# 2011 JOINT LEGISLATIVE REDISTRICTING

## HB 1473

# 2011 SPECIAL SESSION
# JOINT COMMITTEE MINUTES
## JOINT LEGISLATIVE REDISTRICTING COMMITTEE
Brynhild Haugland Room, State Capitol

HB 1473
November 7, 2011
Job Number - 16942

☐ **Conference Committee**

Committee Clerk Signature Erin Luetkt

**Explanation or reason for introduction of bill/resolution:**

Relating to legislative redistricting and staggering of terms of members of the legislative assembly; to provide an effective date.

**Minutes:** Amendments Attached 1 and 2

**Chairman Holmberg**: Opened the meeting.

Members present; Senators: Christmann, Cook, Grindberg, J.Klein, Lyson Taylor, and Warner. Representatives: Vice Chairman Devlin, Kasper, N. Johnson, Monson, Bellew, Nathe, Holman, and Kelsh. Also present: John Bjornson and Vonette J.Richter, Legislative Council.

**Chairman Holmberg**: Stated that they would start with amendment 11.0813.01001, (1). He said this was the amendment given to them after the last meeting from the Secretary of State's Office, requesting a change in the effective date of the date of the act from December 1 to November 25.

**Senator Cook**: Made the motion to accept the amendment.

**Senator Kline**: Seconded the motion.

**Chairman Holmberg**: Said that they all had received an explanation, after the meeting, from the Secretary of the State.

**Representative Johnson**: She asked if they would also need to change the date in the bill on page 28, line sixteen.

**John Bjornson**: Said that she would be correct, on line 17 the date would also have to be changed to December 1.

**Chairman Holmberg**: Asked for all in favor of the amendment to say, "I". It was adopted. He said the next amendment is about the descriptions of district 11. He asked John to explain the amendment, 11.0813.01002, (2).

**John Bjornson**: He said that the associative counties and the Secretary of State forwarded the descriptions to the county auditors for their comments and that there were two

incidences in Fargo and West Fargo where the references to Interstate Highway 94 should have been references to the Business Interstate 94 also known as main avenue. He said that it would go in districts 11 and 16.

**Senator Cook**: Motioned to accept the amendment.

**Representative Monson**: Seconded the motion.

**Chairman Holmberg**: He asked for a vote in favor of the amendment. The motion was carried and the amendment adopted.

**Chairman Holmberg**: Said that there were some additional changes in the Burleigh County area.

**John Bjornson**: He said that as they were going through some of the descriptions they came across a couple of issues and he reviewed them with Representative Nathe. He said the first was south Bismarck. He talked about the line going from Desert Road to the river and said it was a non-identifiable boundary. When they drafted the description they followed Desert Road to the river. The second issue was to the city of Lincoln which was placed into district 7. He said the last draft had a census block in the triangle area. He pointed it out on the map. He said it was another non-identifiable boundary. He said they put that area in district 30. The last issue came across in Bismarck. He said where St Alexius Hospital parking lot is, the line goes through the parking lot. He pointed it out on the map. They drafted it with the line going from Rosser to Eleventh to Thayer instead of Rosser through the parking lot to Eleventh.

**Senator Cook**: Asked if bill 1473 already had the change drafted into it.

**John Bjornson**: Said that it does.

**Senator Cook**: Made a motion to accept the changes in the bill.

**Representative Johnson**: Seconded the motion.

**Chairman Cook**: Asked for a vote in favor of accepting the changes. The motion was carried and passed. He stated all three were passed.

**Representative Nathe**: He talked about the changes off of 83. He said it would be easier to explain to the voters where the changes had occurred and where the boundaries were now. He asked for the committee to consider the change.

**Representative Devlin**: Made the motion to accept the changes.

**Representative Kasper**: Seconded the motion.

**Chairman Holmberg**: Asked for a vote in favor. The motion was carried.

**Chairman Holmberg**: Said that they would take up three unresolved issues at 8:30 tomorrow. They are Dunn County, District 14 and the area south of Jamestown. The meeting was adjourned.

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HB 1473
11/07/2011
16938

☐ Conference Committee

Committee Clerk Signature

All committee members present.

Chairman Holmberg: We will call the meeting to order. We have before us HB 1473, which came through the interim committee. During the interim, the plan was called Template A. What we're doing here at this first hearing, is identifying those areas where we want to have further discussion. We will start that work and discussion this afternoon. We will adjourn at 2:30 pm because we were only given one hour. We will come back at 7:00 pm and continue our work and discussion on HB 1473. We will go through items that I have been notified of, and then we will find out if there are other items and issues that need to come before the committee, utilizing this bill draft. Then we will start in areas where there is public testimony about a particular area and then we will just go through that until we run out of time. One of the amendments has to do with notification that you all received after our last meeting about the effective date. The Secretary of State had written saying it would be much easier and better if the effective date was not December 1, but November 24. Then there is a second amendment which is technical in nature. When the bill draft was completed there were a couple areas on descriptions, a road rather than Business 94. Those are strictly technical corrections. We will take that up at some point. The other areas that I am familiar with, that there is further discussion needed, that has to do with the interface between District 36 and District 39, which if you recall, was at our last meeting. We exchanged a description of District 39. They had received the Belfield area and we had a request, which we voted on, and we put Belfield back into Stark County and we took the Killdeer area, up in Dunn County, and put it in 39. That is one area of discussion that we need to work on. Another area of discussion has to do with the interface south of Jamestown between District 29 and District 26. I believe Rep. Holman will be talking about the Dunn County issue and then I believe that Rep. Kelsh is going to talk about the interface down south of Jamestown. Another item has to do with the central portion of the state where District 14 is on this Template map. I understand we will have a suggestion that we change that area somewhat and make a change regarding Pierce and McHenry Counties. That we change the way they lay. Rep. Nathe has a technical correction in the Bismarck area, not that whole discussion we had last time about where District 7 goes, but just a couple other areas. Those are the ones that have been brought forward and now I need to know if there are other areas of further refinement that this committee is going to be asked to consider. We need to know what those areas are now. If we know what the areas are, then we will just start going through the areas that we have. Are there any other areas that the committee is bringing forth?

