

Districting and Apportionment Commission Testimony – May 15, 2012

Mayor Tom Hanel

Welcome the Commissioners and staff to Billings

Districting is important to Billings and Yellowstone County because

We want the best possible representation for the City and for the County residents

Statewide redistricting and the election boundaries will be the starting point for City (wards) and county (districts) redistricting that will follow-up on the Commission's work

Billings and Yellowstone County submitted a proposed map/plan in December, 2011

One of only 5 plans submitted by the public

The only plan that was supported by City and County governments (Laurel included)

The only plan that also received support from business associations and other community groups

Residents and officials from the 5 areas represented by the public plans, including the Billings/Yellowstone County plan, know their communities better than anyone else.

These factors should be significant to the Commission

Billings Mayor and Council support the Urban – Rural plan that was prepared by State Legislative staff

Of the Commission's 5 plans, urban-rural plan is most similar to the one submitted by Billings/Yellowstone County

Recognize that the final, approved districting plan will not be exactly like any of the proposed plans, but the City of Billings requests that the Commission use the Urban Rural plan elements as the basis for redistricting Yellowstone County and Billings

Urban – Rural plan is

Not a Republican plan

Not a Chamber of Commerce plan

Not a plan designed to favor any political party or to make elections competitive or balanced (in fact, that is prohibited by state law)

It is a plan that meets all mandatory and discretionary districting criteria and best shows and describes the locally defined communities of interest in Billings and Yellowstone Co.

City Administrator Tina Volek will discuss the criteria and why the urban rural plan is best for this community.

City Administrator Tina Volek:

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Billings – Yellowstone County and the Urban – Rural plans meet the

#### Mandatory criteria

Population equality – 1.5% mean deviation from the ideal population

Compact and contiguous districts – size and shapes are regular and boundaries follow well known features such as the Rimrocks, arterial streets, railroad, river, etc.

Voting Rights Act – the portion of the Crow Reservation in Y. Co. is treated the same by each plan

Race – discretionary criteria are not subordinated to racial considerations

Discretionary criteria – may be almost as important as the mandatory criteria in forming the Urban-Rural Plan districts

#### Follow existing political units

Yellowstone Co. is intact and adds only 1 other county to it (Treasure) to equal 15 House districts

Billings has 8 House districts totally within or mostly within the city limits and Billings residents appear to be majorities in 11 districts

School districts in the rural areas are mostly intact

No city or town is split unless it is necessary (Billings)

Observation – refer to above statement: county population of 147,972 / 9894 = 14.96 House districts – almost perfect 15 districts.

Billings population of 104,170 / 9894 = 10.53 House districts – nearly perfect 10.5 districts.

#### Follow geographic boundaries

River, railroad, interstate highway and both north-south and east-west arterials (or other major streets) form most of the boundaries

#### Communities of interest

Appearances do matter. The proposed districts respect neighborhood planning areas, elementary school attendance areas and many of the proposed districts are roughly equal in length and width.

Best defined by local officials

Stresses keeping neighborhoods and people and places with like characteristics together, not to create artificial diversity or create competitive partisan elections

Could also introduce:

*Montana Constitution, Article V, Section 14 and/or*

*Montana Code Annotated, Title 5, Chapter 1, Part 1 : 5-1-115 Redistricting Criteria*

*(1) Subject to federal law, legislative and congressional districts must be established on the basis of population.*

*(2) In the development of legislative districts, a plan is subject to the Voting Rights Act and must comply with the following criteria, in order of importance:*

*(a) The districts must be as equal as practicable, meaning to the greatest extent possible, within a plus or minus 1% relative deviation from the ideal population of a district as calculated from information provided by the federal decennial census. The relative deviation may be exceeded only when necessary to keep political subdivisions intact or to comply with the Voting Rights Act.*

*(b) District boundaries must coincide with the boundaries of political subdivisions of the state to the greatest extent possible. The number of counties and cities divided among more than one district must be as small as possible. When there is a choice between dividing local political subdivisions, the more populous subdivisions must be divided before the less populous, unless the boundary is drawn along a county line that passes through a city.*

*(c) The districts must be contiguous, meaning that the district must be in one piece. Areas that meet only at points of adjoining corners or areas separated by geographical boundaries or artificial barriers that prevent transportation within a district may not be considered contiguous.*

*(d) The districts must be compact, meaning that the compactness of a district is greatest when the length of the district and the width of a district are equal. A district may not have an average length greater than three times the average width unless necessary to comply with the Voting Rights Act.*

*(3) A district may not be drawn for the purposes of favoring a political party or an incumbent legislator or member of congress. The following data or information may not be considered in the development of a plan:*

*(a) addresses of incumbent legislators or members of congress;*

*(b) political affiliations of registered voters;*

*(c) partisan political voter lists; or*

*(d) previous election results, unless required as a remedy by a court.*