

Testimony before Montana Districting and Apportionment Commission  
March 14, 2011

Lake County has a population of roughly 28,000 people or enough people to create 3 house districts. The example maps I have studied carve Lake County up, add adjacent counties to the mix and create between 5 and 7 House Districts. Now I know that the Commission must make difficult decisions, which will inevitably require parts of two or sometimes three counties to be designated as a single house district, but I also know that closely following the Commission's adopted criteria for creating districts will minimize the number of divided communities.

In my mind, the most important discretionary criteria the Commission has adopted are following the lines of political boundaries and keeping communities of interest intact. The maps I have studied not only divide counties but also frequently divide school districts and split our Lake County towns in half. We all know that the schools in a district are the hub of a community and that these schools are located in our towns. Dividing communities during this redistricting cycle will lead to division within communities and reduce the community's ability to speak with a unified voice on issues of concern for the next 10 years.

I urge the commission to closely follow all identified districting criteria when developing the final map, and pay particular attention to following the lines of political boundaries and keeping our communities of interest intact.

Jim Simpson  
122 Long Lake Drive  
Polson, Montana 59860

**TESTIMONY OF CAROLE LANKFORD**  
**VICE CHAIRWOMAN OF THE**  
**CONFEDERATED SALISH AND KOOTENAI TRIBES**

*Before the*  
*Montana Districting and Apportionment Commission*

*March 14, 2012*

*Pablo, Montana*

*Good Afternoon, I am Carole Lankford, Vice Chairman of the Confederated Salish and Kootenai Tribes and am presenting testimony on behalf of our Tribal Government . Chairman Regnier and Commissioners: We greatly appreciate the Commission holding a hearing on our reservation for this very important issue.*

*Nearly 20 years ago, our great tribal leader Chairman Mickey Pablo presented testimony before the commission requesting that you create a majority Indian House District on the Flathead Reservation, combined with Blackfeet, to create a majority Indian Senate District. The Commission at that time rejected the proposal. As a result, Indian communities collaborated together and sought relief from the federal courts to enforce the fundamental voting rights of Montana tribes in the Federal Voting Rights Act (FVRA) litigation. In 2002, the Montana Redistricting Commission did draw the Blackfeet-Flathead Indian majority house and senate district, and also added the new Rocky Boy-Ft Belknap Fort Peck Indian majority Senate District. History has shown that all of these Indian majority districts were hard- fought-for victories for Montana tribes and it is important to ensure that the Indian Vote is not diluted.*

*The Confederated Salish and Kootenai Tribes are in support of the **Communities Plan** for Lake County because :*

- It creates the strongest Indian majority House district for the Flathead Reservation and also the strongest Indian majority Senate district for the*

*Flathead/Blackfeet tribes of any of the 5 plans being presented. House District 15 is 59% voting age Indian which is the highest of the 5 plans and 56% of that Indian population comes from Lake County so it won't be a Blackfeet dominant seat. Senate District 8 is 63% voting age Indian which is also the highest of the 5 plans.*

- *It recognizes existing "communities of interest" in Lake County similar to the current districts. There is House District 13 that will represent southern Lake County, including Arlee, Ravalli, Charlo, most of Ronan and the area north and west of Pablo. There is also a northern Lake County House District 12 that will represent the communities around Flathead Lake like Polson, Big Arm, Elmo, Dayton and Rollins. The Swan Lake and Woods Bay area is included in House District 7 with Flathead County where people share interests with Big Fork.*
- *It creates a fair balance so that candidates and political parties must campaign and compete for control of the legislature. The Communities plan uses the same principles of the current map so it doesn't lock in control of either party. Three of the plans proposed; the Deviation plan, the Subdivision plan and the Urban-rural plan, pack urban voters and look similar to the 1990 map that allowed one party to dominate the Legislature for 10 years.*
- *The Communities plan adheres to the mandatory 3% population.*

*The Confederated Salish and Kootenai Tribes have concerns with the 4 other plans being proposed because:*

- *The **Urban-Rural plan** splits the Ronan area into 3 districts; it excludes St. Ignatius and northeast Pablo from the majority Indian District and is only 52% voting age Indian.*
- *The **Subdivision Plan** splits Polson almost in half; it excludes St. Ignatius, Arlee, and Ronan from the majority Indian District and is only 51% voting age Indian.*

- The **Deviation Plan** has a district that is 54% voting age Indian but almost 70% of that Indian population comes from the Blackfeet Reservation which doesn't allow Salish and Kootenai representation. Also, other than Pablo and Ronan, the rest of the Flathead reservation is excluded from the majority Indian District.
- The **Existing Plan** excludes St. Ignatius and Arlee from the Indian majority district and is only 52% voting age Indian.