Sen. J. Klein: There was a little discussion this morning on a line we had south of Dickinson, where the Senator from District 31 was wondering why it didn't follow the road.

Sen. Cook: I don't think that that's an issue.

Rep. Carlson: As a point of reference if we are wondering what our schedule would be and when we'd like to see this bill come out of the committee. We are hoping that the work will be completed, the bill out of committee and voting on it on Wednesday. If we can vote on Wednesday, that would be great.
Sen. Holmberg: We will do what we can. With the exception of those areas mentioned, which is the District 14 interface, the Dunn County issue, the south of Jamestown issue, and the tweaking in Bismarck, are there any members of the audience that would like to testify at this time on the Plan?

Rep. Glenn Froseth: I'm from Kenmare, in District 6. I am in the top of Ward County, which we call the "Gooseneck" of Ward County. That's part of District 6 now, as is the north half of Ward County, and it will move to District 4. My constituents in that part of District 6 are very unhappy about moving to District 4, for the reason that the eastern half of Burke County is one of our main companion areas for shopping and sharing school activities. We coop three sports with Lignite, Bowbells and Burke County. We share pastors with three different congregations in Kenmare and churches in Burke County. That is a community of people that have shared living together, working together, agricultural interests, oil interests, pot ash interests, and wind interests, etc. We don't want to break up that relationship that we've had. The change of a legislative district may not mean as much in changing the lifestyle of a community, but working together on different issues, it will make quite a difference. Anyone from this area of the state that might consider running for a legislative district, it would be 185 miles from one end to the other. It's hard to represent people when you're that far away from them. I think with some tweaking on moving just those seven townships up in the gooseneck, either back in District 6 or move into District 2, wouldn't be an impossible task. I'd like to ask that you take a look at that.

Sen. Holmberg: Any questions. You're right, because of the numbers there, it would necessitate some tweaking probably elsewhere because District 4, which has that area now, is slightly under the population. There are 1466 people in that particular area, which includes the town of Kenmare. Thank you. Is there anyone else that wishes to speak on this particular topic.

Kevin Glatt, Burleigh County Auditor/Treasurer: I have some concerns with District 7 in Burleigh County for a number of reasons. One area of the district boundary goes through a mobile home court and uses the streets and trails within that mobile home court. It's not a real discernable and recognizable boundary. As I've stated before in this committee, using discernable, major streets and roadways, I believe is just the best policy. It's easy for the voters to understand, easy for election workers to understand; easier for everybody to understand. Using streets and trails through a mobile home court is not the best policy. Also in District 7, with the present boundaries, the county of Burleigh is going to have great difficulty finding polling places for these residents to vote. If we establish voting places without regard to legislative district boundaries and use the available buildings that we have, I would have precincts with seven different ballots to accommodate the splits between the district, with a school district, without the school district, etc. I would like the boundaries in District 7 to be changed. There is still time. I would be willing to work on this.

Sen. Holmberg: Any questions. Mr. Glatt has testified before this committee before this and expressed some concerns and we've made some changes. Thank you.

Kevin Glatt: I do appreciate the work that's been done, and listening to my previous testimony I think we did clean some things up in the northwest part of Bismarck and I'm very appreciative and all of Burleigh County thanks you.

Sen. Holmberg: Thank you. Anyone else wishing to testify on the statewide plan? Let's move to the issue that Rep. Holman is going to speak about. This is an issue that the committee discussed before but now we have some additional information and I know that when we voted to make the changes that occurred over in District 39 and 36, people voted the way they did without having some information which has now been made available and Rep. Holman is going to speak about. You all have received some messages from Dunn County and concerns that they had. You all should have a handout on your desk.

Rep. Rick Holman: It came to my attention earlier, and there is a Dunn County Commissioner here, who is concerned about this. I prepared a handout which has been distributed to the committee members. The part in NW Dunn County currently, in the 2002-2011 plan, is in District 36. At our last meeting, this section was put into District 39, which covers most of the western edge of North Dakota. If you take the Belfield area of Stark County, this is one voting precinct and has Belfield in it. This will take Dunn County and returns it to what they are used to, and they have two districts. They have District 4 and District 36, as they have now. Stark County, in Plan A, which is on the table now, has two districts, District 37 and 36. We are proposing that this western edge of Belfield and about 300 more people in the rural areas, be put in District 39. Part of my rationale is that we have Dunn County here with about 3500 people, a smaller operation, less staff to handle multiple districts. We have Stark County, with about 24,000-25,000 people, which obviously because of Dickinson has a much larger operation, and is better able to handle multiple districts. I see no problem with this part of Belfield fitting into District 39. There is a lot of commonality there. My proposal is to return Belfield to District 36. You would be adding 1161 people here and removing 1121 people down here. The population of Killdeer is about 900 and the population of Belfield is about 800 people. So it's almost an identical trade with the population; therefore, the percentage numbers, as again on my handout, you'll see that the percentage numbers, District 39 changes from 3.47 to 3.21 on my charts. The percentage into District 36 from -1.58 to -1.27.

Sen. Holmberg: Any questions.

Rep. Bellew: If we were to do something like this, it looks like you are splitting up the Indian Reservation.

Rep. Holman: No, it does not affect any of the reservation. District 4 is the part of Dunn County up by the river. I'm not getting into any of the reservation property.

Rep. Bellew: On the map that I have, it looks like the line goes through the reservation. Maybe I'm misreading the map.

Rep. Holman: That is not the intent. It is a clear intent that we don't divide Indian Reservations and I would not, in any way, encourage that.

Sen. Holmberg: Any questions.

Sen. Klein: We are splitting some of Billings County; that line is not the county line right.

Sen. Holmberg: Not Billings County, it's Stark County. That new area is the western end of Stark County. Billings County remains whole.

Rep. Holman: This is keeping Stark County whole by putting Belfield area back into District 39.

Sen. Holmberg: Any further questions. Now we want to hear if there are folks from this area, or from individuals who have an interest in this issue, who would like to testify. Please try to bring new information to the discussion. We will be finishing up Dunn County before we are done with this hearing this afternoon.

