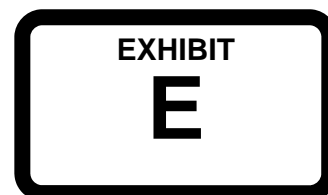


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TRANSCRIPTION OF VIDEO FILE
NORTH DAKOTA LEGISLATIVE ASSEMBLY
REDISTRICTING COMMITTEE
SEPTEMBER 23, 2021



1 SEPTEMBER 23, 2021

2 CHAIRMAN DEVLIN: I will call the
3 Redistricting Committee back to order.

4 And, Claire, if --

5 Do we need to do the roll again? Okay.

6 MS. THOMPSON: Chairman Devlin.

7 CHAIRMAN DEVLIN: Here.

8 MS. THOMPSON: Representative Bellew.

9 REPRESENTATIVE BELLEW: Here.

10 MS. THOMPSON: Boschee.

11 REPRESENTATIVE BOSCHEE: Here.

12 MS. THOMPSON: Headland.

13 REPRESENTATIVE HEADLAND: Here.

14 MS. THOMPSON: Lefor.

15 REPRESENTATIVE LEFOR: Here.

16 MS. THOMPSON: Monson.

17 REPRESENTATIVE MONSON: Here.

18 MS. THOMPSON: Nathe.

19 REPRESENTATIVE NATHE: Here.

20 MS. THOMPSON: And Schauer.

21 REPRESENTATIVE SCHAUER: Here.

22 MS. THOMPSON: Senator Holmberg.

23 SENATOR HOLMBERG: Here.

24 MS. THOMPSON: Bekkedahl.

25 SENATOR BEKKEDAHL: Here.



1 MS. THOMPSON: Burckhard.

2 SENATOR BURCKHARD: Here.

3 MS. THOMPSON: Erbele.

4 SENATOR ERBELE: Here.

5 MS. THOMPSON: Klein.

6 SENATOR KLEIN: Here.

7 MS. THOMPSON: Oban.

8 SENATOR OBAN: Here.

9 MS. THOMPSON: Poolman.

10 SENATOR Poolman: Here.

11 MS. THOMPSON: And Sorvaag.

12 SENATOR SORVAAG: Here.

13 MS. THOMPSON: We have a quorum.

14 CHAIRMAN DEVLIN: Thank you.

15 Committee, we had some proposals
16 yesterday that were still being tweaked a little
17 bit, but Representative Schatz sent you all an
18 email with a plan for southwestern part of the
19 state that he would like to discuss this morning.
20 I told him I would let him on first.

21 So, Representative Schatz.

22 Committee members, it should be on your
23 email. Otherwise, is there a printed copy being
24 -- yeah, there. We'll have printed copies down
25 in just a minute.



1 (Pause)

2 REPRESENTATIVE SCHATZ:

3 Morning, Mr. Chair, and members of the
4 Committee. For the record, my name is
5 Representative Mike Schatz from New England. And
6 I've just handed out a map that I think explains
7 and changes some things that I think are not
8 quite right.

9 And I am going to say right off the bat
10 that Senator Elkin, Representative Houk
11 (phonetic), and myself would like to keep
12 District 36 with all three legislators in it.
13 And currently on the map that is proposed, we
14 would not be. And, by the way, neither would
15 Representative Kreidt from District 33. He would
16 also be removed. The current map that
17 Representative Lefor has put forth does not do
18 this.

19 I propose that New England be
20 reinstated, and that New Salem be taken out and
21 placed back in District 33. I have asked this to
22 be done, but I have never seen a map.

23 New England has close ties to Dickinson
24 and -- as a large percentage of the people work
25 and shop there. The current map, proposed map



1 would have zip codes in Mandan and Dickinson, and
2 my map is more centralized, as you can see.

3 Now I am just going to look at the map a
4 little bit if you would. Traditionally, District
5 39 went from Hettinger to Watford City.

6 As we know, the new people, the new
7 population, is in Watford City. It's not in
8 Adams, Bowman Slope, Golden Valley, Billings,
9 Stark, and Dunn (phonetic).

10 So in my mind, the best number for that
11 would be 39, and the why would be the new people,
12 the new district with the new people.

13 So that's just one thing I'd like to
14 point out.

15 Going along the map, I noticed, like I
16 say, I was taken out, and Representative Kreidt
17 was taken out, and then District 36 was then
18 moved far into Morton County. And on the new map
19 of District 33 you'll notice that Garrison is in
20 the new 33. Garrison is on the other side of the
21 lake. You can't get to Garrison without going by
22 boat apparently because you'd be leaving the
23 district to get there.

24 And the reason I bring that up is
25 because Garrison and New Salem are about the same



1 size. New England and New Salem are about the
2 same size. The thing would fit where you would
3 reinstate New Salem into 33 and New England into
4 36.

5 Now I guess we can talk, and you guys
6 have been talking and doing things. Like I say,
7 I was under the assumption we were going to have
8 a map with New England reinstated. That I have
9 never seen, and when I saw what happened
10 yesterday, I thought I had better get down here.

11 So anyway, I know that there is more
12 than one way to draw a district. There just is.
13 There's many ways.

14 And lines can be moved, and it's my hope
15 that you will consider all or part of this map;
16 and I don't have a computer. I don't have the
17 ability to get exact numbers. If somebody wants
18 to give me that, I certainly will draw it up to
19 specifications.

20 So with that, I will close, and thank
21 you; and if you have any questions, I will
22 attempt to answer them, but I'm sure there's --
23 without a computer I'm only going to be able to
24 do so much.

25 CHAIRMAN DEVLIN: Are there questions



1 from the Committee for Representative Schatz?

2 I'm sorry. Senator Poolman?

3 SENATOR POOLMAN: Mr. Chairman and
4 Representative Schatz, so just to clarify, you
5 haven't taken into consideration population with
6 these lines, just where you would like the lines?

7 REPRESENTATIVE SCHATZ: No. I've taken
8 into consideration, you know, the approximate
9 population, not the exact population. like i
10 say, there's -- I don't have the exact population
11 because I don't have a computer. But I'm close.

12 And lines can be drawn to make these,
13 this map work, I feel.

14 And then there is also another variable
15 here, and that is the City of Dickinson. I mean,
16 that could be put into the old 39 too, part of
17 it, so there's other ways to go. There's other
18 lines that can be drawn. That's what I'm saying.

19 CHAIRMAN DEVLIN: Further questions?

20 Seeing none, thank you.

21 REPRESENTATIVE SCHATZ: Okay. Thank
22 you, Mr. Chairman, and Committee.

23 CHAIRMAN DEVLIN: Now we will proceed
24 with where we were yesterday. I think, Senator
25 Poolman.



1 We will allow Senator Poolman to start
2 and then move on.

3 SENATOR POOLMAN: Mr. Chairman, I'm just
4 going to be talking about one district, and then
5 it's my understanding that Senator Bekkedahl will
6 be talking about the other districts in that
7 area. We're still talking about 8, 6, 4, and 33,
8 that central area.

9 And so I just wanted to pass out a map
10 of what 8 would look like. It is all of Emmons,
11 and then rural Burleigh County. And so you'll
12 see it just follows those county lines. There's
13 not a lot to say.

14 Since we approved the eastern half
15 yesterday, this would be probably an extension of
16 that map following the county lines.

17 SENATOR OBAN: Mr. Chairman?

18 CHAIRMAN DEVLIN: Yes, Senator Oban.

19 SENATOR OBAN: That's okay.

20 Senator Poolman, when you get up into
21 Burleigh, are you using any of District 30 to
22 pull into 8 based on what we adopted yesterday
23 from Representative Nathe's plan?

24 SENATOR POOLMAN: No. If that line is
25 wrong, then it's a mistake.



1 SENATOR OBAN: Yeah.

2 SENATOR POOLMAN: It's going around
3 District 30. Yeah.

4 SENATOR OBAN: Okay.

5 UNIDENTIFIED MALE: Mr. Chairman --
6 thank you, Mr. Chairman, and Senator Wilton.

7 Is that - would that whole city be in
8 District 8, because part of it is in McLean
9 County, and part of it is in Burleigh County.

10 SENATOR POOLMAN: Yep. So I suppose
11 that's the one exception. I did go up and around
12 (indiscernible) so it would stay together.

13 UNIDENTIFIED MALE: Okay. That's what I
14 wanted.

15 CHAIRMAN DEVLIN: Oh, okay.

16 Excuse me. Further questions for
17 Senator Poolman?

18 Representative Schauer.

19 REPRESENTATIVE SCHAUER: Thank you,
20 Mr. Chairman, Senator Poolman.

21 I see the Nathe plan over here, and I
22 see your plan. The Nathe plan was at 4.59
23 percent over. You're at 0.68 percent over. Can
24 you, and not being familiar with this area, can
25 you explain the difference?



1 SENATOR POOLMAN: Well, the difference
2 is the Nathe plan sticks much closer to what a
3 current District 8 would look like. So that plan
4 goes all the way up into Turtle Lake, which we
5 have, under this plan, put into District 6. So
6 it's a different area. It's a different area,
7 and of course doesn't include Emmons County.
8 This is the way to address the orphaned Emmons
9 County in that eastern proposal. Yea. I don't
10 know how you make Emmons County work anywhere
11 else under what we approved yesterday.

12 CHAIRMAN DEVLIN: Representative
13 Schauer.

14 REPRESENTATIVE SCHAUER: So causing a
15 slimmer District 8, where do those numbers go?
16 What district do they go?

17 SENATOR POOLMAN: They go into 33.

18 REPRESENTATIVE SCHAUER: Into 33.

19 SENATOR POOLMAN: And into 6.

20 REPRESENTATIVE SCHAUER: And what is 33
21 numbers? Okay.

22 SENATOR POOLMAN: Yeah. And so I think
23 it will be a little more clear when Senator
24 Bekkedahl gets up. I think that version of 33,
25 8, 6, and 4, how it can work.



1 CHAIRMAN DEVLIN: Senator Burckhard.

2 SENATOR BURCKHARD: Mr. Chairman and
3 Senator Poolman. So I see Lincoln there on the
4 western edge. Are they included in District 8?

5 SENATOR POOLMAN: They are included in
6 District 8.

7 SENATOR BURCKHARD: All right. Thank
8 you.

9 CHAIRMAN DEVLIN: Further questions?
10 Seeing none, thank you, Senator.

11 Committee, just for your information I
12 guess, spokesman for Chairman Mark Fox wrote me
13 at after 10 o'clock last night and wanted to
14 speak to the Committee this morning. And I
15 explained the timetable that we were on and was
16 hopeful that we could maybe have him at maybe
17 9:00 or a little after or whatever, but
18 apparently he has scheduling conflicts until
19 11:00. So Chairman Fox will be here about 11:00.

20 I think Representative Lefor met with
21 his staff last week; is that correct?

22 REPRESENTATIVE LEFOR: Yes,
23 Mr. Chairman. I actually met with Cynthia Monto
24 (phonetic) and Chairman Fox and had about an hour
25 long conversation. And they indicated to me -- I



1 advised them that Wednesday would be the better
2 option because of how close we are to finishing
3 the map.

4 CHAIRMAN DEVLIN: Okay. Thank you.

5 Senator Bekkedahl, were you going next?

6 (Pause)

7 CHAIRMAN DEVLIN: I apologize, Senator
8 Bekkedahl.

9 SENATOR BEKKEDAHL: No problem,
10 Mr. Chairman.

11 CHAIRMAN DEVLIN: Five conversations
12 going on at the front desk at the same time.

13 SENATOR BEKKEDAHL: It's the price you
14 pay for being Chairman.

15 CHAIRMAN DEVLIN: That is correct.

16 SENATOR BEKKEDAHL: Thank you,
17 Mr. Chairman.

18 For the record, Brad Bekkedahl, Senator
19 District 1, Williston. The northwest area
20 proposal has not changed much from the last time.
21 In fact, if you flip over the first page to
22 District 1, that's the same configuration we saw
23 in a previous meeting.

24 What I had to do in that area was,
25 Williston, or District 1 was over about 3000



1 people, so we had to reduce the size of the
2 district and to move some of that population out.

3 So the major boundary line in the city
4 to move down to on the north side, was 26th
5 Street. That's a real major east-west
6 thoroughfare, and then the major boundary line on
7 the west side was 32nd. And when I plugged those
8 in and then took the rest of the district -- you
9 see that little notch to the right side, that's
10 actually the corporate city limits of Williston.
11 That's the industrial park. Really nobody lives
12 there, but it is the corporate city limits.

13 And then the line that extends up to the
14 north is Little Muddy Valley. Not many people
15 live there either, and it just fit in my mind to
16 extend it up there as well. The populations, as
17 you see, the deviation is minus 600. So it's a
18 minus 3.62 percent. I would anticipate that
19 we're going to have some continued growth up
20 there just with the well activity. The more
21 wells we put in the ground, the more people we
22 need. So it's okay to be a little under in that
23 district.

