

## Legislative Redistricting in Montana

Montana's population has grown over the last 10 years as proved by the 2020 US Census data. Every ten years after the census data is available, the Montana Districting and Apportionment Commission redraws the districts that divide the state into 100 legislative representative districts, each with about 10,000 residents.

There is a fundamental principle at stake: the dividing line should be drawn so that voters can choose their representatives, not so that politicians can choose their voters!

How will drawing these districts affect you? The district boundaries define the other approximately 9,999 people beside you that your representative to the Montana House will represent, and pool of voters who will elect this representative. The boundaries set up now will be the same for the next 10 years. A lot changes over 10 years – a five-year-old becomes a 15-year-old teenager!

Montana's Commission is not free to draw the line anywhere they wish; there are criteria they are legally bound to follow. Each district must be:

- *Legislative districts must be as equal in population as is practicable. The commission shall remain within plus or minus 1% deviation, to be exceeded within federally allowable standards only for purposes of complying with the [Voting Rights Act](#), maintaining political subdivisions, or other constitutionally mandatory criteria. The maximum average deviation of all House districts shall be no more than plus or minus 1% deviation. The commission may adjust this deviation if undercount analysis from the U.S. Census Bureau demonstrates that systematic undercounting occurred among identified geographic or demographic groups.*
- *Protection of minority voting rights are guaranteed in [Article II, Section 4 of the Montana Constitution](#) and through compliance with the [Voting Rights Act](#). No district, plan, or proposal for a plan is acceptable if it affords members of a racial or language minority group "less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice." (42 U.S.C. 1973). Race cannot be the predominant factor to which traditional redistricting criteria are subordinated. ([Shaw v. Reno, 509 U.S. 630 1993](#)).*
- *Each district shall consist of compact territory. ([Article 5, Section 14 of the Montana Constitution](#)). The commission shall consider the district's functional compactness in terms of travel and transportation, communication, and geography.*
- *Each district shall be contiguous, meaning that a district must be in one piece. ([Article 5, Section 14 of the Montana Constitution](#)). Areas that meet only at points of adjoining corners shall not be considered contiguous. Areas separated by natural geographical or artificial barriers that prevent transportation by vehicle on a maintained road shall be avoided when not in conflict with the commission's adopted criteria and goals.*

Montana's Commission also adopted non-mandatory goals that they will consider:

- *No plan may be drawn to unduly favor a political party.*
- *The commission shall attempt to minimize dividing cities, towns, counties, and federal reservations when possible.*
- *Keeping communities of interest intact. The commission may consider keeping communities of interest intact. Communities of interest can be based on Indian reservations, urban interests, suburban interests, rural interests, including elementary and high school districts, tribal interests, neighborhoods, trade areas, geographic location, demographics, communication and transportation networks, social, cultural, historic, and economic interests and connections, or occupations and lifestyles.*
- *The commission may consider competitiveness of districts when drawing plans.*
- *The commission shall consider assigning holdover senators to the Senate District which contains the greatest number of residents of the district from which they were previously elected when possible.*

What is a community of interest? A geographic area in which people share common concerns that would be better represented if not arbitrarily divided between districts.

Montana has defined the types of common concerns that qualify as a community of interest:

- Indian reservations
- urban, rural, and suburban interests;
- school districts;
- neighborhoods;
- trade areas;
- location, demographics, communication and transportation networks;
- social, cultural, historic, and economic interests; and
- occupations and lifestyles.

Creating fair districts requires balancing many factors. *Political competitiveness* ensures those elected work hard to represent a broad range of constituents and improves their responsiveness to the voters. *Political parity* ensures that each political party will have representation in proportion to the party's overall share of voters. Both require looking at voting pattern data to assess fairness. *Communities of interest* are defined by the people within them and depend upon citizen input. *Minimizing dividing counties, cities and towns*, and other existing boundaries must be balanced against all the other factors.

State law requires the Commission to submit their final map of legislative districts to the Montana Legislature after it convenes in January of 2023. The Legislature has 30 days to review the proposed map and submit comments to the Commission. The Legislature has no authority to approve or change the map. Once the Legislature finishes its review, the Commission has 30 days to formally adopt the final map. Once this is done, the Commission is dissolved.

Montana's Commissioners want to hear from citizens about where to draw districts in your local community, region, and across the state.

People can submit comments in written form anytime, including drawing your own maps. Go to the Commission's website to submit maps and make comments:

<https://mtredistricting.gov/>

You can also provide live testimony Commission hearings that will be held throughout 2022. The Commission will meet early in 2022 and adopt a schedule for hearings across the state, culminating in a hearing in Helena late in 2022.

As noted above, the Commission has identified four goals that they can take into account in achieving a fair map. The League has expressed the following concerns about these goals:

- a. Keeping Communities of Interest intact. Communities of interest are, by definition, defined by those in the community, not by outsiders looking in. The League recognizes that people within communities of interest speak for themselves. Others cannot speak for them.
- b. Minimizing dividing political subdivisions. This concern overlaps with communities of interest in terms of trade areas and city and county boundaries.
- c. Make districts competitive where possible: Voters are more engaged in districts that are competitive, i.e., where either party has a chance to win the seat. Representatives elected from competitive districts are more likely to be responsive to all their constituents' concerns. Competitive districts also encourage voter participation in elections.
- d. Political parity: To maintain political fairness, those elected should mirror the political makeup of the voters statewide. Analysis of voting patterns beginning in 2012 indicate that Montana votes about 42% Democratic and 55% Republican. To achieve political parity, about 42 of the house districts would go to Democrats and about 55 to Republicans.

Citizen input should be the deciding factor in drawing a line in a specific way. This can only happen if citizens express their comments, concerns, and ideas to the Commission. Although Montana's Commission is independent of legislative control, four of the five commissioners are political appointees who are concerned that their party gains the most advantage they can. The Commission needs to hear from everyday voters who are more concerned about fairness than about political gain. Citizen input creates a written record from which the Commission will justify a final decision. Now is your chance to speak up and let the Commission know what is important to you!