Daryl Dukart, Board Chairman, Dunn County Commissioner: See attached #2. Most of you have received a letter from me about 2-3 weeks ago. A lot of what I'm handing out now is the same thing. The Dunn County Commissioners do solely support Rep. Holman's proposal for an amendment to this district formation and removing that NW corner out of District 39 and placing it back into District 36. I think if you look at the handout, item #4, where I talk about the NW landowners and the property owners and voters up there, it gives them that opportunity that was discussed earlier up in the Kenmare area about having that large distance to travel to meet face-to-face and to attend forums and be represented properly. The other issue is, and I have been contacted by several people on quite a few occasions, isn't this a positive that you would have 3 Senators and 6 Representatives as a County Commissioner to encourage them to be on your side. That could be good in one sense; the biggest problem that I see is when we come to the Senate hearings and legislative hearings or sessions, by the time we make contact with the six legislators that we have in our county right now, we are exhausted and we still can't get all of them. So if we're going to have 9, we're probably not going to gain anything.

Sen. Holmberg: It is ironic, there is a big fight going on in the state of Idaho between two counties, both represented by Republicans and they are fighting back and forth because the Republicans in county X feel it's unfair that County Y is divided into two districts and has access to two senators and 4 representatives. It is an interesting issue that is nationwide. It's not just Dunn County. Any questions for the commissioner. (To the audience) Don't feel that the committee is derelict in its duty. We have looked at issues and the commissioner was very kind to send us a letter earlier, so we are aware of the issue and the discussion points and the arguments that you made effectively up there. Anyone else wishing to testify at this time, on this area of the plan.

April Jepson, Dunn County Economic Developer, Chair of Rural Leadership ND Council: I also support Rep. Holman's amendment. If Plan A were to go forward, many of our residents in the Killdeer area would be 110 miles from their nearest representative. I don't believe this should be a decision about which county should be divided; it should be which will provide the best opportunity for representatives and constituents to have face-to-face opportunities.

Sen. Holmberg: Thank you.

Rep. Keith Kempenich: I'm the state representative for District 39. I emailed April and assured her that we are going to do what we need to do to represent the people of the

district, whether it stays as it has been proposed or not. We're used to travelling and that's something that has been done since they redistricted our area back in 1993. We will represent however the committee decides to do this, we will do our best to represent the people of District 39.

Sen. Holmberg: Thank you for making that point. Is there anyone else who would like to talk about this particular issue. The next issue will be addressed by Rep. Kelsh. We will take a look at Ransom County, the interface between District 29 and 24. For the benefit of the audience, the two political parties worked together on this. None of these issues are surprises. Neither group is throwing out any measure change here. We exchanged this information prior to the meeting, so that we could be informed.

Rep. J. Kelsh: The changes I am proposing do not affect my district, but affects one of the counties that's within my district. That's the county of Ransom. They brought it to my attention, they are a small county. They have three districts in that county. That is a burden. There are four townships along the very west edge of Ransom County; Northland, Ft. Ransom, Hanson and Isley. I think there are about 320 people in that area. My proposal is that we would take those four townships from District 29 and put them into District 24. At this point, they are in District 29. I propose to put those into District 24 and that would take District 24 down to about 1% below the 14,310, which is good. This does not affect my district at all. The point is that when you move 320 people, you affect somebody else. It would affect District 29. On the eastern edge of Jamestown, there is a notch that we took out that has approx. that same amount of people.

John Bjornson, Legislative Council: The four townships are 338 people; the little area outside the city limits of Jamestown is 62 people.

Rep. Kelsh: I guess that is what causes us to go to 4.7 in District 29 and 4.27 in District 12. I know that's a little bit towards the top end, especially the 4.7, but one of our major concerns was preserving county lines. In a small county, they were very concerned, because that line on the east side of those four townships, went through the small town of Englevale. I have not yet been able to discern how many people live on each side of the road. At one time I had heard there were 28 on the west side and 6 on the east side of the road. The county auditor said that would be very difficult. It's not so much the cost of the ballots, but it's the other administrative work that makes it rather difficult. One of our goals has been, of course, the number of counties that we have kept whole. That certainly has been one of our goals. I don't know which trumps the other; being 4.7 under or the county being whole. I want to reiterate that this has nothing to do with changing the numbers so as to make it a challengeable issue. This is strictly because the Ransom County auditor and county commissioners were extremely upset first that they had three legislative districts in their small county and then found that the line went through a small town. They didn't know how they would handle the matter.

Sen. Holmberg: Thank you for that clarification, because we had a conversation about this and during times of redistricting there are always fears that something is hidden which could become a poison pill to cause someone to run to the courts. You've made it clear that your issue of going to 4.79 had nothing to do with that, it had to do with lessening the impact on a county like Ransom County, and it doesn't affect your district. Any questions on this suggestion. We made another change on there because the problem with District 29 and its location there, is that there is really very little that we can do outside of the area, so we

had to look at the city of Jamestown. We had made some changes in the north. What was the number that we took out from District 29.

Rep. Kelsh: I do not have that number. That may be a more reasonable solution. The area that we had talked about taking out was the 62 people. I had thought that there were more people in there than that. It had traditionally been in Jamestown, in District 12. That north section along the reservoir had traditionally been in District 29, as I understand it, up until this proposal. That may be a more palatable solution is to put what was in District 29 back in 29 and leave in District 12 what was 12. That may be a better solution to the problem.

Sen. Holmberg: I understand that the area down there that you tweaked and put into District 29 was in 29 a number of cycles ago. That was my understanding in talking with Sen. Wanzek, that when he first ran, that was in his area.

Rep. Kelsh: That's ancient history.

Sen. Holmberg: Ancient history, that's what we constantly go back to. So the number of people there is roughly that were added into District 12 from 29 were 319. Again, what we have is two districts, the outer boundary of 29 and then within that is district 12. We certainly will take a look at those tweaks. Thank you. I was surprised also that there were only 62 people in that area down there. Any questions on this suggestion.