There is a political cohesiveness between the Blackfeet and CSKT regarding the State and Federal Government. The economic and social issues of unemployment, high poverty rates, inadequate health care, inadequate housing, and law & order issues are just some of the common political issues that bring the two tribes to Helena and Washington, DC to ally on these various issues.

The challenging issues facing our K-12 students here at Flathead and in Blackfeet are similar. Closing the Achievement gap for Indian students and increasing the graduation rates of high school students are common goals for both our reservations. Our tribes and communities have collaboratively worked to enact and implement the "Indian Education for All" legislation.

Both of our Tribes have successful Tribal Colleges that serve their communities and are attended by both Indian and non-Indian students. In Helena, our Tribes have jointly supported efforts for funding of non-Indian students who attend tribal colleges.

At the Montana Legislature, our Tribes and communities have shared and will continue to share a common interest on issues of concern. For example, support for negotiated water rights through the Reserved Water Rights Compact Commission, support for the Tribe's right to withdraw from Public Law 280 jurisdiction, support for funding of State Programs that serve our communities, and support for job creation and economic self-determination for reservation economies.

As you can see, the community and political interests of the Salish and Kootenai and the Blackfeet are closely related. As tribal communities founded by Indian

*treaties and grounded in social and cultural ties, we will continue to share many common political interests and goals. Both of our tribes stood*

*together over 20 years ago, and we still stand together now. Montana tribes have fought hard and it has been a long struggle for Montana's Indian people to obtain equal voting rights; we do not want to have our votes diluted!*

*Again, we thank the Commission for scheduling hearings throughout the State of Montana on this important issue and especially thank you for holding a hearing on the Flathead Indian Reservation where it is important to have the Indian voice heard. Thank you.*

**RESOLUTION  
OF THE GOVERNING BODY OF  
THE CONFEDERATED SALISH AND KOOTENAI TRIBES  
OF THE FLATHEAD RESERVATION, MT**

**RESOLUTION TO SUPPORT REDRAWN LEGISLATIVE DISTRICTS FOR THE  
FLATHEAD AND BLACKFEET RESERVATIONS**

**BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH  
AND KOOTENAI TRIBES THAT:**

**WHEREAS**, the Confederated Salish and Kootenai Tribes (CSKT) and the Blackfeet Nation have been united for several decades in their effort to ensure compliance with the Federal Voting Rights Act (FVRA) with respect to legislative redistricting of their two reservations; and

**WHEREAS**, prior to the 2000 Redistricting cycle, their reservations were splintered between numerous legislative districts, diluting the Indian Vote in violation of the FVRA; and

**WHEREAS**, based on supportive findings by the Ninth Circuit Court of Appeals in *Old Person v. Cooney* and advice of the Montana Attorney General, Indian-majority districts (HD 15 and HD 16) were adopted in the 2000 Redistricting cycle and combined to form an Indian-majority senate district;

**WHEREAS**, considerable testimony was offered in the FVRA litigation and with past Montana Redistricting Commissions regarding the common community of interests shared between Native peoples of the Flathead and Blackfeet Reservations, including similar economic challenges, education needs and challenges, social and cultural ties, and political cohesion at the Montana Legislature.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

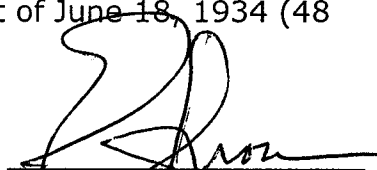
1. The Tribal Council of the CSKT hereby approves the attached map which redraws HD 15 and HD 16 to account for the 2010 Census, ensures compliance with the FVRA, and which is supported by the above-described community of interests.
2. The Tribal Council approves the submission of the map and suggested HD 15 and HD 16 districts to the Montana Redistricting Commission for their consideration and support.