24 The next page, District 2, what you see
25 before you there really doesn't change. District



1 2 stays the same as it was before. The
2 difference between District 1, District 2, and
3 the new district proposed here is that the
4 corporate city limits of Williston, none of them
5 will anymore be in District 2.

6 So District 2 becomes a true rural
7 district with no connection to the urban area.
8 The east half of District 1 that I just showed
9 you, that's corporate city limits. The west
10 section, which is the new district of the city of
11 Williston going to the Montana border, that will
12 be corporate limits of the city of Williston as
13 well.

14 CHAIRMAN DEVLIN: Senator if I may
15 interrupt you for a minute. Senator Holmberg has
16 a question.

17 SENATOR HOLMBERG: Mr. Chairman and
18 Senator Bekkedahl, we have in the past always
19 tried to stay away from corporate city limits
20 because they move during 10 years. And are there
21 roads or other kinds of natural boundaries that
22 would not move, because we've have had that
23 question in the past that all of a sudden, the
24 corporate limits move. Are they in District X or
25 District Y?



1 SENATOR BEKKEDAHL: Thank you, Senator
2 Holmberg. Actually, those lines that you see on
3 this map that define this corporate city limit
4 are already roads, or platted roads that define
5 the boundary of the city. So if you want to
6 define them in terms of the roadways, you can do
7 that.

8 But I understand the question, and I
9 understand the concern there. There is no direct
10 line coming down from County Road 85B that you
11 see extending to the north straight up. There's
12 no direct line going south of there because of
13 the river. So you have to move east to get to
14 the next line over, which I just took it to the
15 corporate city limits which was an easy
16 definition for us.

17 SENATOR HOLMBERG: Chairman, if --

18 SENATOR BEKKEDAHL: Thank you.

19 SENATOR HOLMBERG: -- if indeed they do
20 follow the roads, is that something that when
21 they do the meets and bounds, that they could do
22 that rather than saying "the corporate city
23 limits?" Just asking because I don't know how
24 they do the meets and bounds.

25 CHAIRMAN DEVLIN: John.



1 SENATOR BEKKEDAHL: Mr. Chairman,
2 members of the Committee, in the past we have
3 occasionally extended a road. So 48th Street
4 extended to its intersection with the river or
5 whatever it is. And then we have to split, and I
6 think in this case you're splitting up probably a
7 census block. But I'm guessing there's nobody
8 living in that census block you're splitting. Am
9 I --

10 There is nobody living in that -- I
11 don't think. It's all an industrial park. So I
12 don't think there's anybody living there.

13 SENATOR HOLMBERG: Well, if that's the
14 case we can fix that afterward and then get the
15 census bureau to recognize that as a new boundary
16 as well.

17 SENATOR BEKKEDAHL: And I'm amenable to
18 that. The meets and bounds description is
19 probably already in the city of Williston
20 description if you needed to use a meets and
21 bounds. But whichever works for the Committee is
22 fine with me. As I've said, there are no people
23 there. It was just a matter of convenience to
24 just pick a line. Thank you, Senator Holmberg
25 for the question.



1 Again, District 2 then doesn't include,
2 unless we make that change, any corporate part of
3 the city of Williston. So it is a true rural
4 district again.

5 Then if you go from District 2 -- and as
6 you see District 2 is the complete county of
7 Divine County, the complete county of Burke
8 County, a portion of Mountrail County, which it
9 has always. That's nothing new, and then the
10 rest of Williams County around Williston.

11 I'm going to skip by District 4 and
12 District 6 for a moment. If you want to go to
13 the last page of District 99, which is the new
14 proposed district, essentially, Mr. Chairman and
15 Committee, what I did there was I took the
16 remainder of the city of Williston on its
17 northern boundary, which is actually County Road
18 6. It is a county highway there that goes into
19 the bypass, which is the 85B route that goes
20 around the city of Williston, comes back to what
21 we call the four-mile corner west of town, and
22 goes outbound toward by U.S. Highway 2.
23 Everything south of Highway 2 then to the Montana
24 border, to the Missouri river would be
25 incorporated into the new district.



1 So the majority of that district
2 population is actually Williston, and the
3 townships on the west side of Williston, the
4 north and west side, and then it just takes that
5 portion along Highway 2 along the river.

6 The reason I did that is for
7 compactness. It actually makes it easier for
8 District 2. It makes a clean line for them at
9 Highway 2 and the current bypass, which are major
10 roadways, and if you're on the west side of that
11 bypass or the north side of Highway 2 west of
12 Williston, you know what district you're in. And
13 the numbers work out there where it's about minus
14 1.58 percent. So I would take any questions on
15 that.

16 I see they are having trouble getting
17 something on the screen. Maybe I should wait.

18 MS. NESS: Our apologies to the
19 committee. We are just trying to get the map up
20 and we are just having some technical
21 difficulties; so I apologize, Senator Bekkedahl.
22 It will just take a moment.

23 SENATOR BEKKEDAHL: It's probably my
24 fault, so no worries.

25 CHAIRMAN DEVLIN: Representative Monson.



1 REPRESENTATIVE MONSON: Thank you,
2 Mr. Chairman.

3 Senator Bekkedahl, I'm having trouble on
4 your front page trying to locate 99.

5 SENATOR BEKKEDAHL: Oh, yeah. Okay.

6 Mr. Chairman and Representative Monson,
7 if you'd look where the 1 is and you just go to
8 the left of that, you see a yellow line which is
9 Highway 2 going there. It's all below that.

10 REPRESENTATIVE MONSON: Okay. I got
11 you. Thank you.

12 SENATOR BEKKEDAHL: Mr. Chairman, just
13 for your information, not that it really matters,
14 but I did take the time to meet with all of the
15 seated legislators in these areas, had a meeting
16 with them, showed what I was going to propose to
17 the Committee. I wasn't looking for their
18 acquiescence, more looking for any objections or
19 ideas they had. So this has passed their muster
20 as well.

21 CHAIRMAN DEVLIN: Are we going to get
22 it?

23 MS. NESS: Okay.

24 CHAIRMAN DEVLIN: Senator this is going
25 to take just a minute, I think.



1 SENATOR BEKKEDAHL: I told you,
2 Mr. Chairman, I probably broke it. I did have a
3 computer last night.

4 CHAIRMAN DEVLIN: Senator, would you
5 mind if we allow them time to get the new cable
6 down here, and then you can finish your
7 presentation?

8 SENATOR BEKKEDAHL: That is perfectly
9 fine with me. Thank you.

10 CHAIRMAN DEVLIN: We may have got it.
11 Just wait here. It blew the lights out, the new
12 cable.

13 So why is it flickering?

14 They are going to get a new cable.

15 MS. NESS: Yeah. It's the Wi-Fi/HDMI
16 cable there.

17 (Recess taken)

18 CHAIRMAN DEVLIN: Committee, we will
19 continue our presentation from Senator Bekkedahl.

20 SENATOR BEKKEDAHL: Thank you,
21 Mr. Chairman.

22 I learned as a child that if you want to
23 be at the center of attention, you got to make a
24 fuss. I apologize for the fuss.

25 So maybe what we should do,



1 Mr. Chairman, is if there are no questions on
2 Districts 1, 2, and 99 in Williams County, I
3 suppose we should probably go to District 4 next
4 because that's the adjacent. So if you could
5 bring up District 4, then I'll explain the
6 changes there.

7 This will be different, by the way, than
8 what you have in your maps now in the handouts
9 because we had to make some changes.

10 Mr. Chairman, in the handouts, it was
11 brought to my attention -- and credit to
12 Representative Bellew, that's why we have a
13 Committee -- that there was a portion of the
14 Minot District 40 that was extending into McHenry
15 County. And he said that's never been that way,
16 and I don't know why it was on the map based the
17 way that it was; but that impacted the numbers in
18 District 6, which then impacted the numbers in
19 District 4. So that's why we had to recalibrate
20 all the stuff up there.

21 So we have corrected it now on the map
22 there. The portion of Minot District 40, which
23 on the base map that you have extends into
24 District 6, no longer does. It has now, the
25 boundary between McHenry and Ward County. So we



1 preserved that county boundary.

2 So getting to District 4, you will
3 notice that the southern boundary of District 4
4 is now the Fort Berthold Reservation. And that
5 area of Dunn County that used to be District 4 is
6 now part of the new district south of the river.
7 It's District 39.

8 Is that what we're calling it,
9 Representative Lefor?

10 REPRESENTATIVE LEFOR: Correct.

11 SENATOR BEKKEDAH: District 39. That
12 change meant the loss of about 1100 population of
13 District 4. So what I did is I went over to the
14 area around Garrison, which is just north of the
15 lake and just east of the Fort Berthold
16 Reservation, the white shield area.

17 So if you can zoom in on that area down
18 on the -- let's show the lake down there if we
19 can. There you go. Okay.

20 There you go. Perfect.

21 So what I did in this diagram that
22 you're going to see is those four townships that
23 border the lake just north used to be part of
24 District 33. Well, the lake is a natural
25 boundary, and in all actuality, that was not



1 contiguous with District 33 since the last
2 change. So what I did was put those four
3 townships into District 4 because they're
4 adjacent, and District 4 needed to replace some
5 population from the loss of Dunn County. That
6 worked out well.

7 If you can zoom in on the Highway 83
8 boundary down there. There you go. Okay.

9 So what you see there, the green line
10 coming north to south, that is actually U.S.
11 Highway 83, which is a nice boundary between
12 District 4 and District 6. The boundary as it
13 currently exists is further east of there.

14 In discussions with both Senator Vedaa
15 in District 6, and Senator Kannianen in District
16 4, it was their recommendation that we move the
17 boundary line from District 6 further west into
18 District 4 to accommodate the town of Sawyer
19 being in District 6 with Velva, which is only six
20 miles away. I mean, they are just communities of
21 interest.

22 Doing that means that we have now
23 crossed that McHenry County line into Ward
24 County, which I think is fine as long as we have
25 that natural boundary at Highway 83.



1 To make the numbers work and preserve
2 that, if you are east of 83, you are going to be
3 in District 6. If you are west of 83, you are
4 going to be in District 4. We had to make a
5 couple other changes.

6 One is the community of Max. if you
7 want to highlight the community of Max.

8 Highway 83 goes directly through the
9 town. But if you look at the population and
10 statistics for the community of Max, what you
11 have there is the bulk of the population west of
12 Highway 83. And I think in those census tracks
13 to the east side, while there shows a lot of city
14 property there, I believe the census tracks only
15 have two people physically living in those census
16 tracks.

17 So about 331 people in Max live on the
18 other side of the Highway 83 boundary. So I
19 don't know if it's permissible to Max that we
20 bisect their community in districts, but that
21 makes sense to use 83 as the boundary; and that's
22 what we have done here. And the numbers fit
23 doing that.

24 If you go further north -- oh, and by
25 the way, Max in the last 10 years was part of



1 District 4, the community. So that is the same
2 for the majority of the residents.

3 SENATOR HOLMBERG: Mr. Chairman?

4 CHAIRMAN DEVLIN: Senator Holmberg.

5 SENATOR HOLMBERG: The division though
6 is just 83. It is not like Reynolds or Sarles
7 which is in two different counties. Because at
8 one point, we did Reynolds, and we decided to put
9 Reynolds with Grand Forks, you know, the entire
10 community; and then you ended up with Traill
11 County looking at having 100 people that they
12 have to have a precinct for, et cetera.

13 Is this on a county line, or is this all
14 in the same county?

15 SENATOR BEKKEDAHL: All in the same
16 county. This is all in Ward County.

17 SENATOR HOLMBERG: Thank you.

18 SENATOR BEKKEDAHL: Thank you for the
19 question, Senator.

20 If you go -- or McLean County. I'm
21 sorry.

22 As you go further north --

23 Thank you Senator Oban.

24 As you go further north, you will see
25 that there is a jog from Highway 83 back to the



1 east and while we tried to accommodate that line
2 coming all the way to Highway 83 from the current
3 boundaries of the Minot districts, it just added
4 too much population to District 6. And it wasn't
5 feasible to do that.

6 So what you see there is an
7 accommodation to fit the numbers. As Senator
8 Holmberg says, it's arithmetic at this point.
9 It's township boundaries. It's easy to define.

10 I would have liked to have gone all the
11 way to Highway 83, but as you can well relate,
12 there is a higher concentration of population
13 just outside of Minot, and it did put the numbers
14 too high.

15 So those are the major changes for
16 District 4 as you see them. Everything north of
17 there, nothing changed. They have to continue to
18 go up to the Kenmare area. They continue to be
19 bounded by Burke County and Mountrail County to
20 Williams County.

21 You'll notice in District 4 that part of
22 Mountrail County is in District 2, and part is in
23 District 4. The majority is in District 4.
24 That's the way it is now. That's the contiguous
25 boundaries that District 2 and 4 have between



1 them now. So the idea was we keep that the way
2 that it is and not change that for those
3 residents as well.