Rep. Kelsh: I think that the area we had proposed moving from District 12, in the plan, is not in the city limits, is that true?

J. Bjornson: That is correct. According to the map, the city limit line is west of the area you are talking about. They would be outside the city limits.

Sen. Holmberg: If there isn't anyone else to comment on the Jamestown interface, let's look at the District 14 interface. Just for the audience's edification, during committee discussion and work on computers, it was determined that we were going to keep the number of districts in the state at 47. That necessitated because of population shifts, the movement, and the result was that a district in the northeast corner of the state was not, as an editorialist has said eliminated, it was moved to Cass County. A district in the north central flyway was removed from there and put into Burleigh County.

Rep. Jon Nelson: I serve in District 7. Because of **template A**, I think all of us that are currently serving in District 7, 14 and 6 are in somewhat of a box. We feel like we're in a box, due to everything changing around us. With this plan, it intends to use the commonality of regions to create a district that makes a little more sense, as far as the regional traffic. It's a simple change. We're trying to move Pierce County, which in template A, is in district 14. Look at the distance, 35 miles from the Canadian border to south of I-94 through Kidder County. It's a huge, geographical reach to expect that a state senator or two representatives are going to be able to reach that. We're proposing to take Pierce County and move that into district 6, which is a little bit more compact region, in and around the Minot area, which is our regional center as well as Bottineau and Renville County, all rural in nature. Pierce County, for example, does have a number of associations with Bottineau County. All Seasons Rural Water, which I serve as a director of, is one example of that. Our rural water system is headquartered in Bottineau. We contract water from the city of Rugby and serve areas in a 7 county area around that particular area. This does come at

somewhat of a cost to McHenry County; there is no question about it. Highway 52 runs through McHenry County and there is a regional center in Harvey that many people in the southern McHenry County area use as their regional center. Pierce County is an odd-shaped county, much to the dismay of some of us. There is one major city, the city of Rugby. In my opinion, it needs to be whole, because there is no natural breaks in that county, from a regional standpoint. McHenry County does have that possibility. This plan does break McHenry County, the north part of the county would go into District 6. The area just north of Towner, Newport Township and south would go into 14 and that would, I think, be less burdensome for the people of this area. It's not the perfect fix, but I think it makes it more workable than what template A does provide.

Sen. Holmberg: The city of Towner is in 14 also. I know that you were working on this particular issue and I know the constraints that you had in that you are surrounded by a bunch of districts that are already pretty set.

Rep. Nelson: Had we had the flexibility to work with the surrounding districts, I think we could have made a plan that even fit better, but that option was not available to us. We tried to make it as simple as we could, as far as affecting just these two districts.

Sen. Holmberg: There was a lot of looking at this particular area. It was one of the most mettlesome areas we dealt with. Any questions.

Rep. Bellew: Explain to me why Pierce County has to be whole. You divided McHenry County. Wouldn't it just make sense to square it off there.

Rep. Nelson: I think the difference is, in McHenry County, there are two major cities and several smaller cities. The two major cities are Velva and Towner. Highway 2 does go through. The Soil Conservation District, for example, you set up north McHenry and south McHenry. Pierce has one major city. There are three towns in Pierce County; Rugby, town of 2800; Wolford up in the NE part of the county, town of 50 people; and then Balta, which is a town of a similar size. I think it's important that when you have one centrally located city that you want to keep the traffic flowing – the traffic flows into Rugby from the south, north and that's the regional center. In McHenry, there are trade areas. The school district, for example, TGU School System, is formerly Upham, Granville and Towner, and coming together in Towner. Velva, has taken in students from the Carlsrud District and Butte School District. There is regional flow into both of those towns from different parts of the county. That's just the way it works in that particular county. They are more able to accept a split district than Pierce County would be because of that background.

Sen. Holmberg: Are there any additional questions of Rep. Nelson. Is there anyone else wanting to testify on this particular proposal.

Rep. Dick Anderson: I live in the north part of McHenry County. There is a natural division in northern McHenry County. The sand hills of McHenry County are a few miles south of the Bottineau County line. That's a natural division. The people on the north end of McHenry County have always completed a lot of their business with Bottineau County. So there is a natural boundary. Like Rep. Nelson stated, I am also on All Seasons Water District. We have 1600 miles of pipe in the ground servicing over 1300 customers and we're involved in Bottineau, Pierce and northern McHenry County. We also have watershed issues that drain from Pierce County, go through the northern part of McHenry County and affect Bottineau

County. There is a common link there. We also have area businesses that rely on each other. As of now, there are fuel shortages popping up in several of the small Ag businesses. We are planning on putting together a buyer's group that will encompass Westhope, Bottineau and Rugby, so we can have a secure fuel supply in the spring for our farmers. Both economies are very similar and I feel it is a good fit. I put my support behind Rep. Nelson's plan.

Sen. Holmberg: Any questions. Thank you.

Rep. Robin Weiss: The plan in front of you, frankly from our perspective in District 14, if you are looking at trade areas, we don't really care for either version because we don't think we have a lot in common in that northern part. But, under the constraints that we have here, McHenry County has much more in common with the proposed District 14 than Pierce County would. One, as Rep. Nelson already pointed out, you have Highway 52 running through there; that lower part of McHenry County trade area does tend to go into Harvey. The other issue, if you look at the Social Service Consortium that is made up of Sheridan, McHenry and some other counties. Pierce County is not part of that. In the Public Health Unit, you have Sheridan and McHenry in a common public health unit again. Pierce County is in another health unit and Welles is in another health unit. There is commonality with McHenry County that isn't there with Pierce County. If you're looking at the best thing you can do, McHenry County and the line that's drawn and, as Rep. Anderson pointed out, it makes more sense. Would we have rather had a different layout, yes. Does the district look good on the map, no. But then, if you look at many other districts, they look just as ugly or worse. So the lines aren't quite as important as having a district that at least has something in common. I believe that adding McHenry County as part of District 14, will definitely have some commonality when there's virtually none if we were to keep Pierce County in there.