**CERTIFICATION**

The foregoing resolution was duly adopted by the Tribal Council on January 3, 2012, with a vote of 8 for, 0 0 opposed, and 0 not voting, pursuant to the authority vested in it by Article VI, Section 1 (a), (c) and (u) of the Tribes' Constitution and Bylaws adopted and approved under Section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended.

**ATTEST:**

  
Tribal Secretary

  
Chairman, Tribal Council

3/14/12

I have had the great privilege of representing Senate District 50 in Missoula County, and today I would like to speak to a particular portion of that district which is Missoula's Northside and the region north of Missoula to the Lake County boundary, which includes part of the Flathead Reservation. I would like to speak to the Communities Plan today and specifically House District 91 on the Communities Plan which is much of the area I currently represent.

HD 91 of the Communities Plan has the highest Indian population for a Missoula house district of any of the 5 plans. According to the Census, there are over 800 American Indians or over 8% of the district population is Indian. HD 91 keeps the Missoula County portion of the Flathead Reservation intact within a single district. It also unites this with the higher Indian population of the Missoula Northside. I believe this is an important community of interest and it should be kept intact to allow for native influence in a Missoula County district. Evaro is part of Missoula County and shares interests with Missoula, and I appreciate how HD 91 in the Communities Plan has united this important community of the Flathead Reservation and the Northside to allow for Indian influence in this district without pushing Evaro into Lake County.

Senator Cliff Hansen  
District 50  
Missoula Co.



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March 14, 2012

## **Montana Districting & Apportionment Commission Testimony** Pablo Hearing

Dear Honorable Commissioners:

I would like to thank the Confederated Salish & Kootenai Tribes Tribal Council for allowing us to use their beautiful facilities for this public hearing.

And I would like to thank the Commissioners for coming out to the hinterlands to hear our testimony today instead of forcing us to drive to a central location such as Missoula, Kalispell, or Helena.

I would like to direct my first comments to the Communities Plan. My objections to this plan are as follows:

1. It tries to cram as many Republicans into one district as possible and
2. It tries to dilute Republican voters by combining them with Democrat strongholds e.g. Missoula looks like a pinwheel with the center at the University of Montana and going out into the suburbs and rural areas from there. Based on Missoula's population, they should have 6.75 representatives but the way the redistricting map is drawn they could end up having 11 as they all spin out of the city into the county. Ditto for Helena, Great Falls, Bozeman, and Butte. This is not fair.
3. In Lake County Hwy 93 is used as a boundary instead of school districts. This breaks up communities of interest e.g. Charlo is in three different districts and Lake County is split up into six different districts. We have a population of 28,000 which would make 2.75 districts. Ronan and Pablo are sliced in half. This shows that you are not following your own criteria and it is not being fair to the voters.
4. By cutting Ronan & Pablo in half and putting them in a district where another population center is 300 or more miles away it appears that an elected representative will come from either east of the Continental Divide or west of the Divide thus disenfranchising voters on the opposite side as they will never see the person representing them. Plus, that individual will more than likely side with interests on one side of the Divide and against his/her constituents on the opposite side of the Divide. I recommend making the districts devoted to Native Americans smaller geographically and more contiguous to their reservations.
5. If you leave Lake County cut up into six districts with three to four counties and a representative dies or is incapacitated it will be extremely difficult for all of the affected county commissioners to appoint a successor.
6. It appears that mapping software from a firm such as Educational Logistics in Missoula which can drop down the precinct level and sort geographical areas to favor one political party over another was used to develop the Communities Plan in an unfair way to give the Democrats an advantage over the Republicans and negate the vote of thousands of the latter.

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These same objections apply to the other proposals. However, if cleaned up and changes were made to correct the deficiencies noted above, I believe the Communities Plan has the potential to become the fairest plan of all of them.

Thank you kindly for your time.

Sincerely,

A handwritten signature in cursive script that reads "Norman Johnson". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Norman W. Johnson, CRC, F/ABVE