4 So I would take any questions on
5 District 4 now if anybody has any.

6 CHAIRMAN DEVLIN: Questions from the
7 Committee.

8 Representative Boschee.

9 REPRESENTATIVE BOSCHEE: Thank you,
10 Mr. Chairman.

11 And I'm sorry if you said it and I
12 didn't hear it. Was there any consultation with
13 the tribe on these changes?

14 SENATOR BEKKEDAHL: I've not talked
15 directly to the tribe on this, but what I've
16 tried to do to accommodate the decisions if it's
17 made, is make sure that we don't have any part of
18 a subdistrict south of the reservation that would
19 be stranded and not contiguous with the rest of
20 District 4.

21 In this plan, if the committee decided
22 to subdistrict the reservation, everything else
23 fits with a new subdistrict north and east of
24 there.

25 CHAIRMAN DEVLIN: Further questions?



1 Thank you, Senator.

2 SENATOR BEKKEDAHL: And then we'll go to
3 District 33 if you want, Mr. Chairman.

4 CHAIRMAN DEVLIN: That would be great.
5 Thank you.

6 SENATOR BEKKEDAHL: And I want to thank
7 Senator Poolman for working on this as well. She
8 was very accommodative.

9 District 33, the only major change I
10 made was taking those four townships north that
11 used to be stranded into 33, north of the lake
12 that are now in District 4, and that change
13 reduced the population a little bit in District
14 33.

15 What you will notice in District 33, I
16 tried to make an accommodation to not make
17 District 6 so far north to south, and possibly
18 take in some of that far-southern area of
19 District 6 and move them into 33. But when you
20 do that, you're crossing into the Missouri River.
21 Now you're dependent on bridges. The Missouri
22 River is the natural boundary. It's their
23 eastern boundary in most of that district, and I
24 thought it should be preserved.

25 The numbers work in District 33 the way



1 it is, even losing the population that we moved
2 into District 4. I think it's okay that they are
3 a little bit below the deviation number as well,
4 just because with the Blue Hydrogen project,
5 you'll probably see growth in that district in
6 the coming years.

7 So that, Mr. Chairman, is District 33.

8 SENATOR NATHE: Mr. Chairman.

9 CHAIRMAN DEVLIN: Representative Nathe.

10 REPRESENTATIVE NATHE: Thank you,
11 Mr. Chairman.

12 If Emily could, where your cursor is
13 right now, that straight line, is that 30th
14 Avenue I believe? And I only recognize it
15 because I had a plan similar. I just want to
16 make sure. Is that 30th Avenue, that straight
17 line up there?

18 So my question is: where is Underwood on
19 this?

20 SENATOR BEKKEDAHL: Mr. Chairman, I
21 believe Washburn and Underwood are both in
22 District 33 in this plan, Representative Nathe.

23 REPRESENTATIVE NATHE: Right there.
24 Okay. So it is in 33, okay. All right. Thanks.

25 SENATOR HOLMBERG: Mr. Chairman.



1 CHAIRMAN DEVLIN: Senator Holmberg.

2 SENATOR HOLMBERG: So just to make it
3 clear you do cross the Missouri though with
4 bridges?

5 SENATOR BEKKEDAHL: Oh, yeah. We do
6 have bridges there. Yeah.

7 SENATOR HOLMBERG: Okay. Yeah. Because
8 you said we didn't put this because it didn't
9 have bridges, but then --

10 SENATOR BEKKEDAHL: No. I'm sorry.
11 Thank you, Mr. Chairman and Senator Holmberg, for
12 that correction. Yeah. There are bridges there.

13 CHAIRMAN DEVLIN: Senator, McLean County
14 is now, in what you had for maps, in 4 and 33.
15 Is there any part of McLean County anywhere else?
16 Does that take care of all of McLean County? So
17 it's split in half; is that correct?

18 SENATOR BEKKEDAHL: I'm looking to the
19 people over here that know those counties better
20 than I do.

21 UNIDENTIFIED MALE: Six would also be in
22 McLean -

23 SENATOR BEKKEDAHL: Six has some of
24 McLean County.

25 CHAIRMAN DEVLIN: Okay.



1 SENATOR BEKKEDAHL: Mr. Chairman, that's
2 correct.

3 CHAIRMAN DEVLIN: Okay.

4 I'm sorry. Representative Monson.

5 REPRESENTATIVE MONSON: Thank you,
6 Mr. Chairman.

7 I'm questioning about the little hook
8 down there in Morton County. Okay. Right there.
9 Those couple townships in that little hook, would
10 that work to switch the couple townships to the
11 west with those?

12 The reason I'm bringing it up is
13 Representative Schatz brought up about
14 Representative Kreidt being in New Salem. And
15 I've talked with Representative Lefor, and he
16 said the numbers -- New Salem is just too big.

17 When I look at a piece of Mandan there,
18 that little hook going into Mandan, I don't think
19 that there are very many people in that section.
20 But, I mean, if you were to just swap those two
21 little areas with the two to the west, the one 33
22 and 4 is it, I guess. What's the one --

23 SENATOR BEKKEDAHL: To the west is 36.
24 I believe it's the new District 36. Is that
25 correct, Representative Lefor?



1 REPRESENTATIVE MONSON: Yeah. Maybe it
2 wouldn't work. But I'm just thinking, if that
3 would accommodate Representative Kreidt, and I
4 don't know. I have not talked to Representative
5 Kreidt. I don't know what his plans are but --

6 REPRESENTATIVE LEFOR: Mr. Chairman.

7 CHAIRMAN DEVLIN: Representative Lefor.

8 REPRESENTATIVE LEFOR: Thank you,
9 Mr. Chairman.

10 In the southwest proposal that we moved
11 forward yesterday, it has a total population of
12 63,471. And if you take the absolute minimum,
13 meaning 5 percent under, it would be 15,748 per
14 district, times four, would be 62,992. Putting
15 New Salem in there puts us over the minimum
16 threshold.

17 So you would have 479 people above the
18 minimum threshold for four districts or about 120
19 per district. And the reason I put New Salem in
20 the mix is because they have a population of 989.
21 You take out New Salem, and you don't have enough
22 for the districts in the southwest part of the
23 state.

24 CHAIRMAN DEVLIN: Representative Nathe.

25 REPRESENTATIVE NATHE: It has to do with



1 Representative Monson's question, but it's a
2 question for Senator Bekkedahl.

3 So I take it that part of 31 and 33,
4 that meshes with what we passed in 31 yesterday,
5 correct?

6 SENATOR BEKKEDAHL: Mr. Chairman and
7 Representative Nathe, to be honest with you, I
8 left that little corner of the districting up to
9 Senator Poolman. So she may know more about that
10 than I do. I worked specifically on the northern
11 part of intersecting District 4 because that was
12 my responsibility.

13 SENATOR POOLMAN: Mr. Chairman and
14 Representative Nathe, it's a great question.
15 Because when I put that district together -- we
16 had requested a merged map that technically
17 didn't come together yesterday. And so I think
18 that this is going to be an area that's going to
19 have to be reconciled with Representative Lefor's
20 31.

21 REPRESENTATIVE NATHE: I worked on 31.
22 If I may, Mr. Chairman.

23 I worked on 31, so it looks like it's
24 fairly close in regard to Representative Monson's
25 question. There are a lot of people down in that



1 hook, and we looked at that many different ways
2 of trying to get population into 33 at the time.

3 Representative Monson, you fly down
4 lower, and you'll see there are hundreds and
5 hundreds of people down there. So there's a
6 reason why that hook is in there is to get the
7 population of 33 to where we have to get it.

8 CHAIRMAN DEVLIN: Representative Monson.

9 REPRESENTATIVE MONSON: Mr. Chairman, if
10 there are that many people in there, I'm
11 wondering if you could swap that hook with the
12 one below it with New Salem to the west.

13 REPRESENTATIVE NATHE: I don't think it
14 works. You end up blowing up the whole map out
15 west.

16 REPRESENTATIVE MONSON: I don't see how.
17 We're talking two districts here.

18 What I'm suggesting maybe you could do
19 is to swap that little hook. Put that into the
20 district below it, and then go farther to the
21 west into that district to accommodate New Salem.

22 SENATOR BEKKEDAHL: Mr. Chairman.

23 REPRESENTATIVE MONSON: 31. It would be
24 31 and 33. Just do a swap between 31 and 33.

25 SENATOR BEKKEDAHL: Mr. Chairman, I



1 think as long as what we've done with 4 and 6 and
2 the majority of 33, I think I'm done with my
3 presentation. If you want to give some time for
4 Representative Monson to look at this
5 alternative, it's up to you as the Chair. But
6 it's not an area I focused on, and so I think
7 I've given my presentation if that's okay.

8 CHAIRMAN DEVLIN: Did you cover the new
9 District 99?

10 SENATOR BEKKEDAHL: I did, Mr. Chairman.
11 Earlier.

12 CHAIRMAN DEVLIN: Okay.

13 SENATOR OBAN: Mr. Chairman?

14 CHAIRMAN DEVLIN: Senator Oban.

15 SENATOR OBAN: Could Samantha pull up
16 what is being used as the boundary? Is that the
17 highway again? For the eastern edge of 33, up
18 north, when we get out of Oliver County, and we
19 start getting into McLean. Yeah. That's a good
20 start.

21 So you pull in all of Washburn, and then
22 you use the highway going north for how long?

23 UNIDENTIFIED MEMBER: All the way up.

24 SENATOR OBAN: All the way. All the way
25 up to butt against 4?



1 (Indiscernible)

2 SENATOR OBAN: Can you head west now,
3 Samantha?

4 CHAIRMAN DEVLIN: Yeah.

5 SENATOR OBAN: Yeah. Okay. Thanks.

6 CHAIRMAN DEVLIN: Yeah. I agree with
7 you. We're done with your presentation.

8 SENATOR BEKKEDAHL: Thank you
9 Mr. Chairman.

10 CHAIRMAN DEVLIN: I don't know how to
11 answer Representative Monson's question.

12 Representative Nathe, is there a quick
13 way to look at numbers somewhere to see if that
14 could work?

15 REPRESENTATIVE NATHE: Mr. Chairman, I'm
16 fine with 31. I'm fine with what we passed
17 yesterday. So it would be up to Representative
18 Monson to show it. But we're good with it. All
19 the districts involved are fine with it.

20 I do not support changing anything that
21 we passed yesterday.

22 CHAIRMAN DEVLIN: Representative Monson,
23 did you have anything further to add?

24 REPRESENTATIVE MONSON: Well, I don't
25 have a computer, and I don't know the numbers.



1 But, I mean, if it can accommodate Representative
2 Kreidt to be in 33, I don't see reason why not to
3 look at it. I guess, if we can look at the
4 numbers and see what a swap of that little hook
5 would do with swapping New Salem with it.

6 But I don't have the computer, so I
7 mean, I'd have to ask Claire or Samantha or
8 somebody to tweak that, and it would mean that we
9 would change something in 31. But whatever we
10 passed is still subject to being looked at.

11 (Indiscernible)

12 MS. NESS: I don't know. We don't have
13 the city. It's just that little hook area.

14 CHAIRMAN DEVLIN: So, Representative
15 Monson --

16 (Indiscernible)

17 I think we've done more breaking than
18 we've done working. The answer to your one
19 question is that hook area has over 1700 people
20 in it. Yeah. But I don't know what the New
21 Salem area --

22 SENATOR BEKKEDAH: Mr. Chairman, those
23 are big tracks. It's not like you can cut up
24 those tracks. They are a big census block.

25 (Pause)



1 SENATOR HOLMBERG: Mr. Chairman.

2 CHAIRMAN DEVLIN: Senator Holmberg.

3 SENATOR HOLMBERG: When you have those
4 big census blocks though, the local folks were
5 the ones working with the census bureau on where
6 the tracks should be. And we had that problem in
7 the Grand Forks area a number of years ago, where
8 they just had these areas that were just too big.
9 Part of that was the Air Force base that was
10 always one lump, and then we had them divided.

11 But then there is local input as far as
12 how big those tracks should be. I mean, that
13 doesn't help us today because the 2020 census is
14 done.

15 CHAIRMAN DEVLIN: Representative Monson,
16 I have the answer to your question according to
17 counsel staff. That hook area has 1700 people,
18 and the New Salem area has 973.

19 REPRESENTATIVE MONSON: Thank you for
20 checking.

21 CHAIRMAN DEVLIN: Yes.

22 Committee, what else do we have to
23 present today? I know Chairman Fox is coming at
24 11:00.

25 Senator Klein, do you want to discuss



1 your conversations this morning? I know we're
2 not going to do anything with it today but --

3 SENATOR KLEIN: Well, Mr. Chairman,
4 Committee, there seems to be some redistricting
5 remorse going on. I know yesterday I has
6 suggested we hold off a bit on 12 and 29, and now
7 those members are looking to redevelop that area
8 and making the lines better. And I think there's
9 some confusion as to who is going to be in what
10 district. And I think I will just leave it at
11 that. They have told me that they will be
12 working on it over the weekend to develop.

13 Because it won't change any of the other
14 districts, they would really like to sit down
15 with the rest of their legislators in that area
16 and refine the lines and get them to where they
17 would all be in agreement because there seems to
18 be a lot of angst, I guess is the word I might
19 add.

