



ALASKA REDISTRICTING BOARD

Alaska Redistricting Board Meeting
September 7, 2021 | 10:30 a.m
September 8, 2021 | 9:00 a.m.
September 9, 2021 | 9:00 a.m
September 10, 2021 | 9:00 a.m. (cancelled)
Anchorage Legislative Information Office, Denali Conference Room, 1st
Floor, 1500 W. Benson Blvd, Anchorage, AK 99503

The Alaska Redistricting Board met between September 7th through September 9th.
Present participants are below:

John Binkley	Chair of the Board
Melanie Bahnke	Board Member
Bethany Marcum	Board Member
Budd Simpson	Board Member
Nicole Borromeo	Board Member
Peter Torkelson	Executive Director
TJ Presley	Deputy Director

Agenda

- Call to Order and Establish a Quorum
- Adoption of Agenda
- Public Testimony
 - Review of Maps Submitted through Web Mapping Tool
- Staff Report: Mapping Processes, Identified Challenges
- Map Drawing Work Session
- Public Testimony
- Adoption of Proposed Redistricting Plan(s)
- Guidance to Third-Party Map Drafters
- Adjournment

Call to Order

Mr. Binkley called the meeting to order on September 7, 2021 at 10:44 a.m. With all board members present, a quorum was established.

Adoption of Agenda

Ms. Bahnke moved to amend the agenda to add an "Executive Session" item for the purpose of receiving legal advice after the "Staff Report: Mapping Processes, Identified Challenges" agenda item. Ms. Marcum seconded the motion. The motion passed unanimously.

Ms. Bahnke moved to adopt the agenda as amended. Ms. Marcum seconded the motion. The motion passed unanimously.

Public Testimony

Public comment was given as follows:

- Anchorage Resident Paul D. Kendall reviewed his written testimony regarding censorship, lack of public notification, public involvement, and leadership in government; public access to government records; societal issues that need immediate action; “UFOs” and societal evolution; and moving the state capitol.
- Doyon Limited shareholder, Sarah Obed, stated that Doyon has submitted maps to the board that meets criteria and addresses concerns raised in the last testimony and previous redistricting cycles. Ms. Obed shared the current draft of the maps with the board.

Staff Report: Mapping Processes, Identified Challenges

Mr. Torkelson reported the following:

- The constitution requires the board to adopt one or more proposed plans within 30 days of receiving census data. The data was received on August 12, 2021, therefore making the deadline to adopt the plan(s) on September 11, 2021.
- The board intends to adopt one or more plans by the afternoon of September 10, 2021, which will be the first proposed plans and are not a final product. After the adoption [of the proposed redistricting plans], a “robust” public process will begin.
- The deadline to adopt a final redistricting plan is on November 10, 2021.
- Mr. Torkelson recited the four constitutional factors to consider during the redistricting process: each house district shall be formed of a contiguous, compact, relatively integrated socio-economic area containing “as near as practicable” the population of the state divided by 40, which is 18,335. All board members have considered these factors during the map drawing process. Additionally, no political data has been uploaded to ensure that the process is strictly confined to the four constitutional factors.
- The constitutional factors can sometimes be in a dynamic tension and only the board can decide how to address those tensions. Legal counsel is present to assist the board in understanding the caselaw during the process.
- Through the web-based application, a full 40-district plan was received but contact information was not provided. Mr. Torkelson reviewed the map with the board.
- Staff realized that if the board chose to focus on some key factors, this would reduce the total number of maps from thousands to a manageable amount. Staff requested that the board consider receiving guidance on a few key issues prior to building a composite map. A list of key challenge questions were prepared to facilitate the discussion if the board chooses to do so.

After discussion, the board agreed to hold an executive session to receive legal advice from Matt Singer, legal counsel, to inform the process and direction moving forward. Following the executive session, Mr. Singer will provide a summarized public statement on how the board would like to proceed with consideration to the constitutional factors.

Executive Session

Ms. Bahnke moved for the board to enter executive session for the purposes of receiving legal advice under Alaska Statute (AS) 44.62.310 (c)(4) for matters involving consideration of government

records that are not subject to public disclosure. Ms. Marcum seconded the motion.

The board moved into executive session at 11:18 a.m.

The board exited execution session at 1:06 p.m.

Staff Report: Mapping Processes, Identified Challenges (cont.)

Mr. Singer presented on the board's direction with regard the constitutional mandates and referenced the Hickel case where a lesson learned is that the constitutional requirements of Article VI (to draw compact, contiguous, and socio-economic districts) must be honored and prioritized. After a district is drawn that the board believes meets all three requirements, the population deviation should be reviewed for whether the percentage can be closer to zero, and if so, whether that would negatively impact the three requirements that must be met. The Board should seek to have as little population deviation as is practicable in light of the other constitutional requirements.

