



# Montana Districting and Apportionment Commission

PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

## Commission members:

Janine Pease Pretty On Top  
Presiding Officer  
P.O. Box 447  
Lodge Grass, MT 59050

Joe Lamson  
612 Touchstone Circle  
Helena, MT 59601

Jack D. Rehberg  
2922 Glenwood Lane  
Billings, MT 59102

Sheila Rice  
913 3rd Ave.  
Great Falls, MT 59401

Gregory Barkus  
PO Box 2647  
Kalispell, MT 59903

## Staff:

Susan Byorth Fox  
Research Analyst  
John MacMaster  
Attorney

## MINUTES

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed. Committee tapes are on file in the offices of the Legislative Services Division. **Exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of documents.**

### PUBLIC HEARING, SOUTHEAST REGION MILES COMMUNITY COLLEGE, ROOM 106 MILES CITY, MT FEBRUARY 19, 2002

#### COMMISSION MEMBERS PRESENT

Janine Pease Pretty On Top, Presiding Officer  
Jack D. Rehberg  
Sheila Rice (via telephone)

#### COMMISSION MEMBERS EXCUSED

Gregory Barkus  
Joe Lamson

#### STAFF PRESENT

Susan Byorth Fox, Research Analyst  
John MacMaster, Staff Attorney  
Lois O'Connor, Secretary

#### VISITORS

Visitors' list (ATTACHMENT #1)

#### CALL TO ORDER AND COMMISSION PROCESS

The public hearing was called to order by Commissioner Pretty On Top, Presiding Officer, at 3:15 p.m. Attendance was noted; Commissioners Barkus and Lamson were excused. Commissioner Rice was present by telephone conference call. (ATTACHMENT #2)

**Commissioner Pretty On Top:** The Commission is a 5-member commission. Two members are appointed by the Majority Leaders of the Legislature and two members are appointed by the

Minority Leaders of the Legislature. The appointed Commission members select a presiding officer. If they cannot come to an agreement, the presiding officer is appointed by the Supreme Court.

**Susan Fox, Research Analyst, Legislative Services Division:** The redistricting process is triggered by the decennial census. It is in the Legislative Session before the decennial census that the Commission members are appointed. The bottom line in redistricting is population under the one-person-one-vote principle. The Commission is using the 2000 Census as a basis for making its decisions. It has also adopted criteria and operational guidelines to follow. The Commission started in the Northcentral Montana and are proceeding clockwise around the state. I have been conducting preliminary visits to the regions and have talk to Clerks and Recorders, Central Committee members, legislators, and the public to gather background information and share data prior to the public hearings.

This is the fifth public hearing held by the Commission. From here, the Commission will go down the Yellowstone River, hit Crow Agency and Billings, and proceed to the western part of the state. We hope to finish up by the summer before election season. After the elections, the Commission will hold a hearing on the Senate pairings. Currently, the Commission is dealing totally with House Districts. After that hearing, there is one statutorily required public hearing on the entire state plan. These meetings will be held in November and December in Helena.

The Commission is required to submit its plan to the Legislature. The Legislature has no authority over the plan; the Commission has sole authority which is derived from the 1972 Montana Constitution. However, the Legislature does have the power of recommendation and can recommend changes at that time. After 30 days, the Commission gets the plan back and has 30 days to adopt a final plan. The final plan is taken to the Secretary of State and becomes law but will not be in effect until the 2004 election. The Commission is then dissolved.

A House District was lost in the Toole County area, one north of the Missouri River in the Northeast Region, and one in the Southeast Region due to population loss. The ideal size of a district is 9,022 persons. As long as it is kept a plus or minus 5% around the 9,022, the Court presumes it to be constitutional. After each public hearing, the Commission accepts public testimony for three weeks after the date of the hearing.