Sen. Holmberg: Any questions. Thank you. We will come back this evening at 7:00 pm at which time we will look at the tweaking from Bismarck and we will look at those amendments that were technical corrections. We are adjourned.

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HB 1473
11/08/2011
16944

☐ Conference Committee

Committee Clerk Signature DRenner

All committee members present.

Chairman Holmberg: We will call the meeting to order. After yesterday's meetings, we had three issues that the committee was going to look at this morning. Let's look at the interface between Districts 39 and 36. We had testimony on it yesterday. We listened to the Dunn County Chair of the County Commission. Rep. Holman had an amendment that he had prepared for the bill. You can present that and make the appropriate motion.

Rep. Holman: I move that the Plan A as presented and voted on previously would be altered to be changed as I presented yesterday, which would return the northwest part of Dunn County as is in the 2001-2011 plan, and to offset that, take the west voting district of Stark County and put that in District 39. This would be an exchange of about 1100 people. We would return the 1100 people in Dunn County to District 36. We would then take about 1100 people from Stark County and Belfield area and put them in District 39.

Sen. Warner: Second the motion.

Sen. Holmberg: Any additional discussion.

Rep. Holman: I would just like to remind the committee that we did have testimony from Dunn County. We tried to prepare plans that are acceptable to those that are impacted by the plan.

Sen. Holmberg: Any additional discussion. We will call the roll.

**4 YES 12 NO 0 ABSENT MOTION FAILED.**

Sen. Holmberg: Motion failed. The next issue is the interface between Districts 14 and 6. You have what the committee had passed in Template A. This is an amendment that has gone through the Legislative Council. They have looked at it and are aware of it. If there is a motion and if it is adopted they are able to quickly make whatever changes need to be made. Is there someone who is going to present this, advocate for an amendment.

Rep. Devlin: I think it's pretty self-explanatory up there what was proposed. I thought the legislators from former 6 and 7 and current 14, made a good case yesterday on why they wanted the change to divide McHenry County into two. There were some conversations about dividing Pierce County also, which didn't seem to meet with approval with really anyone, other than to make it look a little better, but it wouldn't have done anything else. I think they made a strong case for what they wanted and I move that we adopt it.

Rep. Monson: Second the motion.

Sen. Holmberg: Discussion. This isn't a new issue. The committee has looked at this and heard a lot of information about it. We will call the roll on this amendment which would change District 14 and 6 interface.

**8 YES 8 NO 0 ABSENT MOTION FAILED.**

Sen. Holmberg: The third item is the interface down south of Jamestown, to remove four townships out of Ransom County that were put in District 29 and put them into District 24, making Ransom County being divided two ways rather than three ways. This committee tries to be consistent.

Rep. Kelsh: As you said, Ransom County, being a small county, has three districts at this point. They had requested that I do my best to change it from three down to two. To remove the four townships from the western edge, and the line does go through a small town there. The auditor there was very concerned about how she would handle that. We would put those four townships into District 24, and then to make the numbers come out, we would take a section from District 12 and put it into District 29. I think that is evidenced by the drawings on the board. I move this amendment.

Sen. J. Klein: Second the motion.

Sen. Holmberg: The area that was moved from District 12 to District 29, had 62 people by population and prior to 2001 was in District 29 and it is outside the city limits.

Rep. Kelsh: I believe that it is true.

Rep. Nathe: Does the number on 20, is that reflected in the change, -4%.

Sen. Holmberg: Yes, it puts this particular district 29 at the low end. Over the past few days, the amendment that Rep. Kelsh is making, its primary purpose is to change Ransom County and then his problem was to try and find some people. Well it had been suggested that in District 29, they have half of Gackle, let's put the rest of Gackle in. The problem there is that you divide Logan County and there are other examples, Reynolds for example, which has been split for years, between Grand Forks and Traill County. So we have split cities before. To take Gackle and put it up there would split Logan County and require Logan County to have a precinct just in the city of Gackle, that didn't make a lot of sense. The other alternatives looked at were to take some people out of Kidder County. No one seemed to want to go there. Eddy County was made whole in this particular proposal. Eddy County used to have the bottom tier in District 29.

Rep. Kelsh: I realize that District 29 would be right up there as far as people under the 14,310. Also, District 12 is just over 4%. I think the real compensatory matter is that we try to make a county more whole. That has been one of our goals. I think that would offset any criticism of the 4.76% in District 29. Again, as I mentioned yesterday, I'm not doing this for myself because it does not affect District 26. I am doing it for the Ransom County auditor and commissioners who requested that I try to get this change. This is not to make the numbers so that it's challengeable in any way shape or form. That's not my intent.

Sen. Holmberg: Any further discussion. We will take a roll call vote on the Kelsh amendment to change the interface between District 29, 12 and 24.

**16 YES 0 NO 0 ABSENT MOTION PASSED.**

Sen. Holmberg: We now have the bill before us as amended. What are the committee's wishes.

Rep. Devlin: I move a Do Pass as amended on the redistricting plan as completed by this committee. I want to thank everyone for their hard work.

Sen. J. Klein: Second the motion.

**14 YES 2 NO 0 ABSENT DO PASS AS AMENDED**

Sen. Holmberg: The House carrier will be Rep. N. Johnson and the Senate carrier will be myself. The committee is adjourned.

