



REDISTRICTING COMMITTEE

Wednesday and Thursday, September 15-16, 2021
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative Bill Devlin, Chairman, called the meeting to order at 10:00 a.m.

Members present: Representatives Bill Devlin, Larry Bellew, Joshua A. Boschee, Craig Headland, Mike Lefor, David Monson*, Mike Nathe, Austen Schauer; Senators Brad Bekkedahl, Randy A. Burckhard, Robert Erbele, Ray Holmberg, Jerry Klein, Erin Oban, Nicole Poolman, Ronald Sorvaag

Members absent: None

Others present: See [Appendix A](#)

**Attended remotely*

It was moved by Senator Bekkedahl, seconded by Senator Klein, and carried on a voice vote that the minutes of the September 8, 2021, meeting be approved as distributed.

COMMENTS BY REPRESENTATIVES OF TRIBAL NATIONS

Mr. Nathan Davis, Executive Director, Indian Affairs Commission thanked the committee for seeking input from the tribal community.

Mr. Mike Faith, Chairman, Standing Rock Sioux Tribe, provided testimony ([Appendix B](#)) relating to the tribe's interest in District 31. He also noted:

- The Standing Rock Sioux Tribe would prefer to be a subdistrict of District 31 with Sioux and Grant Counties in one subdistrict and rural Morton County and the city of Mandan in the other subdistrict; and
- Although the tribe appreciates competition, the tribal community would prefer a chance to have equal representation in the House of Representatives for District 31.

In response to questions from members of the committee, Chairman Faith noted:

- The tribe is open to adding population from rural Morton County and some of Hettinger County to reach the minimum population threshold required; and
- Although the discussion surrounding subdistricts always has existed within the tribal community, the time has come to consider seriously subdistricts as a path forward.

Mr. Charles Walker, Councilman, Standing Rock Sioux Tribe, provided testimony ([Appendix C](#)) relating to the Standing Rock Sioux Tribe's interest in District 31. He noted:

- Existing representation is not adequate because of a lack of communication between the tribal community and those elected to represent them in the House of Representatives;
- The majority of people living in Sioux County do not know who their District 31 Representatives are; and
- The Native American population on the reservation increased by 29.7 percent over the last decade.

Ms. Collette Brown, Executive Director, Gaming Commission, Spirit Lake Casino and Resort, provided testimony ([Appendix D](#)) relating to the Spirit Lake Tribe's interest in redistricting. She noted it is critical for the Legislative Assembly to comply with the Voting Rights Act by moving away from at-large districts that dilute minority voting and to consider the historical undercount of tribal communities during each census.

Mr. Matthew Campbell, Staff Attorney, Native American Rights Fund, noted the Spirit Lake and Standing Rock Sioux Tribes are very interested in subdistricts as they are distinct communities of interest sharing cultural, economic, and political interests.

In response to questions from members of the committee, Mr. Campbell noted:

- Equitable representation is about having a representative is responsive to local needs because of the representative's physical location to those they represent; and
- Data is available to show several members of the Standing Rock Sioux Tribe, Three Affiliated Tribes, and Spirit Lake Tribe have made unsuccessful bids for seats in the House of Representatives.

Ms. Nicole Donaghy, Executive Director, North Dakota Native Vote, provided information ([Appendix E](#)) relating to the Native American communities in the state. She noted the goal is to create an effective policy to promote equitable representation in the state by allowing tribal members the opportunity to elect their candidates of choice.

In response to questions from members of the committee, Ms. Donaghy noted:

- Under the existing districts, tribal members are not able to engage in the elections process; and
- The political party of a representative is irrelevant to the tribal community as the members simply want to have a representative who represents the interests of the tribal community.

Senator Oban provided information ([Appendix F](#)) indicating in two of the three races in District 31 in 2015, the winning candidate still would have won if the district had been subdivided.

COMMITTEE DISCUSSION AND PRESENTATION OF REDISTRICTING MAPS

Representative Lefor presented testimony regarding a [draft map](#) for redistricting the southwestern part of the state. The map included Districts 39, 37, 36, 33, and Y. He noted the map was a concept for discussion and welcomed feedback. Regarding his proposed maps, he also noted:

- Although District 39 contains portions of Dunn, McKenzie, and Mercer Counties, it does not contain any part of the reservation;
- District 37 includes most of the city of Dickinson;
- District 36 needed an additional 4,000 people so it now stretches west to New Salem; and
- District Y is a proposed new district comprising Bowman, Adams, Slope, Golden Valley, Billings, Dunn, and Stark Counties.

In response to questions from the committee, Representative Lefor noted although he considered splitting Stark County into two districts, it became difficult to create whole districts in the surrounding areas.