**John MacMaster, Staff Attorney, Legislative Services Division,** provided an overview of the criteria and operational guidelines for legislative redistricting adopted by the Commission. (EXHIBIT #1)

**Ms. Fox** provided an overview and maps of the Southeast plans. (EXHIBITS #2 and #3 respectively)

**Plan 100:** Plan 100 keeps the districts south of the Missouri River and most all of the towns and cities intact in all of the plans. It splits certain counties due to population but it keeps all of the Glendive area intact. Proposed District 22 keeps Sidney and Fairview together and Miles City remains its own district but becomes larger. The Musselshell River is used as the dividing line between the Central and eastern proposed district 29. Population from Prairie, Wibaux, northern Rosebud, and northern Treasure Counties need to be added to proposed district 29. The town of Forsyth is intact and in a district with Colstrip. It is similar to the existing district in that it

extends to and includes Huntley. The town of Hysham is left intact with proposed district 29, but Treasure County is split. Rosebud County remains split three ways. The Indian majority districts are maintained in both proposed districts 27 and 28. However, proposed district 27 extends north of the Northern Cheyenne Reservation boundary further into Rosebud County but does not include Colstrip. Proposed district 28 extends into Yellowstone County and follows Interstate 94 but it does not split any communities.

**Plan 200:** Proposed district 21 is an extension of the existing House District. It adds Petroleum County and the remainder of Fergus County. Lewistown remains in proposed district 22. In proposed district 26, Glendive remains intact and includes Wibaux County in its entirety and southern Dawson County. Bainville and Culbertson are included in the Richland County district (proposed district 25) along with Sidney and Fairview. All of the towns remain intact with proposed district 25. The remainder of Richland County, part of Fergus County, and Dawson, McCone, Garfield, Petroleum, and Prairie Counties make up proposed district 21. The variation between Plan 200 and 100 around the Indian majority district is what population to use in the Hardin area. Plan 200 keeps Colstrip and Forsyth intact with the remainder of Rosebud County. Rosebud County would be split only twice instead of three times. Treasure County is kept intact and parts of Yellowstone and Rosebud Counties are used to make up the remainder of proposed district 29. Proposed district 31 includes the town of Custer.

**Plan 300:** Plan 300A is the continuation of a plan from the northeast. Instead of taking Culbertson and Bainville to the south, it takes population from northern Richland County with a northern district. Fairview and Sidney are in a district with northern Dawson County. The variation among the plans is that it divides the districts up differently. Some of McCone, Dawson, Prairie, and Custer Counties make up proposed district 27. The town of Broadus is part of the Powder River District (proposed district 32). The remainder of Fergus and McCone Counties, parts of Judith Basin and Chouteau Counties, and all of Garfield and Petroleum Counties make up proposed district 21. Proposed district 21 does not include Lewistown. Golden Valley, Wheatland, and Musselshell Counties will be considered with Billings in the Southcentral Region. In order to complete the Northern Cheyenne Indian majority district, it must take part of Power River County and the town of Wyola in Big Horn County. Instead of going north of the Reservation and further into Yellowstone County, it goes east in Yellowstone County to south of the Laurel area.

**Plan 400:** Plan 400 keeps most of Richland County in one district (proposed district 25) except in the Lambert area. Wibaux, Fallon, Prairie and Carter Counties and part of Custer County make up proposed district 28, with the exclusion of Miles City. Both of the Indian majority districts slightly lost population. Proposed district 30 includes Powder River County in its entirety and part of Big Horn County. It prevents the plans from going further into Yellowstone County and there is more exchange of population between the two districts in the Hardin and the Wyola areas. Part of Fergus County and the whole of Petroleum, Garfield, McCone, and Musselshell Counties make up proposed district 21.

### **PUBLIC COMMENT**

**Patrick Kelley, Attorney and Resident of Custer County:** The history of Miles City in its founding shows that one of its principle reasons of settlement was the confluence of the Tongue and Yellowstone Rivers. It is partly for historic reasons and partly because those historic reasons have remained influential that I urge the Commission to support Plan 300. If you look at

the larger map that is contained within the handout on population shifts in Montana as a whole, in particular eastern Montana, Custer County alone of all of the eastern counties has maintained its population. It did not grow but did not lose population, while all of the counties surrounding Custer County lost population. It is my opinion that Custer County did so because of confluences of economic activity in this region. We historically have had two railroads intersect here, we have had five highways, and we intersect in a multitude of business interests. Those intersections are best represented by Plan 300. While it may seem that fragmenting Custer County would diminish its influence, it is my belief that the most important issues between local and state governments and between the east and west are far more important than those issues between the political parties. Custer County and Southeastern Montana will benefit across the state if a plan such as shown in Plan 300 is adopted.