20 And Senator Wanzek's grain drier burned
21 up yesterday. It wasn't going well yesterday for
22 him. I just thought I'd throw that in.

23 CHAIRMAN DEVLIN: Senator Klein is
24 correct. He did suggest that we wait, and the
25 Chairman thought we should do it yesterday



1 because Representative Headland was here, and it
2 was his presentation.

3 So in retrospect, if I had known there
4 was going to be this kind of a problem, we would
5 have held it over. But it effects no other
6 district. So we can look at it Tuesday or
7 Wednesday, whatever days we decide we're going to
8 come in next week.

9 Well, we can take a break and hopefully
10 Chairman Fox is here at 11:00. Or do you want to
11 discuss --

12 UNIDENTIFIED MEMBER: But do we want to
13 wait until after he talks?

14 CHAIRMAN DEVLIN: Can we move anything
15 else?

16 Oh. You need to --

17 Mr. Bernsen (phonetic), did you have
18 something to add?

19 MS. NESS: Oh, he's just changing the
20 screen.

21 SENATOR BEKKEDAHL: Mr. Chairman, if you
22 would like, I can make a Motion to accept the
23 district plans for District 1, District 2, and
24 District 99.

25 REPRESENTATIVE NATHE: Second.



1 CHAIRMAN DEVLIN: Okay. Per the motion
2 and the second, is there any discussion?

3 Seeing none, poll the Committee.

4 MS. THOMPSON: Chairman Devlin.

5 CHAIRMAN DEVLIN: Yes.

6 MS. THOMPSON: Representatives Bellew.

7 I'm sorry. Boschee.

8 REPRESENTATIVE BOSCHEE: Yes.

9 MS. THOMPSON: Headland.

10 REPRESENTATIVE HEADLAND: Yes.

11 MS. THOMPSON: Lefor.

12 REPRESENTATIVE LEFOR: Yes.

13 MS. THOMPSON: Monson.

14 REPRESENTATIVE MONSON: Yes.

15 MS. THOMPSON: Nathe.

16 REPRESENTATIVE NATHE: Yes.

17 MS. THOMPSON: And Schauer.

18 REPRESENTATIVE SCHAUER: Yes.

19 MS. THOMPSON: And Senators Holmberg.

20 SENATOR HOLMBERG: Aye.

21 MS. THOMPSON: Bekkedahl.

22 SENATOR BEKKEDAHL: Aye.

23 MS. THOMPSON: Burckhard.

24 SENATOR BURCKHARD: Aye.

25 MS. THOMPSON: Erbele.



1 SENATOR ERBELE: Aye.

2 MS. THOMPSON: Klein.

3 SENATOR KLEIN: Aye.

4 MS. THOMPSON: Oban.

5 SENATOR OBAN: Yes.

6 MS. THOMPSON: Poolman.

7 SENATOR POOLMAN: Aye.

8 MS. THOMPSON: And Sorvaag.

9 SENATOR SORVAAG: Aye.

10 CHAIRMAN DEVLIN: Motion passed.

11 Senator Poolman, did we deal with
12 District 8 with a Motion to move it forward? Or
13 do you need to visit with Senator Bekkedahl
14 wherever that discrepancy was? Any part of that
15 wasn't in 8, was it?

16 SENATOR POOLMAN: No. I think our
17 concern is making sure 33 and 31 -- not
18 (indiscernible).

19 CHAIRMAN DEVLIN: Okay. So did you want
20 to make a Motion on -

21 SENATOR POOLMAN: Mr. Chairman, I would
22 move the plan for District 8.

23 CHAIRMAN DEVLIN: We have a motion. Is
24 there a second?

25 UNIDENTIFIED MEMBER: I second.



1 CHAIRMAN DEVLIN: Any discussion?

2 Representative Schauer.

3 REPRESENTATIVE SCHAUER: Thank you,

4 Mr. Chairman.

5 On the Poolman plan for District 8, I
6 just want to see how that impacts the other
7 numbers around District 8. And maybe you touched
8 upon that, Senator Bekkedahl, and I missed that.

9 UNIDENTIFIED MEMBER: It doesn't.

10 SENATOR BEKKEDAHL: Mr. Chairman,
11 District 6 that I discussed comes down to the
12 Burleigh County line and from there, south I
13 believe, is the District 8 configuration Senator
14 Poolman worked on.

15 So what numbers are you talking about?

16 REPRESENTATIVE SCHAUER: I'm wondering
17 if we can see the map on the Poolman plan to see
18 how the other districts are impacted numbers
19 wise.

20 UNIDENTIFIED MEMBER: They aren't.

21 SENATOR POOLMAN: It's not merged with
22 the others.

23 MS. NESS: Mr. Chairman.

24 CHAIRMAN DEVLIN: I'm not sure. I think
25 there is some question exactly what's being asked



1 here, Representative Schauer. District 8 doesn't
2 effect the other ones around it based on what was
3 presented today.

4 REPRESENTATIVE SCHAUER: Thank you,
5 Mr. Chairman. I was comparing it to the Nathe
6 plan, and the Nathe plan was much higher as far
7 as the actual numbers. The Nathe plan was for
8 District 8, 4.59 percent, and the new District 8
9 is 0.68 percent higher. And I'm just wondering
10 where the percentages went. I'd like to see
11 where those numbers went in surrounding
12 districts. Or maybe you can just tell me.

13 CHAIRMAN DEVLIN: I'm assuming they went
14 north. Representative Nathe, isn't that correct?

15 REPRESENTATIVE NATHE: Mr. Chairman,
16 yeah. Senator Poolman can speak better to it
17 because she drew the district. But that's how I
18 see it.

19 SENATOR POOLMAN: Those numbers just end
20 up in 6 and in 33.

21 CHAIRMAN DEVLIN: Any further
22 discussion?

23 Poll the Committee.

24 MS. THOMPSON: Chairman Devlin.

25 CHAIRMAN DEVLIN: Aye.



1 MS. THOMPSON: Representatives Bellew.
2 REPRESENTATIVE BELLEW: Yes.
3 MS. THOMPSON: Boschee.
4 REPRESENTATIVE BOSCHEE: Yes.
5 MS. THOMPSON: Headland, Lefor, Monson.
6 REPRESENTATIVE MONSON: Yes.
7 MS. THOMPSON: Nathe.
8 REPRESENTATIVE NATHE: No.
9 MS. THOMPSON: Schauer.
10 REPRESENTATIVE SCHAUER: Yes.
11 MS. THOMPSON: Senators Holmberg.
12 SENATOR HOLMBERG: Aye.
13 MS. THOMPSON: Bekkedahl.
14 SENATOR BEKKEDAHL: Aye.
15 MS. THOMPSON: Burckhard.
16 SENATOR BURCKHARD: Aye.
17 MS. THOMPSON: Erbele.
18 SENATOR ERBELE: Aye.
19 MS. THOMPSON: Klein.
20 SENATOR KLEIN: Aye.
21 MS. THOMPSON: Oban.
22 SENATOR OBAN: No.
23 MS. THOMPSON: Poolman.
24 SENATOR POOLMAN: Aye.
25 MS. THOMPSON: And Sorvaag.



1 SENATOR SORVAAG: Aye.

2 MS. THOMPSON: Motion carries.

3 CHAIRMAN DEVLIN: Thank you.

4 So now we have the discrepancy between
5 those two districts, 31 and 33. Is that where it
6 is? Or where is it at?

7 SENATOR POOLMAN: Thirty-one is settled.
8 And so I think what we probably need to ask
9 Counsel to do is reconcile the border between 33
10 and 31, because we settled 31 yesterday.

11 CHAIRMAN DEVLIN: OKAY.

12 SENATOR POOLMAN: We just need to make
13 sure that the southern boundary of 33 follows
14 what we approved for 31. And then, if there is
15 any tweaking that needs to happen in that area.

16 CHAIRMAN DEVLIN: Okay.

17 Maybe, Senator Poolman, you could come
18 up and work with them for just a couple of
19 minutes. We'll just take a break.

20 Sorry.

21 SENATOR HOLMBERG: Should I let them
22 know that I'm going to bring this up?

23 CHAIRMAN DEVLIN: Yes.

24 SENATOR HOLMBERG: Mr. Chairman, are we
25 going to wait for Chairman Fox?



1 CHAIRMAN DEVLIN: No. I think it should
2 be done now.

3 Senator Poolman -- I mean Senator
4 Holmberg.

5 SENATOR HOLMBERG: I'm not sure what now
6 means.

7 We do have a question regarding
8 subdivisions. I would look at two districts
9 which have native populations.

10 One of them, District 9, has 9278
11 American Indian population.

12 And then Fort Berthold has 8350 people
13 living on the reservation itself. And I think
14 that we would make a mistake as a legislature not
15 recognizing what the courts have said, which is
16 if you have a population beyond a certain amount,
17 a percentage, then subdividing is the direction
18 that Voting Rights Act Title 2 of Section 2,
19 whatever it is, would mandate. And you have all
20 received, I'm sure, from folks saying that if you
21 don't subdivide, you are a racist. And I've seen
22 it. And then I've had people who have said, if
23 you divide it, you're a racist. So we lose no
24 matter what we do.

25 So I'm going to suggest at some point



1 that we make the decision. Are we going to do
2 it? Or as my interpretation is, are we going to
3 let the Court do it? Because someone is going to
4 do it.

5 And the District 4, as I understand it,
6 the population of the reservation fits exactly in
7 what a subdistrict would be. And if you recall,
8 we made those changes in Dunn County so that you
9 didn't have the reservation here and then some
10 folks down here that would be in a different
11 subdistrict. So that was resolved. So whether
12 we do it or not, it doesn't make any difference.

13 In District 9, legislative counsel and
14 others have put together a few alternatives that
15 I believe have been --

16 Have they been passed out?

17 Oh, they have not been passed out. I
18 thought maybe we should wait until after Chairman
19 Fox actually makes his presentation before we do
20 that.

21 You will get a hand out that has four
22 proposals and then one other proposal. Three of
23 the four proposals are interesting, because it
24 appears they put two legislators of the minority
25 party in the same subdistrict. And I'm just



1 reminding everyone we have bent over backward to
2 make sure that when there are legislators
3 involved, we have tried to respect that. And,
4 you know, we moved people into the district so
5 they remain in the same district. So I think it
6 would be awkward if we were taking two people
7 from the minority party and putting them in the
8 same district. It would have a scent that the
9 media would pick up, and they could smell it from
10 over there.

11 So there will be a couple proposals that
12 divide up the incumbents in District 9 into two
13 different subdistricts, and then there's a couple
14 that don't do that and put them on the same.

15 CHAIRMAN DEVLIN: Representative Monson.

16 REPRESENTATIVE MONSON: Thank you,
17 Mr. Chairman.

18 I don't know if this is the proper time
19 to bring it up or not, but numbers of district
20 seat as well. In District 10, which I currently
21 represent, much of our new district that we
22 approved yesterday is actually bringing in
23 District 19, which is kind of going away.

24 And after consulting with Senator Janne
25 Myrdal on it a little bit, we were thinking



1 maybe rather than be District 10, be District 19.

2 And I don't know if that's a change that
3 we would need to approve here, but in future maps
4 -- I mean, I think we would like to see us go
5 from District 10 to District 19. Because we are
6 incorporating a lot of 19 in at Grafton and that
7 big population of it. Just something for us to
8 think about if you want to do it now, we could.

9 CHAIRMAN DEVLIN: Senator Holmberg, do
10 you have something?

11 SENATOR HOLMBERG: Yeah. I mean, it
12 would make sense, because we're the ones who have
13 to do it. We're not letting legislative counsel
14 do it. No offense. But we have some numbers
15 that are out there.

16 Well, we had Y but have 99. We have
17 these. I don't see any problem with us doing the
18 assigning, because that's our job. I wouldn't
19 lose sleep if what we did the other day was
20 called 20 that was Traill County and rural Grand
21 Forks, and then a little bit of Walsh, if that
22 remained 20, and if 19, which has disappeared,
23 would reemerge up in Pembina and Walsh County, in
24 other words the Grafton area, because they were
25 19 before.



1 So I would certainly support that for
2 those two areas.

3 CHAIRMAN DEVLIN: Senator Sorvaag.

4 SENATOR SORVAAG: Mr. Chairman, Senator
5 Holmberg, what amount of 20 is 19? Because that
6 got part of 19. I mean, if we're using that as a
7 rationale to change 10 to 19, what part of 20, as
8 we're using 20 as 19 also? Old 19.

9 SENATOR HOLMBERG: Old 19 --

10 SENATOR SORVAAG: Because that's your
11 argument. Part of 10 now is old 19. Well, part
12 of 20 that we're using now was also part of old
13 19.

14 SENATOR HOLMBERG: Right. But we can't
15 have --

16 SENATOR SORVAAG: No. I understand
17 that, but if that's the rationale, it needs to be
18 --

19 You know, you want it because you've got
20 part of 19; 20 might want it because they're part
21 of 19. And I guess the question would be, whose
22 got the most?