Additionally, the Alaska Supreme Court has indicated that following political subdivision boundaries is appropriate and that communities within an established borough boundary are, by definition, socio-economically integrated. Therefore, it is appropriate to use borough and municipal boundaries as district lines are drawn.

All board members presented the draft plans they worked to develop. Mr. Binkley noted that the plans presented are not final and that the board will continue to work together to coalesce the plans into one or multiple plans with a preliminary plan to be adopted by September 10, 2021.

After discussion, the board agreed to first attempt a joint map drawing work session and, if this method is unproductive, the board will reassess their process and adjust as necessary. Additionally, the board agreed to hear public testimonies prior to beginning the work session.

Public Testimony

Public comment was given as follows:

- Alaskan for Fair and Equitable Redistricting representative, Randy Ruedrich, noted two items: 1) It is convenient to look at all the defined socio-economically integrated locations first. 2) Typically, Anchorage has shared a House seat with either the Kenai Peninsula Borough to the south or the Mat-Su Borough to the north. Instead, the Anchorage population should be looked at from the south rather than the north.
- Anchorage resident, Yarrow Silvers, voiced concerns about a version of a map presented by the board where part of East Anchorage was pushed into Eagle River while another part of East Anchorage was pushed into South Anchorage. East Anchorage includes some of the lowest income neighborhoods in Anchorage whereas South Anchorage has some of the highest, showing clear socio-economic factors which should preclude East Anchorage from being pushed into South Anchorage and Eagle River. Ms. Silvers reiterated her request to consider East Anchorage as a defined socio-economic part of Anchorage to give fair representation.

Map Drawing Work Session

The board entered a work session at 3:15 p.m.

The board exited out of work session at 4:52 p.m.

Mr. Simpson moved to enter into recess until September 8, 2021 at 9:00 a.m. Ms. Borromeo seconded the motion.

The board entered recess at on September 7, 2021 at 4:54 p.m.

The board left recess on September 8, 2021 at 9:05 a.m. All members were present and a quorum was established.

Mr. Torkelson suggested that when the board begin to work on the urban areas of the state, such as Fairbanks, and the Mat-Su Borough, it may be most productive to display member-drawn maps side-by-side as a starting point. The board had no objections to this method.

Public Testimony

No members of the public were present in person or telephonically to provide public comment.

Map Drawing Work Session (cont.)

The board entered a work session at 9:06 a.m.

The board exited out of work session at 2:25 p.m.

Public Testimony

The following public comments were given:

- Robin O'Donahue, Fairbanks resident and Coordinator for the Alaskans for Fair Redistricting Coalition, offered some outlook on the Fairbanks region: 1) The current map keeps the Fairbanks North Star Borough together, but the split within the borough as the lines are currently drawn breaks communities of interest and does not factor in the north-to-south socio-economic integration of communities within the borough. 2) Another way to think of how communities are related is through the public school system. 3) If the east/west axis that currently splits Fairbanks was rotated clockwise to a north/south axis to better capture the western and eastern communities, it would also keep the communities of interest together.
- David Dunsmore, member of the Alaskans for Fair Redistricting Coalition, suggested an alternative to placing the Russian "Old Believer" villages in the same district as Razdolna and Voznesenka and placing those villages in Ninilchik. Additionally, Mr. Dunsmore provided some historical and religious context to this suggestion.

The board entered recess at on September 8, 2021 at 2:39 p.m.

The board left recess on September 9, 2021 at 9:08 a.m.

Public Testimony

The following public comments were given:

- Robin O'Donahue and David Dunsmore, members of the Alaskans for Fair Redistricting Coalition, gave a public testimony following up to their testimony on September 8, 2021. The board was provided with two plans to review. Mr. O'Donahue restated concerns of the current draft plan which breaks existing communities of interest within the borough.

One of the two plans submitted would break the boroughs slightly and share some population with a district outside of Fairbanks resulting in a net deviation of 0. The other plan would keep the borough contained. Mr. Dunsmore reviewed the maps with the board.

- Senator Tom Begich gave a presentation highlighting the redistricting criteria and the following issues: 1) Mat-Su and Anchorage are underpopulated meaning that these two areas are entitled to add to their populations, 2) Kenai Borough and Fairbanks North Star Borough are overpopulated and their population should be reduced, 3) Southeast Alaska, with four House districts, is underpopulated and needs to add to their population. Mr. Begich suggested adding Yakutat and reconfiguring the districts to have four nearly identical deviations, and 4) the four rural districts in the current plan have intact populations and should be retained to meet the federal Voting Rights Act.