I also urge the support a district for the city of Miles City equal to its legal boundaries or approximately thereto. Current House District 4 is equal to the historic, smaller four-ward configuration of the city. The proposal should include to come up to the approximate equality number and the entire legal boundaries of the city. If that were the case, then, in fact, Custer County, which is obviously the media, printing, economic, and banking center; we, for example, are the home office of the largest agricultural center in the state. We would, in the best sense of the word, have representation and influence for our region that would have as much clout as it could possibly muster within the law to the betterment of our entire region. I have no problem as a citizen of Miles City looking to representatives in districts that include Rosebud, Treasure, Prairie, Custer, Fallon, and Carter Counties as well as portions of Powder River County. The other plans do not include Prairie County for the most part except Plan 400. Prairie and Custer Counties have historically been together in a House District. We also have a history of sharing our House District with Carter County. Therefore, for historic, economic, legal, political, and practical reasons, I urge the support of the Commission for Plan 300.

**Don Stepler, Richland County Commissioner:** In our discussions, we Commissioners have come up with the idea that Plan 400 makes the most sense for our county. It gives most of the county its own voice. This plan's boundaries are as close to the existing boundaries of the county as it can possibly get, with the possible exception of Plan 100. Anyone elected to the House of Representative would have a much easier time representing the people of this district because they would have more things in common, such as economic development, local government, transportation, and human services. Also there are several joint projects with entities in North Dakota that are unique to this area. The part of Richland County that will be included in the district with Dawson County already has some residents who have joint ownership of land in both counties. They have some commonality already. The ideal scenario for this plan would be to put these two district together in a Senate district.

Plan 100 would be my second choice for most of the same reasons.

Plan 200 has a small portion of Roosevelt County included in the Sidney area district that really wants to stay with the rest of Roosevelt County. In discussing this with the Roosevelt County Commissioners and the people who live in Culbertson and Bainville, they want to stay within their own county boundaries with their local governments. The remainder of Richland County ends up in a districts that is much too large for any one person to represent effectively. The cost of transportation and time for a person to campaign, or to represent this district once elected, is

not equitable when compared to other districts. I think the districts should be as compact as possible.

Plan 300 puts the northwest portion of Richland County in with Roosevelt County, but none of the maps show us how the rest of the district lays on the north side of the River so I cannot give testimony as to what this would do to the rest of Richland County. Other than economic development, we do not have too much in common with a lot of Roosevelt County.

One of the main industries in Richland County is Holly Sugar. With the expansion acres that it is doing which is mostly along the Missouri River on the north end of the county, putting Sidney with the rest of Richland County would put us in a unique position of representing one industry. When you look at the discretionary criteria, the boundary lines of the counties and communities of interest are being kept intact. Those are met with Plan 400. Under the mandatory criteria, the proposed district remains compact and contiguous and the population equality remains intact.

**Gary Matthews, Representative, House District #4:** I realize that you have a very tough job and you are not going to make everybody happy in this process. That especially holds true for the people in southeastern Montana and eastern Montana as a whole because we are the ones who are losing the two House Districts. However, for a Miles City House District, I have no complaints at all. The reason for that is because you are keeping the Miles City House District whole. In fact, you improve the Miles City House District by adding Southgate Meadows to all of the plans. I would like to remind you that Southgate Meadows is part of the city limits. Miles City is the 10th largest city in the 1990 Census and, here again, in the 2000 Census. Another thing that I like about all of the plans is that Miles City is interchangeable in all of the plans. My feeling now is that you need to decide on how many people to put in a house district. The difference among all the plans is approximately 600 people.