23 SENATOR HOLMBERG: Well, Grafton is a
24 big player in that, in the district.

25 SENATOR SORVAAG: Uh-huh (affirmative).



1 SENATOR HOLMBERG: Because Grafton was
2 in District 19. They were the bulk of the
3 population in District 19. Rural Grand Forks
4 County has been 19 for many years. Trail County
5 has been District 20 for many years.

6 And what other numbers are available, 23
7 has gone with the wind. And 26 has gone with the
8 wind. And I believe that you have articulated
9 that the new district in Fargo should be an even
10 number.

11 SENATOR SORVAAG: Mr. Chairman, I just
12 like I said I think I'm comfortable with being
13 even. And I know everyone wants to be odd
14 because they're running again. But I think with
15 the new district, and I think that we've talked
16 about that, because Cass County right now has six
17 odd and four even. So we're more than willing --
18 trying to balance it out. So yes. I'm
19 comfortable with that being one of the even to
20 get off the table.

21 SENATOR HOLMBERG: Ten would be
22 available if we went with 19. So you'd have an
23 even.

24 CHAIRMAN DEVLIN: Or 20 would be
25 available if we went that way.



1 SENATOR SORVAAG: You can go either way.
2 I just wanted to, you know, as we're going to do
3 this. I think if we're going to say that
4 somebody's got a part of another one, now they
5 have that number, well who has the most? I'm not
6 disagreeing with you. But I think that's just
7 the discussion. Does 10 or 20 have more of 19,
8 and I'm using the present? And then should that
9 be part of the criteria? I'm not saying it
10 should either, but it should be part of the
11 discussion.

12 CHAIRMAN DEVLIN: Senator Bekkedahl.

13 SENATOR BEKKEDAHL: Thank you,
14 Mr. Chairman. While we're on that discussion
15 point, I've looked at the districts north of the
16 river, and we currently have two even-numbered
17 districts and one odd-numbered. So my preference
18 for the new district if we could balance it out
19 to have two evens and two odds by taking an even,
20 I would just throw that on the table. Twenty-
21 three is a good number for us.

22 CHAIRMAN DEVLIN: Senator Klein.

23 SENATOR KLEIN: Mr. Chairman, one of the
24 other things -- can we concern ourselves about
25 the populations? I mean, we switch a number, but



1 we haven't gone over that 25 percent. Does that,
2 for example, in District 20, and they got to keep
3 their own number, does that mean they could
4 continue to not have to run? I don't know what
5 that population number is. But I'm just
6 wondering. That's another consideration we have,
7 is the 25 percent rule.

8 CHAIRMAN DEVLIN: Senator Holmberg.

9 SENATOR HOLMBERG: Mr. Chairman, in
10 district whatever we call it, let's call it the
11 Traill County-based district, there are now six
12 incumbent legislators that would live within that
13 district. So I am sure that there would be some
14 electoral issues. They're going to have to run.
15 Am I right, John? Because I know we dealt with
16 that in the past.

17 UNIDENTIFIED MEMBER: Mr. Chairman, and
18 members of the Committee, as I understand it you
19 would have three whose terms would be expiring
20 there, the three incumbents from 19. You would
21 have three that are mid-way through their term.
22 I don't know the population change, if it would
23 trigger - you haven't established a threshold yet
24 that change.

25 If it were over your threshold, then



1 they would have to run. If it were under that
2 threshold, you could make a determination based
3 upon -- in the past there have been
4 determinations made that stated that if the
5 incumbents, whose terms are expiring, that they
6 basically just have to wait another two years and
7 let someone serve the term.

8 But those are decisions you would have
9 to make. The policy established those various
10 guidelines and be consistent throughout your
11 determinations so that it applies equally across
12 the board when you do that.

13 SENATOR HOLMBERG: Mr. Chairman.

14 CHAIRMAN DEVLIN: Senator Holmberg.

15 SENATOR HOLMBERG: We would not have the
16 exact numbers until we had baked in the
17 boundaries. But that's a very quick thing, is it
18 not, to figure out which districts had -- well
19 the number was 4144 I think. Or was it 24? But
20 whatever that number is, you end up having
21 districts that have larger changes than that and
22 districts that have less change.

23 I mean, I do know that the ones that
24 were created and changed in the city of Grand
25 Forks, none of them were over the 4144.



1 CHAIRMAN DEVLIN: Representative Monson.

2 REPRESENTATIVE MONSON: Thank you,

3 Mr. Chairman. And I know we were just elected

4 two years ago to a four-year term. But by the

5 changes that were adopted yesterday, we will have

6 to run again because we have gotten in a huge

7 number from Walsh County.

8 CHAIRMAN DEVLIN: Right.

9 REPRESENTATIVE MONSON: And another

10 point, I guess, 10 years ago, District 10

11 absorbed a pretty good chunk of 23. So a lot of

12 our people in 10 were 23, and now we're absorbing

13 a whole bunch of 19 into 10. And numbers are

14 changing all over the place.

15 CHAIRMAN DEVLIN: I don't think,

16 Committee, that we're going to deal with this at

17 the moment. But we will get the numbers for the

18 change in District 20. And we know that yours

19 will be more than that, regardless. But we

20 should see what the new numbers are in 10 and in

21 20.

22 REPRESENTATIVE LEFOR: Mr. Chairman.

23 CHAIRMAN DEVLIN: Representative Lefor.

24 REPRESENTATIVE LEFOR: Thank you,

25 Mr. Chairman. I have a clarifying question for



1 Senator Holmberg.

2 CHAIRMAN DEVLIN: Go ahead.

3 REPRESENTATIVE LEFOR: On your
4 populations, you said that Fort Berthold at 8300,
5 and another was over 9000. Which one was that,
6 because with what counsel sent out I'm not seeing
7 --

8 SENATOR HOLMBERG: It was asked
9 yesterday because there are many housing units of
10 Native Americans that live outside the
11 reservation but are in Rolette County. So the
12 number yesterday was how many American Indian
13 population, which is the census bureau's phrase.
14 There were 9278 in Rolette County.

15 REPRESENTATIVE LEFOR: Thank you.

16 CHAIRMAN DEVLIN: Committee, I see that
17 Chairman Fox has arrived, and we would appreciate
18 hearing from Chairman Fox at this time.

19 (Pause)

20 CHAIRMAN FOX: There we go. Good to go?
21 Okay.

22 I don't see, like a witness list here to
23 sign off. But I appreciate -- maybe Cynthia will
24 get something signed off so we're formally on
25 record for the signature part.



1 Thank you very much. Thank you for this
2 opportunity to be before the Committee. Chairman
3 Devlin, everybody else, thank you for what you're
4 doing and this process. It's always an honor to
5 come before you, this esteemed Committee and the
6 legislature as a whole. Together we've done a
7 lot of work over the years.

8 This past recent session, again, proved
9 up that together we can get a lot of good things
10 done when we communicate, talk, and work together
11 and understand our issues and move forward. And
12 I apologize. I would have loved to have been
13 here yesterday, but I got caught up with a very
14 busy day including the North Dakota Petroleum
15 Counsel in Watford City to talk about oil and
16 energy development and things of that nature.

17 I was honored to be able to share along
18 with the Governor and state legislators those who
19 were there as well to share our point of view,
20 share our plans, and things that are of interest
21 to our nation as well.

22 I do have written testimony that is
23 being handed out, and Cynthia has provided that.
24 It includes, of course, the points that I'm going
25 to talk about. But we also included a map that



1 basically shows what we're after, which is to
2 include Fort Berthold as part of perhaps a
3 subdistrict for the house side of the legislative
4 voting. And that's primarily why I'm here today
5 to discuss with you, to provide information,
6 answer any questions you might have as well, and
7 do my best to make the argument that it would be
8 considered by yourselves to split the House into
9 two subdistricts, of course keeping the Senate
10 position, which is 1, the same as a whole for the
11 whole district. We're currently District 4.

12 And I did get a chance to get through
13 Garrison in the hills and got online and listened
14 to your conversations from on Highway 83
15 southward, and so I appreciate all the comments
16 being made and things of that nature.

17 I'm not one for reading, but perhaps
18 today I will briefly, as fast as I can, read the
19 written testimony to you. I kind of like to
20 engage more so from the hip so to speak. But I
21 will say before I go ahead and read this written
22 testimony that I greatly appreciate the challenge
23 that you have in front of you. I know it's not
24 easy. I know it's difficult. I know there are a
25 lot of moving parts.



1 I say this knowing that as I heard some
2 of the comments just before coming in, that
3 sometimes you get a lot of undue criticism. As
4 an elected official myself, that's every day for
5 me. And so I appreciate everything you do, the
6 efforts to try to find balance, the efforts to
7 try to be equitable, the efforts to try and be
8 considerate, efforts to try to be as best you can
9 compliant with your laws, federal laws, and
10 everything else that matters to us as
11 governments. So I know the challenges, and I'm
12 one here that is not coming to make that more
13 difficult.

14 I'm not coming here in any means or
15 manner to degrade or to demean or in any way look
16 negatively on your process. You've got a heck of
17 a challenge in front of you, and I believe that
18 you're doing the best that you can.

19 So that being said, again, it's an honor
20 and a pleasure to be before you. I'll read as
21 fast as I can and open up maybe for questions and
22 comments, and we can go from there.

23 Chairman Devlin and members of the
24 Redistricting Committee, my name is Mark Fox. I
25 am the Chairman of the Tribal Business Counsel of



1 the Mandan, Hidatsa, and Arikara Nation, also
2 known as the three affiliated tribes of the Fort
3 Berthold Indian Reservation. And I appreciate
4 the opportunity to submit testimony on behalf of
5 our nation.

6 Currently, FBIR, Fort Berthold Indian
7 Reservation, is located within North Dakota
8 District 4. District 4 consists of portions of
9 the following six counties: McKenzie, Dunn,
10 Mountrail, McLean, Mercer, and Ward.

11 District 4 elects two members to the
12 state house at large and one member to the state
13 Senate. The 2020 census shows that the District
14 4 population and reservation population increased
15 between 2010 and 2020 to 16,794 and 8350
16 respectively. As a result of the overall nearly
17 16 percent increase in North Dakota population
18 from 672 to 779 residents, the ideal population
19 for two-member districts in North Dakota in 2021
20 is at or around 16,500 and about 8288 for a
21 single-member House district.

22 The MHA Nation urges the legislature to
23 split the one at large state House district to
24 two single-member state House districts in
25 District 4, of the four that would encompass the



1 Fort Berthold Indian Reservation.

2 If single-member House districts were
3 implemented within District 4, the House
4 districts would have an ideal population of about
5 8288. All of District 4 is currently about 38.6
6 to 39 percent Native American, and the 2020
7 Native voting age population 18 and over is about
8 nearly 34 percent.

9 Block voting is a concern for us and has
10 historically occurred in the state and has
11 negatively impacted Native voting and diminished
12 Native opportunities to serve in the legislature
13 and participate in the state and local elections.

14 The current district lends itself to
15 block voting. This can be remedied by splitting
16 the district into two single districts, thereby
17 leveling the playing field, so to speak, for
18 candidates. We understand that a split district
19 is no guarantee that a tribal member would be
20 elected. We are confident, however, that it will
21 increase our representation of our issues and
22 concerns to the legislative body.

23 The legislature could easily draw a new
24 single-member House district in our area that
25 would have a native citizen voting age population



1 of 67 percent. Using the map that is included,
2 using such a single-member district would give
3 MHA a much better opportunity to elect a house
4 representative of MHA's choice than under the
5 current at large system.

6 Second, the MHA Nation and its
7 communities are a community of interest and
8 should remain in a single legislative district.
9 Splitting a reservation or other communities into
10 multiple districts would dilute the ability of
11 tribal members to elect the representative of
12 their choice.

13 I understand that certain legislators
14 have stated that they will not split up or crack
15 reservations into different districts. We can
16 appreciate that position and respectfully request
17 that our communities not be split, as we have
18 shared interests and deserve the same
19 representation.

20 Third, tribal members who are also state
21 citizens are not only uniquely distinguished as
22 minorities, but are part of a distinct political
23 status that legally distinguishes them from other
24 minority populations. During the 1990's, a
25 partial school district located on Fort Berthold



1 addressed similar concerns with block voting and
2 addressed the issue by splitting the formerly at
3 large district. I know this for a fact because I
4 participated in that change. This allowed the
5 election of two tribal members on the school
6 board for the first time. The outcome has been
7 beneficial for all of us. We were able to bridge
8 the gap of communication and work together for
9 the benefit of our children and our families.

10 I see the development of a single
11 district for Fort Berthold Indian Reservation as
12 another opportunity to enhance our communication
13 and work together for a common goal of improving
14 our communities and the lives of people whom we
15 represent. We ask for this committee to support
16 us in establishing a single district for the MHA
17 Nation, and we appreciate your support. We thank
18 you.

19 And the map is attached, as I stated
20 earlier, Mr. Chairman. And I am ready to answer
21 any questions that anybody may have. And I
22 appreciate the time.