Representative Nathe presented testimony regarding a [draft map](#) for redistricting Bismarck, Mandan, and the surrounding areas. The map included Districts 33, 7, 47, 34, 35, 31, 32, 30, and 8. He noted the map is a general plan and welcomed comments. Regarding his proposed maps, he also noted:

- District 7 was the biggest challenge as a result of the enormous growth in the area, resulting in the southern area of District 7 being moved to District 8;
- The area in the northwest corner of District 7 comprising the area known as Misty Waters was moved to District 47 because a piece of District 47 south of Interstate 94 was given to District 35;
- District 8 includes the city of Lincoln because the population in that area identifies more with Bismarck than surrounding rural areas;
- Although District 32 did not experience much growth, because District 30 had excess population, a small piece of District 30 along 26th Street, from 9th Street North to 22nd Street North, was included in District 32;
- District 30 was made whole by including the Copper Ridge Development; and
- The top half of District 8 was given to District 6 with the cities of Garrison, Underwood, and Coleharbor being in District 33.

In response to questions from the committee, Representative Nathe noted District 33 includes some of north Mandan and area north of Interstate 94.

Chairman Devlin presented testimony regarding a draft map for redistricting the eastern half of the state. He noted the plan creates districts from the border of Canada, along the border with Minnesota, and south to South Dakota. Regarding his proposed maps, he also noted:

- Because Rolette County no longer has the population to have its own district, Towner and Cavalier Counties were added to District 9;
- District 10 now includes Pembina County and parts of Cavalier and Walsh Counties;
- District 24 consists of all of Barnes and Ransom Counties;
- Richland County makes a perfect district with a small portion of a reservation that could be included with either Richland or Ransom Counties; and
- The second plan includes a proposal that would remove Steele County from District 29 and include it with Barnes County and part of Ransom County to leave Cass County whole.

In response to questions from the committee, Chairman Devlin noted his plans result in the elimination of three existing districts.

Senator Holmberg provided testimony regarding a draft map for redistricting the northeast corner of the state. He noted the majority of the plan is the same as the one he presented at the September 8, 2021, meeting with a few adjustments.

In response to questions from the committee, Senator Holmberg noted the Grand Forks Air Force Base was kept whole in his proposed map.

Senator Poolman provided testimony regarding a draft map for District X, which would be District 8. She noted because both maps for the eastern half of the state left out Emmons County, this plan includes Emmons County in District 8.

In response to questions from the committee, Senator Poolman noted as a Senator who represents Lincoln, her concept would make Lincoln the largest voting block in District 8 which would be positive for Lincoln and the Bismarck Public School District.

Senator Burkhard provided testimony regarding a draft map of the Minot area. He noted Minot has experienced significant commercial and residential growth over the last decade, and the footprint of Minot has grown by 60 percent as a result of the flood in 2011 and growth in the oil industry. Regarding his map, he also noted:

- He worked with Representative Bellew to change the boundaries of District 5 by moving the eastern boundary to 3rd Street SE going south to the US Highway 2 Bypass, and going southeast to include the area of the new Trinity Hospital site;
- The actual footprint of the districts in Minot and the surrounding area did not change; and
- The Minot Air Force Base remains split in two districts as it has been since 1991.

Senator Sorvaag provided testimony regarding a draft map of the Cass County area proposal. He noted the plan keeps Cass County whole, making for a total of 11 districts. Regarding his map, he also noted:

- The plan was created by coming in from the rural areas to the more urban areas with District 22 being the largest rural district;
- Districts 13 and 16 are the largest West Fargo districts with other districts in the plan also containing some portions of West Fargo;
- The plan focused on keeping neighborhoods whole to maintain the sense of community; and
- District XX would be a new district under the plan.

Senator Bekkedahl provided testimony regarding a draft map of the northwest area proposal. He indicated although there were not many changes from the plan he presented at the September 8, 2021, meeting, the committee should take another look at District 4. Regarding his map, he also noted:

- District 4 has about 16,794 people, and the population of the reservation is 8,350, which could be its own subdistrict; and
- The new District 99 nearly fits into the corporate boundaries of Williston.

COMMENTS BY INTERESTED PERSONS

Mr. Pete Hanebutt, Director of Public Policy, North Dakota Farm Bureau, thanked the committee for their work while also noting legislative districts should consider geographical areas and keep communities of interest together to maximize the impact of rural areas and agriculture.

Mr. Kevin Herrmann, Beulah, submitted testimony ([Appendix G](#)) electronically.

COMMITTEE WORK

Chairman Devlin indicated the committee needs to be ready to move quickly at the next meeting to allow time for the public to view and comment on the plan. He also noted the committee has yet to receive any map proposals from individuals who are not members of the committee and suggested any public proposals be submitted by the next meeting.

Ms. Claire Ness, Senior Counsel, Legislative Council, noted the [maps presented at each meeting](#) are available on the legislative branch website and provided directions to locate them.

No further business appearing, Chairman Devlin adjourned the meeting at 11:10 a.m. On September 16, 2021.

Emily L. Thompson
Code Revisor

Samantha E. Kramer
Senior Counsel

Claire Ness
Senior Counsel

ATTACH:7