The Plan 100 proposed district has 8,647 people or minus 4.06%. Plans 200 and 400 have the district at 8,270 people or minus 2.60%. Plan 300 includes more of the surrounding area of Miles City. It is just outside of the city limits and Plan 300 includes 9,367 people for a plus 3.62%.

You will probably hear many arguments for all of the different plans. My argument is very simple-that there are people who live outside the city limits that need to be included in the Miles City House District. In fact, it has people who live one or two blocks away from the Garfield School in the northern part of town who need to be included in this House district. There are people who live five or six blocks from the Commission's motel rooms that need to be in the Miles City House District. I would feel very strongly that proposed district 28 in Plan 300 is the best for the people of Miles City. It is very important to remember that there are people who live just outside the city limits of Miles City who are very much a part of this community.

**Mike Bugenstein, On behalf of the United Transportation Union Local 486, Glendive:** In view of eastern Montana's declining population and the lack of well-paying jobs, the membership of the United Transportation Union Local 486 believes that the proposed legislative redistricting Plan 300A best represents the interests of the working people of Montana. UTU 486 would like to go on record in favor of Plan 300A.

**John Kerr, Carter County Commissioner:** We are more in favor of either Plan 100 or Plan 200. The lines are about the same for us. We feel that the agriculture part of the four counties have pretty much the same issues. We would like to keep the four counties intact.

**Marion Hanson, citizen and former legislator:** My first and second choices are Plans 100 and 200. I feel that they keep the communities of interest together in those two plans. The Northern Cheyenne and Crow Reservations would be more intact. The proposed district in Plan 300A would impact the minority voters more as it would in Plan 400. I understand where redistricting comes from, but when you impact minority voters, sometimes it back fires. Like in the 1980s when you had me with the whole Northern Cheyenne Reservation, and I won the districts for 10 years. Keep the reservations as intact as you can because they do not represent the same community, and I was never able to represent my whole district for 10 years because the population was almost 50% to 50%. I hope you will consider Plans 100 or 200.

**Commissioner Rehberg:** How did the last reapportionment affect what you are saying?

**Ms. Hanson:** I did not have an opponent after the last reapportionment. My House District included Powder River, Carter, and Fallon Counties. Plans 100 and 200 would keep three of the four counties together and just include Custer County which would be a nice district because we are all ranchers in southeastern Montana.

**Tom Zook, Senator, Senate District 2:** At present, SD 2 includes Miles City, Prairie County, and the northern part of Rosebud County, including Forsyth. My choice is Plan 400 because it violates fewer counties lines than the other plan that you have. Plan 300 is really wild when it comes to that. It just runs all over, and I think that the more you follow county lines, the better. I just think that Plan 400 is the best plan because of the county lines that it maintains.

**Dave Kasten, Representative, House District 99:** My choices would be Plans 100, second and third choices which are very close together would be Plans 200 or 400. Definitely, Plan 300 would be very bad for our area.

**Geraldine Custer, Rosebud County Clerk and Recorder:** I would like to encourage the Commission to keep Rosebud County in two districts instead of us being on the chopping block like we were in the 1990 reapportionment. The plan that I favor over all is Plan 400. We would only be split in two along the Native American line. I know that we want to keep our minority population all together. Plan 400 also least disturbs my voting precincts. As far as Treasure County and part of Yellowstone County being in with us, that is great because Treasure County is primarily agricultural and ranching plus we would have the power plants and coal mines which would give us two different businesses together. My second choice is Plan 200 which would still keep us in two districts and it would only split two of my voting precincts. Plans 100 and 300 split my precincts quite a bit and would cause quite a problem as an elections administrator.

**Commissioner Rehberg:** I am going to do everything that I can to keep Forsyth whole and not divide it three ways.

**Keith Bales, Representative, House District 1:** House District 1 includes Powder River, Fallon, and Wibaux Counties, and I am an announced candidate for Senate District 1 which takes in the town of Glendive. My preference would be either Plan 100 or 200. At the present time in my House District, it is closer for me to go through Miles City to get to other end of my

district which is Wibaux. It is also closer to go through Glendive and vice versa coming back. Both Plans 100 and 200 have made a great improvement on that. You have blocked up the four counties in the southeast. The four counties have a general interest in that they are rural, ranching communities and they have primarily the same problems. Transportation in those areas, to some extent, goes to the hub in Miles City; and it would, therefore, be logical for representation and transportation.