23 CHAIRMAN DEVLIN: Thank you, Chairman
24 Fox. I believe Senator Holmberg has a question.

25 SENATOR HOLMBERG: Yeah. First of all,



1 thank you for coming down and sharing with us
2 this morning. And I am sure that we've had
3 discussions about single-member districts for
4 native populations before in this particular
5 committee. And I am putting words in your mouth
6 by saying what you are telling us and sharing
7 with us is not a reflection on your attitude
8 toward your current legislators. It is just
9 going forward.

10 CHAIRMAN FOX: Absolutely.

11 SENATOR HOLMBERG: My question is: back
12 in 2001, there was a court case having to do with
13 single-member districts. And I don't know if the
14 MHA Nation was part of it, and you're way too
15 young to have been around --

16 CHAIRMAN FOX: I wish.

17 SENATOR HOLMBERG: -- during that. But
18 what the court did is they essentially dismissed
19 the case because the number -- the population did
20 not rise to the level where it would have made a
21 difference. But what you are presenting with us
22 and what we get in the census data, is that it's
23 hard to argue if you have 8350 folks that it does
24 not have an impact or to balance two districts.
25 It's hard to argue that 8300 would not be a large



1 influence. Am I kind of going down the path that
2 you agree with?

3 CHAIRMAN FOX: I do. I remember, and I
4 am that old; and I do remember. And coming out
5 of law school in the 90's myself, and I recall
6 some of the challenges made at the time. And
7 myself, with my legal background, understood
8 fully why it would not succeed. It's difficult
9 for you to say, well, we're going to district --
10 for purposes that we're discussing herein, we're
11 going to district off a reservation by itself.
12 That population is nowhere near the average that
13 you're trying to seek overall.

14 A lot of people would see that as
15 inequitable, and you know, and I do understand
16 why that couldn't happen. But that's where I
17 think we are uniquely different now.

18 And based upon our current -- and
19 remember, every census that occurs we do get
20 under-representation in that census anyway. So
21 at a minimum for what they are able to gather up
22 and say, this is how many people are on Fort
23 Berthold, and these are how many natives and non-
24 natives, they are pretty close. But at least for
25 purposes of what we're discussing here the



1 numbers work. And that's why we're advocating to
2 say, it seems to be a good time to consider
3 splitting the district so that Fort Berthold
4 would remain in one of those equally-split
5 districts, and have an opportunity to have more
6 influence to get their issues forward.

7 Now, if I may, Mr. Chairman, elaborate a
8 little bit more on that. I referenced my
9 experiences in working in a similar situation in
10 my hometown of Parshall. Parshall Braves,
11 Parshall, North Dakota.

12 Grew up there, and outside of one year I
13 had the opportunity to go to Dickinson. And I
14 had many friends and I went to Dickinson High and
15 was a Dickinson Midget for a year. Other than
16 that, I spent from first grade up to my senior
17 year at Parshall.

18 What we had in Parshall was a history of
19 school board elections that -- and I became very
20 familiar with my arguments at the time in my
21 knowledge because I graduated from the University
22 of North Dakota Law School, Voting Rights Act
23 Amendment 65 and everything forward in the 1982
24 amendments which really talks and addresses about
25 block voting.



1 So what had occurred in Parshall
2 elections was, we gathered up all the statistics
3 and the data, and it showed that every time a
4 tribal member entered into the election, a Native
5 American or tribal member, it showed that the
6 average voting population was voting -- people
7 that voted was at or around about just under 500
8 people. When a Native American or enrolled
9 member did not run in an election, the turn-out
10 was typically somewhere around 60 to 70 people.
11 And so that's called block voting. Meaning,
12 whenever a Native American comes out and runs,
13 then a large amount of non-Indian people would
14 come out to vote to make sure that the election
15 would go that different way.

16 Now, we show the history of each school
17 board election leading up to that. And in fact,
18 just to add a little additional proof of that, I
19 myself prior to being on counsel, knew we needed
20 additional information, and I put my name on the
21 school board election. And the previous election
22 there was, again, less than 100 people that
23 voted. When I came out, I think we set the
24 record of over 500 people that came out and
25 voted. Of course, I wasn't elected.



1 And so, honestly, we then took that
2 information, sat down. Department of Justice got
3 involved. The authorized for the DOJ to come on
4 out here.

5 We began the process of negotiation.
6 School boards all have their own joint attorney
7 at the time that represent all the schools. And
8 we sat down, and we went over the law. We went
9 over the circumstances and showed the data,
10 things of that nature.

11 What ends up happening at the Parshall
12 School Board District, is by a vote, we didn't
13 just have DOJ say, well, it's got to be this way,
14 and the tribe said this way. And then it was
15 automatically accepted.

16 By law, by your law, the adult members
17 in the school district still had to vote to
18 change this. And very luckily, and I'm very
19 happy about it, we were able to get the requisite
20 percentage of affirmative votes to change the
21 district. And what ends up happening, of the
22 five board members, three, as required by your
23 law, had to remain in rural settings outside the
24 city of Parshall, and the two other remaining
25 positions of Parshall were split between north



1 and south.

2 And in one of the districts, the Native
3 American population by residents would be a
4 majority, and in the other district they were
5 less than 40 percent. But they did agree to
6 split it into two city districts. So basically,
7 two city, where just the city people vote, all
8 the residents tribal and non-tribal vote for the
9 two. The outside could not. But the three rural
10 remained at large. So the Indians and non-
11 Indians through the whole school district vote
12 for the three outlying district, but you have to
13 run. You have to reside in the outside in a
14 rural setting.

15 So I'm sharing this with you because the
16 people in the district, we voted to accept this.
17 And as soon as we voted to accept this and we had
18 a subsequent election, for the first time in the
19 history of the school board, two Native Americans
20 were elected for the two districts in the city of
21 Parshall and we became part of the school board
22 for the first time.

23 Now, you say, okay that occurred.
24 That's nice. What was the end result of it? And
25 I stand here before you today very proudly to say



1 this. Even though we've had issues that come and
2 go, disagreements whether it's the tribal
3 government's involvement or just local concerns.
4 No situation ever goes exactly the way you want
5 in any given governance.

6 But you know, today we stand here.
7 We're Parshall itself. We've never been a
8 majority on the school board, but whether we were
9 or were not, I don't think that made any
10 difference. The difference made is having that
11 voice and understanding and needs.

12 We have just now completed two phases of
13 Parshall. Parshall has got a brand new school.
14 Parshall has got a brand new football field,
15 brand new track and stadium, and extra basketball
16 gym. They completed two phases - the high school
17 itself, and the athletic field is the second
18 phase. And now we're moving into a third phase
19 in which we are going to move the grade school up
20 to the area of the high school so we're all
21 unified in the same area for bussing and for
22 sports and for everything else of that nature.

23 Now phases one, we split that with the
24 school district. They put a tax on that, but the
25 tribe came in at \$9 million on the first phase.



1 On the second phase which was again 8- to \$9
2 million, we paid for that 100 percent. The third
3 phase, which is going to occur, is the same
4 thing. The tribe is going to pay for that 100
5 percent, another 8- to \$9 million.

6 And so my point I'm raising with this
7 is: when we're talking about changing districting
8 and the consideration of getting tribal members
9 more involved with the election by addressing
10 redistricting, addressing potential block voting
11 situations, doesn't mean it's going to be a
12 negative situation. In this situation it's very
13 positive working together, making sure that the
14 needs are met, but the tribe itself having that
15 connection, that Nexis, is always being willing
16 to invest and move things forward as well.

17 Another point that I want to say because
18 I know time is limited, and it may be asked
19 anyway, and I know there might be some concerns
20 out there and maybe criticisms, rightly so. I'm
21 a Veteran of the United States Marine Corps, law
22 school graduate, I believe in our constitution
23 and everything else. But there might be people
24 who say, well if we're doing this for one
25 minority group, then we're going to have to end



1 up doing it for other minority groups. Under the
2 federal law, maybe you will. But the bottom line
3 for our situation here, I offer this up. We are
4 uniquely different for two reasons.

5 One reason is the most important reason
6 I think, is that being a citizen of the state of
7 North Dakota, outside of me being very proud of
8 that. When in the Marine Corps and asked where
9 you from, I was always -- did my best to stand
10 out in my service to our country. And they would
11 always say, where are you from, and how are you
12 doing these things? Or how are you able to do
13 these different things you do? And I tell them,
14 I'm from North Dakota, work hard. We've got cold
15 winters, and we're tough; and we can do a lot of
16 different things up there. And I always was, I
17 feel, a good delegate for the state of North
18 Dakota. And when I did, I was always very proud
19 of that, and I still, to this day, remain that
20 way.

21 But the reality of the situation is: as
22 Native American people we have to belong to a
23 state. We have no other means and mechanisms of
24 participating both on the state level for
25 governmental level, state level. But even more



1 importantly, that Nexis to the federal level.
2 There is no way that Native Americans can elect
3 two senators and a congressman to Washington,
4 D.C. We have no other means or mechanisms of
5 representation or even casting a vote but through
6 as being citizens of the state of North Dakota.
7 So inherently, we have to belong, and we have a
8 need to be a part of the election system. So
9 that's what I think the most important thing that
10 a lot of people misunderstand. They say, well
11 tribe has got its own government. State has got
12 its own. We don't need to mix, blah, blah, blah.
13 Some people say that. Not you. But the thing
14 is, we have no other means or methods of
15 interacting with the federal government, electing
16 representatives, etc. as I have been alluding to.
17 So that's really critical.

18 The other one is not as important but is
19 worth mentioning. It's that when you take the
20 time and opportunity to acknowledge the tribal
21 governments or tribal members who are citizens of
22 both a tribal nation and the state of North
23 Dakota, you take that into consideration. And
24 that is not only and just strictly a
25 consideration for minority status as my letter



1 says. You have to remember that Native Americans
2 in this country have a unique status, a legal
3 status, of being politically separate; not just
4 by race, but by political status. What is that
5 political status? It's established in the
6 Constitution of the United States of America. It
7 talks about the tribes. It talks about the
8 relationship with the tribes and the governments
9 and things of that nature.

10 So when you make efforts to try to fuse
11 and try to reorganize your redistricting to take
12 into consideration members that are voting adult
13 members, who are members of both the state and of
14 the tribe, you are following a pattern of
15 political distinguishment not necessarily a
16 racial one, even though the federal laws relate
17 to that. That's something that I think is
18 uniquely different.

19 But along the way, I guess, the last and
20 final thing as I open myself up for more
21 questions, is that I understand the process. And
22 our situation at least for Fort Berthold and HMA
23 Indian Nation and those that reside within Fort
24 Berthold, we think that the numbers work for you
25 to equitably do this. And we're not asking for



1 anything unfair or anything that would be
2 definitely slanted in one direction or the other.

3 CHAIRMAN DEVLIN: Thank you very much.

4 Questions? Representative Schauer.

5 REPRESENTATIVE SCHAUER: Thank you,
6 Mr. Chairman.

7 Thank for being here, Chairman Fox.

8 CHAIRMAN FOX: You bet.

9 REPRESENTATIVE SCHAUER: I appreciate
10 your comments, because in the past we have had --
11 well, in the last couple of meetings we have had
12 some very negative comments and some accusations,
13 which I felt were false. So I appreciate your
14 attitude.

15 The question I have for you is: the
16 split district model -- obviously this has been
17 used in other states. Do you have data or
18 evidence to show that this has created a
19 situation where you have better representation?

20 CHAIRMAN FOX: Uh-huh (affirmative). I
21 can't go over other states. The two things I
22 would raise is, I understand district splitting
23 occurred historically in this own legislature
24 previously. That's what we were told. That's
25 the first question that came up. Has the state



1 ever done that? My lawyer, John Frederick, said
2 the same thing and some other people that are
3 advocating for a split district. We looked at
4 the numbers too. And they said, well it has been
5 done in the past, back in the 70's and other
6 times. So that's one issue.

7 And what I offer up, Representative
8 Schauer, is that the example that I gave where we
9 had an at large system, and we worked to split
10 that so that Native Americans would have a
11 greater opportunity to influence an election and
12 have their interests heard, when that was done at
13 Parshall, that whole thing that I described, I
14 think it lent itself toward better dialogue,
15 official representation, bringing issues in a
16 formal manner.

17 We have a good system today. You know
18 that I, as Chairman, I'm no stranger to most of
19 you here, and I know most of you as well because
20 I've been here since 2009, '11, '13, '15, '17,
21 '19, '21.

22 Our basic position that we've taken as a
23 tribe -- and not all tribes do this -- is that we
24 think it's more beneficial; we think it's better
25 that we have an open-door dialogue between our



1 tribal nation and the state. Some tribes in
2 North Dakota and a lot of tribes in other states
3 have a closed-door policy. They see it as futile
4 for tribes to get involved with state
5 governments, because their constant argument is
6 always going to be, nothing is going to change
7 anyway. Why go down there and spend that time?
8 The differences are so immense that we'll never
9 get anything accomplished. And so defeat after
10 defeat causes many of them to pull back and not
11 do that.

