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## **REDISTRICTING COMMITTEE**

Wednesday, September 8, 2021  
Iris Room, Hilton Garden Inn, 4351 17<sup>th</sup> Avenue South  
Fargo, North Dakota

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

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

**Members absent:** None

**Others present:** Representatives Michael Howe and Kim Koppelman, West Fargo; members of the Legislative Management

John Bjornson, Legislative Council, Bismarck

See [appendix](#) for additional persons present.

*\*Attended remotely*

**It was moved by Senator Klein, seconded by Representative Bellew, and carried on a voice vote that the minutes of the August 26, 2021, meeting be approved as distributed.**

Dr. Tim Mahoney, Mayor, Fargo, provided testimony regarding the growth of Fargo's population and economy. He also welcomed the committee to Fargo and noted the city's appreciation for the work of the Legislative Assembly.

Mr. Bernie Dardis, Mayor, West Fargo, provided testimony regarding the growth of West Fargo's population and economy. He also noted the city's appreciation for the work of the Legislative Assembly.

### **COMMITTEE DISCUSSION AND PRESENTATION OF REDISTRICTING MAPS**

Senator Holmberg presented testimony regarding a draft [map](#) for redistricting the northeastern part of the state. The map included existing Districts 10, 17, 18, 19, 42, and 43. He noted the map was a concept he offered for discussion and feedback. He also noted:

- Although Rolette County currently comprises its own district, it does not have sufficient population to comprise a district using the 2020 Census data;
- There are four districts in Grand Forks; however, the city's population is less than the number needed for four districts. A number of people from outside the city need to be added to the city's districts;
- In some areas it is a challenge to find a sufficient number of people to fill a district and many of the redistricting decisions are based on finding ways to ensure the appropriate number of people are included in each district;
- The district boundaries in his concept often follow main thoroughfares and political subdivision boundaries; and
- Efforts were made to keep communities of interest, such as school districts, areas with economic ties, and rural populations, within the same district.

In response to questions from the committee, Senator Holmberg noted the Grand Forks Air Force Base may be kept in one district based on the distribution of the population in and around the base.

Senator Sorvaag presented testimony regarding a concept for redistricting the southeastern part of the state. He noted he wanted the residents of the area to provide input on redistricting. Regarding his concept, he noted:

- Richland County is within 47 people of the ideal population size for a district, so it likely should comprise its own district;
- Cass County has a sufficient population for 11 districts;
- Due to the need to provide equal populations in each district, District 24 would include part of southwest Cass County;
- Although District 45 would include two townships, most of the rest of the rural areas in Cass County would be included in District 22;
- Because the population within Cass County and Fargo in particular has shifted, some districts created in 2010 have too many people while other districts created in 2010 have too few;
- The population of West Fargo is too large to be contained in only two districts; and
- Efforts were made to keep districts compact and to keep communities of interest, such as school districts and neighborhood developments, within the same district.

In response to questions from members of the committee, Senator Sorvaag noted:

- The Lake Traverse Reservation could be in the same district with Sargent County; and
- The residents of certain rural communities in Districts 20 and 22 send their children to public schools in Fargo and have indicated they are amenable to being included in either urban or rural districts.

Representative Boschee presented testimony regarding [maps](#) of the southeastern part of the state. Regarding his maps, he noted:

- Efforts were made to use main thoroughfares, rivers, and railroad tracks as boundaries;
- The main campus of North Dakota State University would be included in District 44;
- District 27 would include parts of Fargo and West Fargo;
- A new district, which he labeled District 99 on his map, needs to be created in Cass County; and
- Because the population within Cass County has shifted, some current districts needed to add additional population.

In response to questions from committee members, Representative Boschee noted:

- Maintaining the current district cores was not a redistricting principle he used;
- If the city boundaries he followed in his concept fluctuate too often to be used as district boundaries, main thoroughfares would serve as good replacements; and
- Even though Horace is not rural, it would be included in a rural district because of the need to balance populations among districts.

Senator Bekkedahl presented testimony regarding a concept for [redistricting](#) the northwestern part of the state. He noted:

- The population of the current Districts 1 and 2 can be split among three new districts;
- The new District 1 could add individuals from the west and north;
- District 2 could be maintained as a rural district;
- The new district would be within Williston, which is where most of the population growth occurred;
- The boundaries of the districts are restricted by the northern and western borders of the state and the districts around Minot; and
- Redistricting of the area needs to take into account input from the residents of the Fort Berthold Reservation and include consideration of the reservation residents' economic ties to surrounding communities like Stanley.

In response to questions from committee members, Senator Bekkedahl noted:

- Williston doubled in population since the 2010 Census;
- More than half the growth in and around Williston is in rental units and apartments, and the community expects to continue to see that type of growth;
- His concept does not impact District 4 and the Fort Berthold Reservation would continue to be kept intact in one district; and
- Residents generally wish to stay within their current districts.

Representatives Lefor and Nathe noted they are working on redistricting concepts and plan to present them at the next meeting.

Senator Oban noted she is getting input from Lincoln regarding the city's wishes for redistricting.

Representative Boschee noted:

- The Tribal and State Relations Committee has met with the Turtle Mountain Band of Chippewa, Mandan, Hidatsa and Arikara Nation, and Spirit Lake Nation regarding redistricting and other matters;
- The Tribal and State Relations Committee hopes to meet with the Standing Rock Sioux Tribe and Sisseton Wahpeton Oyate Nation;
- The tribes expressed they do not want any of the reservations to be split into multiple districts;
- There has been some interest by tribal members in subdistricts, but tribal members have noted they want more information on how subdistricts would impact elections.

Chairman Devlin noted the committee will invite all the tribes to present input regarding redistricting at the next meeting and will reserve time at the beginning of that meeting for those presentations.

Ms. Emily L. Thompson, Code Revisor, Legislative Council, noted the maps presented at the meeting are available on the legislative branch website. She noted maps are linked to the agendas as soon as ready and are linked to the meeting minutes.

### **COMMENTS FROM INTERESTED PERSONS**

Mr. Tim Flakoll, Fargo, thanked the committee for its work.

Mr. Rick Gion, Director, North Dakota Voters First, noted North Dakota Voters First would like the committee to consider creating subdistricts for rural populations and tribal areas.

In response to questions from committee members, Mr. Gion also noted:

- If members of different tribes want different approaches to redistricting, North Dakota Voters First is open to discussions regarding those approaches;
- Minnesota has split districts;
- Nicole Donaghy of North Dakota Native Vote may be able to provide information regarding efforts by Native Americans to be elected as state legislators; and
- Although a subdistrict would have only one representative in the Legislative Assembly rather than two, the subdistrict would have better, more accessible representation and a candidate of choice.

Chairman Devlin noted the phrase "better representation" may not be accurate because all representatives try their best to represent all residents of their districts equally well.

In response to questions from committee members, Ms. Claire Ness, Senior Counsel, noted the phrase "candidate of choice" is a legal term and a tribe's candidate of choice need not be a member of the tribe or reside on a reservation.

No further business appearing, Chairman Devlin adjourned the meeting at 1:30 p.m.

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Emily L. Thompson  
Code Revisor

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Samantha E. Kramer  
Senior Counsel

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Claire Ness  
Senior Counsel

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