I would have some very serious problems with Plan 300 because it appears to me that it would be totally confusing for various people in our counties because it divides counties up. It makes it virtually impossible. Custer and Powder River Counties are divided. Powder River County was split down the Powder River during the last reapportionment. Plan 300 plans to split the county on Highway 59 which causes concerns and some serious problems. You have people on one side of road in a different district than people on the other side of the road, but they go to same place to vote. For those reasons, I think Plan 300 is totally out. Plan 400 would place all of Powder River County into proposed district 30 which would have the same affect. I highly recommend either Plans 100 or 200.

**Gary Ryder, Treasure County Attorney:** The Treasure County Commission and I are in support of Plan 400 because it keeps our economic unit intact. There is irrigated, big farming in Treasure, Rosebud, and Yellowstone Counties and, with the pending sugar plant issue, it is important to keep our representation. In addition, with the changes in Colstrip around the power plant, it is logical to keep areas of interest intact. Plan 400 also preserves Custer County as an individual unit. Plan 100 stretches from the North Dakota border to the Big Horn River which is over 200 miles. We do not believe that it fits the criteria of being compact. We do not believe that Plan 100 is a very good plan for our region. We would like to have the Commission look seriously at Plan 400.

**Mack Cole, Senator, Senate District 4:** I would like the Commission to seriously look at the criteria of keeping communities of interest intact. The one plan that I feel meets that criteria better is Plan 400. Plan 400 keeps together the communities, the counties, and the geographic locations. As a Senator in Rosebud, Treasure, and numerous other counties, including Yellowstone County, I am very much aware of what happens when we use a road like we did in the southern part of Rosebud County. Part of Colstrip was in one district. There were people from Colstrip who were not part of that district and we had power plants that went back and forth as to what district they belonged. The only plan that I see that does not do that is Plan 400. If there is a problem with Plan 400, Plan 200 comes closer to Plan 400. It does not split up as many counties. However, again, you are back into the problem of southern Rosebud County. For that reason, I strongly recommend Plan 400 which would be the best for everybody.

**Ron Devlin, Representative, House District 3:** I urge the Commission to use county lines rather than rivers or roads as boundary lines. The people that I spoke to in Prairie County would like to remain with Custer County because they have communities of similar interest in the areas of trade. For this reason, my preference is Plan 400. I do not know how much room you have for moving things around, but if there is another plan that would tie Prairie County with Custer County, we would also support that. Historically Prairie and Custer Counties have been tied together as one group. It would provide continuity to those people who are uncertain of their district lines. I would not like to see a too drastic of a change in that area.

**Don Steinbeisser, Representative, House District 100:** My first choice is Plan 400 because it leaves the county lines intact. Richland County is mostly intact and it is mostly a trade area. Plan 100 would be my second choice because it pretty much leaves the district the way it used to be. My third choice is Plan 200 but I do not like the part that goes across the Missouri River into Roosevelt County. I do not like Plan 300 because it splits up too many counties.

**Carrie Braine, Lame Deer, Rosebud County:** I urge you to consider, as my order of preference, Plans 100, 200, 300, and 400. The plan that is of least interest to me personally is Plan 400. Residents of the Northern Cheyenne Reservation have nothing of interest with the majority membership of Powder River County. I urge that Plan 400 not be considered. My two plans of preference are Plans 100 or 200.

**Jim Steinbeisser, Richland County:** My first plan would be Plan 400 for many of the reasons that you have already heard. It is very productive to leave the county lines intact whenever possible. Plan 400 leaves the trade areas in Richland County together which is beneficial to us. My second choice would be Plan 100 which is closest to the existing House District. Plan 300, I am definitely against because it is much too chaotic in its choice of boundaries.