12 We don't believe that at MHA Nation.
13 Under my administration, we work not only during
14 the session but in off times during the
15 committees, Tribal State Relations Committee, the
16 Taxation Committee we had previously, all these
17 different things because we are all still, A,
18 citizens of North Dakota; B, citizens of the
19 United States government. And we're all in this
20 together, and even though our governments are
21 uniquely different, we still have the needs to
22 interact.

23 So my point in sharing that is even
24 though -- and I saw my good friend, Senator
25 Warner, in the back, leader on the senate side --



1 we have a really good history. We've never
2 agreed to everything. Tax and things that we've
3 had to work cooperatively together, but we've
4 been able to really make some big strides.

5 I believe that if you split the
6 districts, it's not going to radically change
7 your aisle composition and red and blue or
8 anything else I don't believe. What it does for
9 us is it gives more of a formal link that will
10 only enhance a good working relationship that the
11 tribes and the state have already put together.
12 And tribal members that may be elected or have an
13 influence on a non-tribal member more so.

14 And as Senator Holmberg said earlier,
15 this is in no way a criticism against
16 representation we currently have. I just think
17 it strengthens it. It just gives more
18 opportunity to have more influence on that. And
19 anything that moves in that direction is a
20 positive. Although we understand completely,
21 that there is no absolutes in anything provided
22 here.

23 CHAIRMAN DEVLIN: Chairman, I believe
24 Senator Bekkedahl had a question.

25 SENATOR BEKKEDAHL: Thank you,



1 Mr. Chairman and Chairman Fox. Thanks for being
2 here as a fellow member of the U.S. Army, thank
3 you for your service.

4 CHAIRMAN FOX: You bet. Thank you.

5 SENATOR BEKKEDAHL: You made us proud in
6 the Marine Corps.

7 CHAIRMAN FOX: Ooh rah.

8 SENATOR BEKKEDAHL: My comments and
9 questions relate to the committee more, but I'm
10 glad you're here to hear it as well.

11 Timely, at NCSL last week, if you
12 noticed in your emails, provided us a report on
13 redistricting the Supreme Court the most
14 significant cases. If you need to look it up, I
15 have a copy as well. But it goes through cases
16 related to population.

17 These are Supreme Court decision cases,
18 by the way. Cases related to legislatures versus
19 commissions, cases related to race, cases related
20 to partisanship. So it's a really insightful
21 article. I was glad I got to see it, and part of
22 it was referenced in our meeting yesterday by
23 legislative counsel staff in the Jingles
24 Decision.

25 CHAIRMAN DEVLIN: Uh-huh (affirmative).



1 SENATOR BEKKEDAHL: But I would just
2 point out to the Committee a couple of other
3 things it says.

4 So Thornburg versus Jingles - the case
5 of whether Section 2 Voting Rights act requires
6 that a majority or minority district be drawn.
7 Remember, it is said that the Supreme Court held
8 that for a plaintiff to prevail on a Section 2
9 claim, he or she must show:

10 One - the racial or language minority
11 group is sufficiently numerous and compact to
12 form a majority in a single-member district, and
13 I think you spoke to this, Chairman Fox.

14 Number two - the minority group is
15 politically cohesive, meaning it's members tend
16 to vote similarly, and I think you talked a
17 little bit about that as well.

18 And then three - the majority vote
19 sufficiently is a block to enable it, usually to
20 defeat the minority's preferred candidate. And I
21 think you even spoke to that. So you did cover
22 all three of those areas from your history, and I
23 appreciate that.

24 There are other cases, Mr. Chairman,
25 that talk about Miller versus Johnson, a case



1 that showed a district becomes an
2 unconstitutional racial gerrymandering if race
3 was the predominant factor in the drawing of
4 lines.

5 And that's where I think legislative
6 counsel gave us great counsel in your information
7 yesterday about making sure that we respect the
8 idea of the race issue pertaining to the cases,
9 but also taking into account that it cannot be
10 the predominant factor in drawing the lines.

11 So we have these three things in Jingles
12 we have talked about, and I would defer, again,
13 to Ms. Ness because she was the expert yesterday
14 on this.

15 But I just wanted to reiterate that if
16 you want more information -- and it was brought
17 up here today by the Chairman -- that NCSL has a
18 great article. I'm happy to leave it here if you
19 want copies. I didn't make any, but you can make
20 any of your own.

21 Again, I appreciate you reiterating some
22 of the things that I read in my research as well.

23 CHAIRMAN FOX: I appreciate that,
24 Senator because the Jingles case has been a
25 longstanding case that has really governed the



1 1982 Voting Rights Act amendments and things of
2 that nature. Make no doubt about that.

3 SENATOR BEKKEDAHL: Yes.

4 CHAIRMAN DEVLIN: Representative Nathe.

5 REPRESENTATIVE NATHE: Thank you,
6 Mr. Chairman. Thank you, Mr. Fox.

7 I just want to make a clarification.
8 Did you state that we've subdivided before in the
9 past in this state?

10 CHAIRMAN FOX: No. What we asked for is
11 if the state had ever subdivided before. I don't
12 recollect that they subdivided the district that
13 Fort Berthold has belonged to.

14 REPRESENTATIVE NATHE: I just want
15 clarification. This state has never subdivided.
16 Is that correct?

17 CHAIRMAN DEVLIN: Representative
18 Holmberg has a follow up on that.

19 SENATOR HOLMBERG: Thank you for that
20 promotion.

21 CHAIRMAN DEVLIN: Senator.

22 SENATOR HOLMBERG: When you're talking
23 about the subdivision, I think what people are
24 forgetting is I don't believe the state has ever
25 subdivided. But the federal courts in 1975 came



1 in and abolished the multi-senatorial districts
2 in Grand Forks, Fargo, Minot, and Bismarck and
3 said, you can't have 4 senators and 12
4 representatives. You have to divide them up.
5 And so there was subdivision in 75.

6 CHAIRMAN FOX: Okay.

7 SENATOR HOLMBERG: And that was court
8 mandated, and not to get too much into the weeds,
9 but because of Minot, they got to keep a multi-
10 senatorial district for another 12 years or
11 whatever. But anyway, so now we're single.

12 But the state has not done it. They
13 have studied it. We have had floor amendments in
14 the Senate during redistricting to do
15 subdivision, which did not pass, but no one has
16 presented evidence until you came here today,
17 that showed that the populations were of such a
18 factor that they do fall into the protections of
19 the Federal Voting Rights Act. And the
20 legislature, of course, will make up its mind,
21 our mind, and we have a choice. We can respect
22 reality, or we can ignore reality. But I think
23 at the end of the day personal opinion, there
24 will be subdivisions.

25 CHAIRMAN FOX: I appreciate that very



1 much.

2 CHAIRMAN DEVLIN: Further questions from
3 the committee? Senator Klein.

4 SENATOR KLEIN: Thank you, Mr. Chairman
5 and Chairman Fox. You know -

6 CHAIRMAN FOX: Senator.

7 SENATOR KLEIN: I'm from Wells County,
8 central part of the state, Germans from Russia,
9 Norwegians.

10 CHAIRMAN FOX: Sure.

11 SENATOR KLEIN: I think we -- and I
12 probably attended 13 State of the Tribes
13 addresses here at the legislature. And the one
14 thing that stood out many times is that we're all
15 citizens. We're citizens of North Dakota.

16 CHAIRMAN FOX: Yes.

17 SENATOR KLEIN: And you're bringing that
18 again. You've mentioned that again. And I think
19 that when I go home, that's the feeling amongst,
20 at least many individuals in my district. We
21 should be treating them just like us. North
22 Dakotans. We're North Dakotans, and I know
23 you've suggested that you've been represented
24 well by whom you've had. I know I've served with
25 Senator LaFountain and Senator Barsy (phonetic),



1 and Senator Marcellais, and I believe Don
2 Chargin. I know Charlie Murphy took a shot at it
3 down in Standing Rock.

4 We've reached out, and I know -- I see
5 you walking down the hallway. And I know the
6 conference room today is scheduled for Chairman
7 Fox and members of the tribes because they're
8 going to meet with leadership.

9 So I guess -- you know I have to go home
10 and suggest, and I see this as a legal issue.
11 But I'm going to have to tell my folks that, you
12 know, we are treating them a bit differently.
13 And they'll say, well why aren't you respecting
14 their concerns? And I'm like, well, I think we
15 are.

16 I think you have a great senator in
17 District 4. I'm not as familiar with your House
18 member, but I know he has brought any number of
19 issues.

20 CHAIRMAN FOX: Sure.

21 SENATOR KLEIN: I believe he brought the
22 basketball player of the year.

23 CHAIRMAN FOX: Oh, yeah.

24 SENATOR KLEIN: I think we've reached
25 out. And sometimes, as Representative Schauer



1 has suggested, you know -- I don't know that
2 we're offended -- but sometimes some of the
3 remarks sense then we haven't done what we should
4 have done. But I think we are -- maybe this is
5 an opinion piece. That we have worked hard to
6 honor the wishes of the tribes. I get what we're
7 trying to do here. I'm just trying to develop my
8 psychology as I go home and try to respect that
9 we're all citizens of North Dakota.

10 CHAIRMAN FOX: Oh, absolutely. And I
11 appreciate your comment, and I will be one here
12 to stand here as a witness and say you all have
13 worked very hard to work with tribes in many
14 ways.

15 And I can speak not on behalf of the
16 other tribes, but for our own MHA Nation. I am
17 the spokesperson under our constitution, and I
18 will say that you've done some really good things
19 in the past. And I think we are reaping the
20 benefits of that cooperation. We sat that this
21 past year as well.

22 We have a common interest, MHA. Energy
23 development, utilizing our trust resources and
24 changing our standard of living, building
25 infrastructure, changing our economy, doing all



1 these things the federal government is never
2 going to do, we've done for ourselves. But we've
3 done that only because -- been able to do that
4 because we've worked cooperatively with the
5 state.

6 Now that being said, there's never a
7 reason not to improve something further. Block
8 voting still does occur. It occurred in the
9 90's, and myself personally, just to prove that
10 it was going on, in running I showed that it was
11 block voting.

12 I have a law degree. I'm a Veteran of
13 the United States Marine Corps. I'm not patting
14 myself on the back. But if you ever wanted to
15 find someone as a candidate to run for a local
16 board and you look at their character, you look
17 at their experience, and everything else, those
18 are pretty high credentials to have, being you
19 know, law trained, juris doctorate, and then at
20 the same time a Veteran of the United States
21 Marine Corps.

22 But the people at that time didn't see
23 it that way. They only saw it as a Native
24 American, an Indian, running for that school
25 board, and we don't want it to be that way. We



1 don't want an Indian on that board.

2 Now, since we made the change, what
3 you're now seeing today is whether one is on, two
4 is on, or three is on, it really doesn't matter.
5 We've, through the process, figured out how to
6 communicate and work, and now you see all these
7 benefits.

8 And I can assure you that from the
9 school board itself, and from the constituents
10 that are in our school district now in District 4
11 as a whole, all the positive benefits that are
12 coming are a result of the tribe and tribal
13 members and non-tribal members working together
14 has really been phenomenal and good. And we're
15 moving in the right direction.

16 I just think that consideration of
17 splitting the House, not the Senate obviously,
18 and not asking for us to become our own district.
19 We will still have non-Indians. Of 8300 people,
20 you know, one-third are still going to be non-
21 tribal members.

22 And so one way or another, we have to
23 work for the common good to find good candidates
24 and are continued good candidates that help
25 represent all interests of everybody in the



1 district and not maybe one side or the other, and
2 that's what we need to have. If you split this,
3 I believe it lends itself toward that fact.

4 CHAIRMAN DEVLIN: Are there any further
5 questions for Chairman Fox?

6 Seeing none.

7 Mr. Chairman, it's an honor to have you
8 here today.

9 CHAIRMAN FOX: I appreciate --

10 CHAIRMAN DEVLIN: Thank you very much.

11 CHAIRMAN FOX: I'm honored to be with
12 you, and honored to see all of you. Thank you,
13 Chairman.

14 CHAIRMAN DEVLIN: Okay. Thank you.

15 Committee, I don't know that this is
16 possible, but we still hope to finish right
17 around noon. But I'm hoping that Senator Poolman
18 and Senator Bekkedahl, or whoever has to check to
19 see if we have to clean up that line or whatever,
20 could do that rather quickly.

21 So if we could break for 10 minutes, the
22 rest of the Committee. I don't know -- and
23 Senator Oban too, I believe.