(1)

11.0813.01001
Title.

Prepared by the Legislative Council staff for
Senator Holmberg
November 4, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1473

Page 28, line 25, replace "December 1" with "November 25"

Renumber accordingly

11.0813.01002
Title.

Prepared by the Legislative Council staff for
Senator Holmberg
November 7, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1473

Page 6, line 25, after "of" insert "business"

Page 6, line 25, after the underscored comma insert "also identified as main avenue,"

Page 6, line 25, after "on" insert "business"

Page 8, line 27, after "of" insert "business"

Page 8, line 28, after "94" insert ", also identified as main avenue,"

Page 8, line 28, after "on" insert "business"

Renumber accordingly

11.0813.01003
Title.02000

Prepared by the Legislative Council staff for
the Joint Legislative Redistricting Committee
November 8, 2011

VK
11/18/11

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1473

Page 4, line 24, replace "twenty-sixth street northeast" with "United States highway 83"

Page 4, line 24, replace the second "twenty-sixth street" with "United States highway 83"

Page 6, line 5, remove "twenty-"

Page 6, line 6, replace "sixth street northeast" with "United States highway 83"

Page 6, line 6, replace "twenty-sixth street" with "United States highway 83"

Page 6, line 25, after "of" insert "business"

Page 6, line 25, after the underscored comma insert "also identified as main avenue,"

Page 6, line 25, after "on" insert "business"

Page 7, line 22, remove "the centerline of third street"

Page 7, line 23, remove "southeast, then east on third street until its intersection with"

Page 7, line 24, replace the first "and" with an underscored comma

Page 7, line 24, after "west" insert ", east, and southwest"

Page 8, line 27, after "of" insert "business"

Page 8, line 28, after "94" insert ", also identified as main avenue,"

Page 8, line 28, after "on" insert "business"

Page 12, line 20, after "and" insert "Northland,"

Page 12, line 21, after "Coburn" insert ", Fort Ransom"

Page 12, line 21, after "Tuller" insert ", Hanson"

Page 12, line 21, remove "and"

Page 12, line 21, after "Elliott" insert ", and Isley"

Page 13, line 26, after the underscored semicolon insert "and"

Page 13, line 27, remove "; and Northland, Fort Ransom, Hanson, and Isley Townships in Ransom"

Page 13, line 28, remove "County"

Page 28, line 16, replace "December 1" with "November 25"

Page 28, line 17, replace "30" with "24"

Page 28, line 25, replace "December 1" with "November 25"

Renumber accordingly

Date: 11/8/2011
Roll Call Vote #: 1

**2011 SPECIAL SESSION JOINT LEGISLATIVE REDISTRICTING COMMITTEE**
**ROLL CALL VOTES**
**BILL/RESOLUTION NO.** 1473

House Redistricting Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Dunn County / Stark County Shift

Action Taken

Motion Made By Rep. Holman Seconded By Sen. Warner

| Senators | Yes | No | Representatives | Yes | No |
|---|---|---|---|---|---|
| Chairman Holmberg | | ✓ | | | |
| Co-Chairman Devlin | | ✓ | | | |
| | | | | | |
| Senator Christmann | | ✓ | Representative Bellew | | ✓ |
| Senator Cook | | ✓ | Representative Holman | ✓ | |
| Senator Grindberg | | ✓ | Representative Johnson | | ✓ |
| Senator Klein | | ✓ | Representative Kasper | | ✓ |
| Senator Lyson | | ✓ | Representative Kelsh | ✓ | |
| Senator Taylor | ✓ | | Representative Monson | | ✓ |
| Senator Warner | ✓ | | Representative Nathe | | ✓ |
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Total (Yes) 4 (No) 12

Absent Ø

Floor Assignment Motion Failed

If the vote is on an amendment, briefly indicate intent:

Date: 11/8/11
Roll Call Vote #: 2

**2011 SPECIAL SESSION JOINT LEGISLATIVE REDISTRICTING COMMITTEE**
**ROLL CALL VOTES**
**BILL/RESOLUTION NO.** 1473

House Redistricting Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Interface between Dist. 14 & 6

Action Taken

Motion Made By Rep. Devlin Seconded By Rep. Monson

| Senators | Yes | No | Representatives | Yes | No |
|---|---|---|---|---|---|
| Chairman Holmberg | | ✓ | | | |
| Co-Chairman Devlin | ✓ | | | | |
| | | | | | |
| Senator Christmann | | ✓ | Representative Bellew | ✓ | |
| Senator Cook | | ✓ | Representative Holman | | ✓ |
| Senator Grindberg | | ✓ | Representative Johnson | ✓ | |
| Senator Klein | ✓ | | Representative Kasper | ✓ | |
| Senator Lyson | | ✓ | Representative Kelsh | | ✓ |
| Senator Taylor | | ✓ | Representative Monson | ✓ | |
| Senator Warner | ✓ | | Representative Nathe | ✓ | |
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Total (Yes) 8 (No) 8

Absent 0

Floor Assignment Motion Failed

If the vote is on an amendment, briefly indicate intent:

Date: 11/8/11
Roll Call Vote #: 3

**2011 SPECIAL SESSION JOINT LEGISLATIVE REDISTRICTING COMMITTEE**
**ROLL CALL VOTES**
**BILL/RESOLUTION NO.** 1473

House Redistricting Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number interface between Dist 29 + 24

Action Taken

Motion Made By Rep. Kelsh Seconded By Sen. J. Klein

| Senators | Yes | No | Representatives | Yes | No |
|---|---|---|---|---|---|
| Chairman Holmberg | ✓ | | | | |
| Co-Chairman Devlin | | | | | |
| | | | | | |
| Senator Christmann | ✓ | | Representative Bellew | ✓ | |
| Senator Cook | ✓ | | Representative Holman | ✓ | |
| Senator Grindberg | ✓ | | Representative Johnson | ✓ | |
| Senator Klein | ✓ | | Representative Kasper | ✓ | |
| Senator Lyson | ✓ | | Representative Kelsh | ✓ | |
| Senator Taylor | ✓ | | Representative Monson | ✓ | |
| Senator Warner | ✓ | | Representative Nathe | ✓ | |
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Total (Yes) 16 (No) 0

Absent 0

Floor Assignment Motion Passed

If the vote is on an amendment, briefly indicate intent:

Date: 11/8/11
Roll Call Vote #: 4

**2011 SPECIAL SESSION JOINT LEGISLATIVE REDISTRICTING COMMITTEE**
**ROLL CALL VOTES**
**BILL/RESOLUTION NO.** 1473

House Redistricting Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass as amended

Motion Made By Rep. Devlin Seconded By Sen J Klein

| Senators | Yes | No | Representatives | Yes | No |
|---|---|---|---|---|---|
| Chairman Holmberg | ✓ | | | | |
| Co-Chairman Devlin | ✓ | | | | |
| | | | | | |
| Senator Christmann | ✓ | | Representative Bellew | ✓ | |
| Senator Cook | ✓ | | Representative Holman | ✓ | |
| Senator Grindberg | ✓ | | Representative Johnson | ✓ | |
| Senator Klein | ✓ | | Representative Kasper | ✓ | |
| Senator Lyson | ✓ | | Representative Kelsh | ✓ | |
| Senator Taylor | | ✓ | Representative Monson | ✓ | |
| Senator Warner | | ✓ | Representative Nathe | ✓ | |
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Total (Yes) 14 (No) 2

Absent Ø

Floor Assignment Rep. N Johnson / Sen. Holmberg

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1473: Joint Legislative Redistricting Committee (Rep. Devlin, Co-Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1473 was placed on the Sixth order on the calendar.