**Ric Holden, Senator, Senate District 1:** Without a doubt, Plan 400 is the plan that presents the most integrity in terms of county boundaries, trade areas, geographical areas, and people of like communities, with the exception of Powder River County being linked with the Northern Cheyenne Reservation. It keeps the people together in a much neater and cleaner districts for campaigning purposes and for people that have like interests. There is a serious error in proposed district 21 under Plan 300 because people in McCone County will have to drive to Lewistown into Judith Basin and Chouteau Counties for representation. I would think that if the Commission would eventually adopt Plan 300, I believe proposed district 21 must be changed in such a way so that the people in the mountainous region west of Lewistown are not trying to represent the people on the prairie over on the eastern part of Montana or vice versa. The district really has to be modified under that scenario. Dawson County wants to have a representative who represents our county. Your other plans dice up all of the counties in many different fashions. For me, Plan 100 would have to be my least favorite plan just because of what it does to the Rosebud and Treasure County areas. Those people do not deserve to have their area diced up like it was the last time. Plan 400 is the plan that we prefer.

**Alan Olsen, Representative, House District 8:** I agree with Senator Cole about what has happened to Rosebud and Treasure Counties. If there are two plans that include Musselshell, Golden Valley, and Wheatland, which make up the majority of my House District, Plan 100 puts Musselshell, Golden Valley, Wheatland, and Petroleum Counties and a portion of Fergus County into one district. There are six counties in Montana that make up the Central Montana Resource Conservation and Development Group. The same six counties make up the Snowy Mountain Economic Development Corporation. There are many strong ties among those six counties which are included in proposed district 10 under Plan 100. I hope you can do something to help out the Rosebud County situation. Plan 100 also does a better job in southeastern corner of the state. My next choice is Plan 200 which takes care of some of Rosebud County's problem and definitely Treasure County's problem. It omits Musselshell, Golden Valley, and Wheatland Counties which have expressed strong interest in staying together. Plan 300, my Mom told me that if I cannot say anything nice, do not say anything at all.



**Betty Emilsson, retired resource teacher, Miles City:** I delivered special education services in five counties in this area, and I often averaged over six hundred miles per week. In my experience, county lines do not self-contain interests of the people living the various areas. People travel to trade areas by ease of access. Lines drawn by rivers and roads make sense to me because of the better accessibility for the region. Therefore, I support Plan 300.

**Ray Traub, Powder River County Commissioner:** I would like to go on record in support of Plans 100 or Plan 200 because of agricultural interests of the people in the area.

**William Duffield, Fallon County Commissioner:** I agree with Senator Holden that Plan 400 probably does keep everybody together. However, I would like to see some way to include Powder River County in proposed district 28 under Plan 400. It is very hard to represent one-half of that county because of the differences in industry and everything else in that county. For that reason, we would like to support Plan 200 because it keeps communities of interest together. Plan 400 would be our second choice if you could include Powder River County in proposed district 28 under Plan 400.

**Betty Lou Kasten, McCone County, former legislator:** I wish that we could have a whole different outlook for these plans. Since this is what you have presented us, my first choice is Plan 200 because it is most like the current House District 99. I can understand the people in the Sidney area who do not want to go across the Missouri River. Plan 300 is completely unattainable. You cannot represent an area that large unless you hold a statewide office. Commissioner Stepler's choice was Plan 400 because it kept everything together. River restoration along the Missouri is an ongoing thing between McCone and Richland Counties. There are many things that other counties have in common. My second choice would be Plan 100. It is slightly more compact than the others. Plan 400 is not a bad plan if something could be done with Musselshell County. Musselshell County has no common interest, no compactness, or historic background that ties it to Garfield and McCone Counties. Donut districts are nice for the people who live in them. It is nice to go down the street and shake hands with your representative and know who they are, but many of us do not have that leisure. By always having the donut districts and worrying about the compactness of a district, you disenfranchise rural voters. Do you think someone in Chouteau is going to know what is going on in McCone County? It is going to be bad enough for Lewistown taking an interest in what is going on in McCone County although we do have the River and the Lake in common and we get together on some of those issues. I can see that being used. Definitely not Plan 300. Plan 200 would be a preference, and I would look at Plan 400 if you could do something with Musselshell County.

