And, when we looked at some open seats where there are not incumbents or new districts, you will notice that, in the northwest side of the state where we have experienced tremendous growth, that there is one in Crawford County that goes up into Washington County, we are considering or we are noting, also, that there's tremendous growth also in the Faulkner County area, that we have had parts of Arkansas that have grown and other parts more so than others, and we've lost population in part of our state.

You know, ideally, we're going to see population continue to grow across Arkansas; that all of those things were taken into consideration with our staff as they put these maps in front of us.

And, again, I think it's remarkable, what we have accomplished in terms of having more majority-minority districts.

In particularly, I'm excited that we have our first majority-minority Latino district on the map in Arkansas.

So, with that, I appreciate the work of

all of the Board of Apportionment and our staff. So thank you again.

GOVERNOR HUTCHINSON: Thank you, General Rutledge; and thank you, Secretary Thurston. It has been an honor to work with both of my colleagues on this Board of Apportionment.

And I want to also recognize Bill Gossage, my Deputy Chief of Staff, who's helped coordinate my team on this effort. The others have been recognized and I'm grateful to all of them.

And, finally, as the communities look at these maps, you're going to say, well, I wish it could have been a little bit different. Well, just remember that whatever change would be made to accommodate that will impact, have a ripple effect across the state.

And so that usually is the reason that we could not do it just perfectly for one community; because we had to look at the entire state and the population shift. So just keep that in mind.

I think that everybody has done an extraordinary job in the population variance but also in protecting communities of interest.

And we look forward to the feedback though. It might always be something we miss and that's the reason we want to be transparent, we want to have another 30 days for public comment on this. Shucks, even Legislators might have a comment here or there about that. I don't know. But we will look forward to receiving that.

And so, if there's not any other business before the Board, I would recognize a motion to adjourn.

ATTORNEY GENERAL RUTLEDGE: So moved.

GOVERNOR HUTCHINSON: With that, not debatable, all in favor say aye.

(Aye by all members.)

GOVERNOR HUTCHINSON: And motion carries. This meeting is adjourned.

And I want to thank the public and everybody for your active participation and your review of this. Thank you.

(WHEREUPON, the proceedings were concluded in the matter at 11:01 a.m.)

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C E R T I F I C A T E

STATE OF ARKANSAS)
)
COUNTY OF PULASKI)

I, CRIS M. BRASUELL, Certified Court Reporter and Notary Public do hereby certify the proceedings which appear in the foregoing pages are the proceedings taken by me verbatim through the use of the voice-writing method and was thereafter reduced to typewritten form under my supervision; that the foregoing pages contain a true and correct record of the testimony given, held to the best of my ability, along with all items of evidence admitted hereto.

I FURTHER CERTIFY, that I am not a relative or employee of any attorney or employed by the parties hereto, nor financially interested or otherwise, in the outcome of this action, and that I have no contract with any parties within this action that effects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial attorney, or that requires me to provide any service not made available to all parties in the action.

WITNESS MY HAND AND SEAL this 2nd day of November, 2021.

Cris M. Brasuell
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CRIS M. BRASUELL, CCR
Arkansas State Supreme Court
Certified Court Reporter No. 742

My Commission Expires:
August 16, 2031