Page 4, line 24, replace "twenty-sixth street northeast" with "United States highway 83"

Page 4, line 24, replace the second "twenty-sixth street" with "United States highway 83"

Page 6, line 5, remove "twenty-"

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Page 28, line 16, replace "December 1" with "November 25"

Page 28, line 17, replace "30" with "24"

Page 28, line 25, replace "December 1" with "November 25"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1473, as engrossed: Joint Legislative Redistricting Committee (Sen. Holmberg, Chairman)** recommends **DO PASS** (14 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1473 was placed on the Fourteenth order on the calendar.

**2011 TESTIMONY**

**HB 1473**

#1

Presentation to North Dakota Legislative Redistricting Committee
Rep. Rick Holman, District 20
November 7, 2011

Plan A as proposed changes the Northwest portion of Dunn County from its current position in District 36 to District 39.

The result divides Dunn County among three legislative districts (36, 4 and 39) instead of the current two. (36 and 4)

The population of Dunn County is approximately 3500.
The population of Stark County is approximately 24,200

This proposal returns the NW portion of Dunn County containing the city of Kildeer to District 36 and offsets the addition by taking the Western voting precinct of Stark County, containing the city of Belfield to District 39.

The NW portion of Dunn Co. has a rural population of 395 and Kildeer with a population of 917 for a total number of additional population to District 36 of 1161.

The Western section of Stark Co. has a rural population of 320 and Belfield with a population of 800 for a total population subtraction from District 36 of 1120.

Using the district population of 14310 as the desired number the proposed changes are as follows;

| | | |
|---|---|---|
| Plan A: | District 36 -1.58% | District 39 3.47% |
| Proposal: | District 36 --1.27% | District 39 3.21% |

This changes the number of Districts in Stark Co. from two to three and reduces the number of districts in Dunn from three to two.

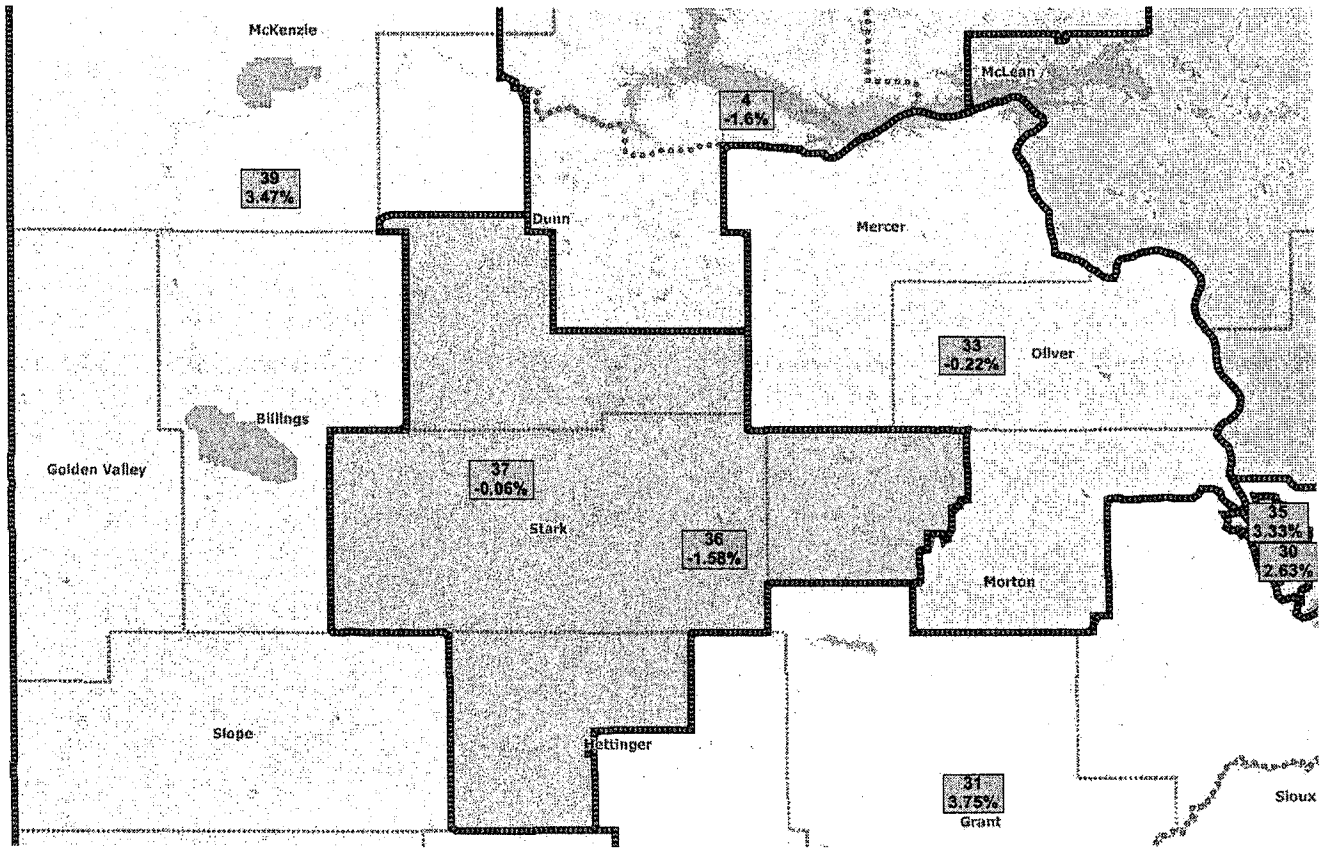
This proposal will keep the number of districts in Dunn Co. as it is now and add one district to Stark Co. Stark Co. since it has a much larger population is better able to handle multiple districts.