**Commissioner Rehberg:** What do you suggest we do with it.

**Ms. Kasten:** I do not know. Prairie County versus Musselshell--Prairie, Wibaux? Maybe to move Prairie County into the other plans. I know that the representative from Prairie County would not be as happy as having it in with Custer County and there is continuance of trade area. If you look at Plan 300, you are taking the Circle area into Miles City.

**Betty Aye, Powder River County Commissioner:** I would speak in favor of either Plans 100 or 200 because of the similarity of interests in the district. I think that it would be real difficult for a representative to represent Powder River County along with the reservation areas. One plan would not coincide with Powder River's current precinct boundaries. For these reasons, I favor Plans 100 or 200.

**Daniel Watson, Rosebud County Commissioner:** Rosebud County has already stated previously that it prefers Plan 400, with its second choice being Plan 200. Plan 400 keeps the majority of both Rosebud and Treasure Counties intact. We would not be interested in seeing Rosebud County split three ways as it presently is and as it is proposed in Plan 100. One of the reasons we prefer Plan 400, or as a second choice Plan 200, is our connection in the service mini-areas with Treasure County; such as, we are the dispatch center for both law enforcement agencies, we cooperate on a 911 plan, we share extension services, and our county fair. There are a number of service agreements and sharing of personnel between Rosebud and Treasure Counties. Unfortunately, one of the things that has not been addressed in any of the proposals is the possibility of keeping Rosebud County intact with the reservation as to whether that would meet with the population. It would probably be within the 9,022 with the 5% deviation. But for the reason stated, we would prefer Plan 400 with our second choice being Plan 200 which keeps Rosebud and Treasure Counties intact and keeps the cooperative agreements in place.

**Commissioner Rehberg:** Do you feel that your county is disenfranchised because Yellowstone County is part of it.

**Mr. Watson:** No, I do not believe that it disenfranchises Rosebud County.

**Tom Acey, Rosebud County:** I certainly prefer Plan 400 over the other plans because it keeps the counties lines intact, plus, it has a lot of validity. Rosebud County is pretty much divided in Plan 200, and I do not find that necessary. If the change to move the blue area back into Rosebud County, it would be more like Plan 400. There is hardly anyone living in the blue area, and it causes confusion as to where people think the line is. Other than that, Plans 400 has a lot of validity and it makes better sense.

**Milton Markeson, Carter County Commissioner:** Fellow Commissioners previously supported Plan 200 and 100; but more than the agriculture likeness within the four counties, we do a lot of other thing like dispatch services and law enforcement, especially in Fallon, Carter, and Powder River Counties. We contract general services through the counties, and I feel like those four counties represent a stable group of people who would like to stay together.

**Dave Kasten, Representative, House District 99:** The McCone County Commissioners would like to go on record in support of Plan 200 as a first choice and Plan 400 as their second choice.

**Commissioner Pretty On Top:** The record for your written statements for this hearing will be open for three more weeks. A written record is as important as having appeared in person.

**Walt McNutt, Senator, Senate District 50:** I can tell you that you have a huge problem because these districts are large. I represented a large district for the last six years, but when I look at jurisdictional boundaries and a common sense approach to this, it appears to me that my first choice would be Plan 400. I understand the problems in Powder River County, and for that reason, my next choice would Plan 100. When I look at the area that I represent, the common interests, and the jurisdictional interests that I encounter, Plan 400 makes the best sense with the caveat that Powder River County is a problem in Plan 400. I am not sure how you can handle that.

**Leslie Messer, representing economic development in Richland County:** Speaking with several members of the county, our choice is Plan 400.

**Commissioner Pretty On Top:** There has been much discussion about what to do with one county or another. If you have some ideas or other options, we would appreciate what you are thinking about, such as what to do with Powder River and Musselshell Counties.

There being no further testimony; the meeting adjourned at 5:00 p.m.

CI2255 2057loxa.

DRAFT