24 Thank you.

25 (Recess taken)



1 CHAIRMAN DEVLIN: But I think we can
2 show it on the screen. Can we not?

3 MS. THOMPSON: Yes.

4 CHAIRMAN DEVLIN: Okay.

5 There was some issue with the one
6 boundary in what, 33?

7 SENATOR POOLMAN: I just wanted to make
8 sure that it aligned with what we had already
9 approved --

10 CHAIRMAN DEVLIN: So we will have 4 and
11 3 and 16.

12 UNIDENTIFIED FEMALE: Six.

13 CHAIRMAN DEVLIN: Six, excuse me. I
14 said 16, ready to go with this explanation. Is
15 that correct?

16 SENATOR BEKKEDAHL: Mr. Chairman, if you
17 want me to proceed with the what's up on the
18 screen. Thank you.

19 CHAIRMAN DEVLIN: Yeah.

20 SENATOR BEKKEDAHL: So thanks to Senator
21 Oban, Senator Poolman, and Representative Lefor
22 also, and Representative Nathe for getting
23 together on this. As we wind down to the final
24 axis of the map, as you know, we're in North
25 Dakota here, and we worked from the east to the



1 west. I think these were the last three
2 districts where we have boundary issues that we
3 have worked out.

4 Just to quantify the changes that we
5 made, in District 6 the southern boundary of
6 District 6 used to come down to the Burleigh
7 County line. We've brought that boundary line up
8 a little bit to the north to try and make an
9 accommodation to the north-south distance of that
10 district which goes up to the Canadian border at
11 this point.

12 District 33, we made sure that the
13 southern boundaries were correct with the maps
14 from District 36 that we approved yesterday as
15 proposed by Representative Lefor. So that's back
16 in the proper location.

17 For the boundary between District 33 and
18 District 6, we followed basically the Highway 83
19 boundary. So we used the boundary from the lake
20 all the way down to Washburn as Highway 83. From
21 Washburn, if you can highlight where Washburn is
22 and just zoom in a little bit.

23 So as you can see on this now, Washburn
24 is in District 33, not in District 6. And then
25 the whole area east of Washburn is essentially in



1 District 33 now. That used to be District 6.

2 Moving back up north, if you could, I'm
3 following 83 north across the river. We again
4 follow 83 across the lake at the Lake Audubon
5 causeway.

6 The little town of Max -- you see a
7 little bump there. The little town of Max had
8 331 people to the west side of Highway 83 and
9 only 2 people, but it still did have some of the
10 town east of Highway 83. We've input all of the
11 city of Max in, and we adjusted that boundary
12 based on input from the McLean County Auditor who
13 said their educations -- their election
14 administration is made much easier by having the
15 2 people who live on the east side of Highway 83
16 in Max in the same election precinct as the rest
17 of the city of Max. So that's an accommodation
18 in the recommendation.

19 As you continue north on that boundary
20 -- this is continuing on Highway 83 -- you take
21 the Highway 83 boundary as a boundary line
22 between Districts 4 and 6 all the way up to the
23 southern boundaries of the Minot Districts. So
24 the community of Sawyer, which used to be in
25 District 4, is now in District 6. And by the



1 way, I was told that prior to the last 10 years,
2 Sawyer was aligned with Velva in the same
3 district. So now they're back in the same
4 district.

5 The numbers, I think, work out pretty
6 reasonably. I believe District 4 is a little bit
7 under in the deviation. I can't read it from
8 here, but it's minus something. Isn't it?

9 UNIDENTIFIED MEMBER: It's minus 0.65.

10 SENATOR BEKKEDAHL: And then Districts
11 33 and District 6 are within the realms of the
12 deviation as well. Neither one of them exceeds 5
13 percent on the positive side.

14 So we think we have struck a balance,
15 Mr. Chairman. I wish the maps were here. Did
16 they come finally?

17 UNIDENTIFIED MEMBER: Yes.

18 SENATOR BEKKEDAHL: Okay. And I would
19 defer questions to any of the members that worked
20 on this from the maps you have before you now.
21 So thank you.

22 CHAIRMAN DEVLIN: Are there any
23 questions from the Committee?

24 Seeing none. Then, I believe that we
25 would need to move Districts 6 -- no 4, 6, and 33



1 forward. Does someone want to make that Motion?

2 UNIDENTIFIED MEMBER: So moved, Your
3 Honor -- Mr. Chairman.

4 SENATOR POOLMAN: Second.

5 CHAIRMAN DEVLIN: Motion has been made
6 and seconded. Is there any discussion?

7 Seeing none, poll the Committee.

8 MS. THOMPSON: Okay. Representatives
9 Devlin.

10 CHAIRMAN DEVLIN: Yes.

11 MS. THOMPSON: Bellew.

12 Boschee.

13 REPRESENTATIVE BOSCHEE: Yes.

14 MS. THOMPSON: Headland, Lefor.

15 REPRESENTATIVE LEFOR: Yes.

16 MS. THOMPSON: Monson.

17 REPRESENTATIVE MONSON: Yes.

18 MS. THOMPSON: Nathe.

19 REPRESENTATIVE NATHE: Yes.

20 MS. THOMPSON: Schauer.

21 REPRESENTATIVE SCHAUER: Yes.

22 MS. THOMPSON: Senators Holmberg.

23 SENATOR HOLMBERG: Yes.

24 MS. THOMPSON: Bekkedahl.

25 SENATOR BEKKEDAHL: Aye.



1 MS. THOMPSON: Burckhard.

2 SENATOR BURCKHARD: Aye.

3 MS. THOMPSON: Erbele.

4 SENATOR ERBELE: Aye.

5 MS. THOMPSON: Klein.

6 SENATOR KLEIN: Aye.

7 MS. THOMPSON: Oban.

8 SENATOR OBAN: Yes.

9 MS. THOMPSON: Poolman.

10 SENATOR POOLMAN: Aye.

11 MS. THOMPSON: And Sorvaag.

12 SENATOR SORVAAG: Aye.

13 CHAIRMAN DEVLIN: Committee, then I
14 believe we should have a motion to approve the
15 preliminary map, and we all understand it can be
16 tweaked, you know, next week. But approve the
17 preliminary map, and let the counsel review it
18 for all the legal requirements that they have to
19 do. And then we'll look at it again next week.

20 So we need a motion to approve the
21 preliminary map and send it to Legislative
22 Counsel for final review.

23 SENATOR BURCKHARD: So moved.

24 SENATOR POOLMAN: Second.

25 CHAIRMAN DEVLIN: Senator Burckhard,



1 Senator Poolman seconded. Any discussion?

2 Representative Klein - or Senator Klein,
3 excuse me.

4 SENATOR KLEIN: Hello, Mr. Chairman, and
5 just keeping in mind that 12 and 29 are still in
6 flux just a little. But that would not change
7 the rest of the map.

8 CHAIRMAN DEVLIN: Right.

9 Senator Holmberg.

10 SENATOR HOLMBERG: And then also keeping
11 in mind that we have not assigned numbers to new
12 districts. We haven't made that particular
13 decision as of yet. There has been discussion,
14 but nothing has gelled that I'm aware of.

15 Mr. Chairman.

16 CHAIRMAN DEVLIN: Yes.

17 SENATOR HOLMBERG: I know at some point
18 I believe you would like this next week, I
19 believe we would look at proposals on whether or
20 not we were going to subdivide, but that doesn't
21 make any difference on the big map. That will
22 only be internally within legislative districts.

23 CHAIRMAN DEVLIN: Representative
24 Schauer, did you have something?

25 Okay. Anyone else?



1 Do you want to sign those numbers before
2 we do the preliminary map? That's up to you. I
3 mean --

4 UNIDENTIFIED MEMBER: It makes sense.
5 (Indiscernible)

6 CHAIRMAN DEVLIN: Okay.

7 UNIDENTIFIED MEMBER: Mr. Chairman I've
8 --

9 REPRESENTATIVE MONSON: I've had some
10 discussion with our Senator and our Executive
11 Committee, and they would like to see us become
12 19. So I would make that request. Whether you
13 want to do it today or not that's --

14 CHAIRMAN DEVLIN: As I understand it,
15 Representative Monson, you had more of a
16 population change 20 to 19 than the other way.

17 Okay.

18 REPRESENTATIVE MONSON: We did.

19 CHAIRMAN DEVLIN: Does anyone have an
20 objection to that?

21 Then, I think that would make the most
22 sense. And then we can get the maps with the
23 proper numbers as well.

24 Okay.

25 REPRESENTATIVE MONSON: Mr. Chairman,



1 then District 20 would remain -- the corpus of
2 District 20 would remain District 20?

3 CHAIRMAN DEVLIN: That is correct.

4 SENATOR BEKKEDAHL: Mr. Chairman.

5 CHAIRMAN DEVLIN: Senator Bekkedahl.

6 SENATOR BEKKEDAHL: Mr. Chairman, if
7 possible, I would like to request District 23
8 assignment to the new district out west of
9 Williston.

10 CHAIRMAN DEVLIN: And that was, I think
11 you had one of one and two of the other. And
12 you'd like to have two and two --

13 SENATOR BEKKEDAHL: It balances out two
14 and two, even and odd.

15 CHAIRMAN DEVLIN: Any discussion on
16 that? Is there any objections?

17 Senator Burckhard.

18 SENATOR BURCKHARD: No.

19 CHAIRMAN DEVLIN: I'm going to get this
20 right before I'm done, I promise Senator Sorvaag.
21 Could you just switch nametags or something? You
22 know, I'd be --

23 I apologize. Okay. Is there any
24 objection to making District 23 the western one?
25 Seeing none, okay.



1 UNIDENTIFIED MEMBER: Mr. Chairman, that
2 would leave District 26?

3 CHAIRMAN DEVLIN: 26 and 10.

4 UNIDENTIFIED MALE: And 10. And as Cass
5 County, I don't care. Either one of them.
6 Should we do 10 in Cass County and 26 southwest?

7 CHAIRMAN DEVLIN: Is that what you - is
8 that it, 26 out west and 10 in Cass County?

9 Any objections to that?

10 Seeing none, we will go with that way,
11 that way the preliminary map that's published
12 would have all the district numbers on there, and
13 I think that's a better way to go.

14 So the motion was made to approve the
15 preliminary map, send it to legislative counsel
16 for their review, with us coming in next week to
17 make any final tweaks or any things that have to
18 be done due to their legal review and other
19 factors.

20 Any further discussion?

21 Seeing none, poll the committee.

22 MS. THOMPSON: Representative Devlin.

23 CHAIRMAN DEVLIN: Yes.

24 MS. THOMPSON: Bellew.

25 Boschee.



1 REPRESENTATIVE BOSCHÉE: Yes.

2 MS. THOMPSON: Headland is out.

3 Lefor.

4 REPRESENTATIVE LEFOR: Yes.

5 MS. THOMPSON: Monson.

6 REPRESENTATIVE MONSON: Yes.

7 MS. THOMPSON: Nathe.

8 REPRESENTATIVE NATHE: Yes.

9 MS. THOMPSON: Schauer.

10 REPRESENTATIVE SCHAUER: Yes.

11 MS. THOMPSON: Senator Holmberg.

12 SENATOR HOLMBERG: Yes.

13 MS. THOMPSON: Bekkedahl.

14 SENATOR BEKKEDAHL: Aye.

15 MS. THOMPSON: Burckhard.

16 SENATOR BURCKHARD: Aye.

17 MS. THOMPSON: Erbele.

18 SENATOR ERBELE: Aye.

19 MS. THOMPSON: Klein.

20 SENATOR KLEIN: Aye.

21 MS. THOMPSON: Oban.

22 SENATOR OBAN: Yes.

23 MS. THOMPSON: Poolman.

24 SENATOR POOLMAN: Aye.

25 MS. THOMPSON: And Sorvaag.



1 SENATOR SORVAAG: Aye.

2 MS. THOMPSON: Motion carries.

3 CHARMAN DEVLIN: Thank you.

4 Committee, we will talk about southern
5 districts next week. The thing that's in the
6 chairman's mind -- you know, in my mind we could
7 get done in one day next week. But then I
8 remember some days that I thought that we would
9 be able to get done in an hour's time, and it
10 took four.

11 So I would propose, Committee, but I'm
12 certainly open to something different, instead of
13 coming in all day on Tuesday, I would propose
14 that we start at 1 o'clock on Tuesday, and meet
15 on Wednesday. That would allow people to drive
16 in Tuesday morning. I know a lot of you have
17 budget session on Thursday. So if we're there
18 all day Thursday.

19 And if Counsel sees - they think we need
20 to be here longer on Tuesday, I can change that.
21 But that's what I'm proposing unless there's
22 serious objections that we would go at 1 o'clock
23 on Tuesday and then 9 o'clock on Wednesday. Is
24 that okay with everyone? Okay.

25 What else do you need from us?



1 I think, Committee, we will adjourn for
2 the day. I thank you very much. I thank the
3 counsel staff that carried me and everyone else
4 on this Committee through the process. And you
5 know, I can't say enough about the work that
6 they've done. And we sent them something last
7 night that I sent out really late, and I got a
8 message back even later last night that they had
9 already completed it. So I'm under the
10 assumption that they never sleep on counsel
11 staff.

12 So thank you. Thank you all, very much.
13 Committee, we are adjourned. See you
14 next Tuesday.

15 (END OF VIDEO FILE)
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1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true
3 and accurate transcript of the digital recording
4 provided to me in this matter.

5 I do further certify that I am neither a
6 relative, nor employee, nor attorney of any of
7 the parties to this action, and that I am not
8 financially interested in the action.

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Julie Thompson, CET-1036

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