Please accept this change to Plan A.

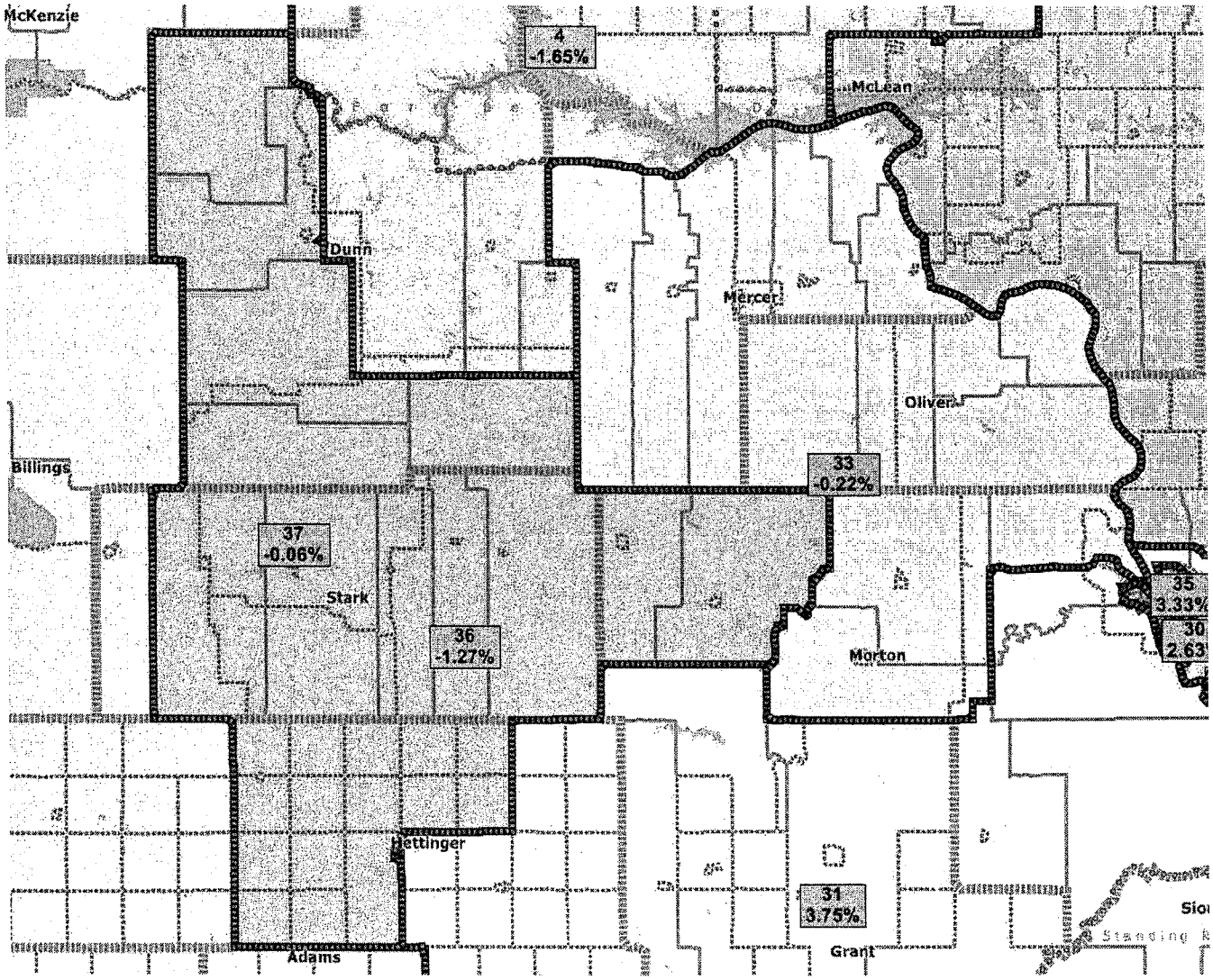
Respectfully submitted;
Rep. Rick Holman.

Maps are shown on the following pages.

Plan A:


McKenzie
McLean
4
-1.6%
39
3.47%
Dunn
Mercer
33
-0.22%
Oliver
Billings
Golden Valley
37
-0.06%
Stark
36
-1.58%
35
3.33%
30
2.63%
Morton
Slope
Hettinger
31
3.75%
Grant
Sioux

Proposal:


McKenzie
4
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Billings
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37
-0.06%
Stark
35
3.33%
36
-1.27%
Morton
Hettinger
31
3.75%
Grant
Adams

#2

November 7th, 2011

Testimony for Redistricting Hearing on House Bill 1473

Legislative Redistricting Committee,

Dunn County board of Commissioners support the amendment as proposed to allow Dunn County to stay in the same district formation it has been in the past. The Northeastern quarter of Dunn County would stay in District 4 and the balance of Dunn County would remain in District 36.

Reason why this amendment should be allowed to pass:

1: Less total confusion with voting patrons because of the creation of another district which would be District 39.

2: Reduction in total cost to Dunn County.

3: Fewer opportunities for Northwestern Dunn County voting patrons to have easy excess to attend meetings and make face to face contacts with their district Senator and Representatives because of the mileage difference and time needed to travel.

4: Redistricting into three districts may also change our percent lines thus causing even more confusion for some voters. This would actually cause a change for some in polling locations.

5: With two districts Dunn County Board of Commissioner have only two Senators and four Representatives to make contacts with. If we are handed the three districts we would then have to contact 9 legislative people. Often during a legislative session or hearing this type of time is just not available as many of you will know

We encourage your support for the amendment to place Dunn County into districts 36 and 4.

Thank you,

Dunn County Commissioner

Daryl Dukart Board Chairman

Donna Scott

Robert Kleemann

Tim Steffen

Glenn Eckelberg