Map Drawing Work Session (cont.)

The board entered a work session at 9:48 a.m.

Prior to the board entering a lunch break, Ms. Borromeo voiced the following concerns for the purposes of discussion:

- There have been allowances and disallowances on the time given for public testimony and the amount of time given to public members has not consistently been adhered to.
- Unilateral decisions have been made on allowing work sessions individually and with other board members.
- Map drawing should be the board's responsibility; staff should not be doing this as the lines in the map must be defended by the board.
- There have been comments disparaging the joint work sessions as being tedious. The benefit of joint work sessions is for each board member to give input on where the lines should be drawn as every board member has different expertise and connections to various areas of the state. Ms. Borromeo asked for these comments to be refrained from moving forward.
- Some board members are not included and are not getting the benefit of the board's counsel. If a meeting is held where staff and Mr. Singer are present, the full board should be given notice even if it is solely an administrative meeting.

Ms. Borromeo concluded by requesting for more consistent actions from the board. Mr. Binkley thanked Ms. Borromeo for the constructive nature of her comments and agreed that it is the board's responsibility to draw the map lines.

Ms. Bahnke requested that any deliberations must be on the record and that no side conversations between board members should take place that consist of map drawing and could impact the outcome of the overall map. Additionally, Ms. Bahnke addressed a comment made about there being no cultural bearing on socio-economic considerations and stated that there are cultural considerations that are apart of socio-economic indicators, including predominantly Native communities – this is part of caselaw history. Ms. Bahnke encouraged the public to review the definitions, which are also linked to caselaw, on the Alaska Redistricting Board website.

During the work session, Mr. Singer addressed a question from a member of the public about

whether senate pairings would be included in the preliminary plan(s). Mr. Singer stated that in Article VI, Section 10 of the constitution, it is indicated that the final plan should include the senate districts. Therefore, the board has some discretion and does not have guidance from the constitution on whether to include the senate districts in the preliminary plan(s). Public input may be helpful to the board as they consider senate pairings. Eric Sandberg recalled that in the last cycle, senate pairings were not made in the draft plans, but were made in the final plan. Mr. Binkley noted that it would be instructive to review the third-party plans that will be presented on September 17, 2021.

Ms. Borromeo suggested that, to maximize the board's time together, the board continue to draw another version of the map that takes Valdez out of the rural interior and places it into the Mat-Su Borough or the coast. The board made the following comments on this suggestion:

- Ms. Marcum stated that this may cause more ramifications.
- Mr. Simpson was not opposed to reviewing other options for Valdez and would like to hear suggestions from third-party maps.

At the end of the work session, the board settled on two draft plans to present to the public. Prior to formally adopting the plan, the board decided to hear public testimony.

Public Testimony

The following public comments were given:

- Joelle Hall, member of Alaskans for Fair Redistricting, asked for the case referenced during the discussion on the Mat-Su Borough and Anchorage being socio-economically integrated despite having borough boundaries. Mr. Singer responded to Ms. Hall and stated that the discussion was within the Alaska Supreme Court stating that there is some socio-economic integration between Anchorage and the Mat-Su Borough, not that the borough is entirely socio-economically integrated. Mr. Singer will follow up with Ms. Hall to provide more information on the language.
- Anchorage resident, Bruce Farnsworth, noted that, currently, District 27 is outlined to consist of Muldoon running north to south along the foothills of the western slope of the Chugach mountains. The district up to the southern border is socio-economically integrated and similar even as you go further north along Muldoon where the socio-economic status shifts slightly. Mr. Farnsworth has heard discussions among the board about breaking the district down and combining pieces of the district with the north end of District 27 and the south end of District 28; this would violate the efforts to keep the district relatively similar in socio-economic status.
- Anchorage resident, Brian Hove, referenced Senator Tom Begich's public testimony where two court cases in 2001 and 2011 were mentioned regarding cities within boroughs and asked for the citations. Mr. Singer will follow up with Senator Begich on these cases for more information.

Adoption of Proposed Redistricting Plan(s)

In accordance with Alaska Constitution Article VI, Section 10 of the Alaska Constitution, Ms. Marcum moved that the board adopt the following proposed redistricting plans: Board Composite Version 1 as presented on September 9, 2021 and Board Composite Version 2 as presented on September 9, 2021. Mr. Simpson seconded the motion.

The motion passed unanimously.

Guidance to Third-Party Map Drafters

Staff requested that third-party map drafters [presenting on September 17 2021] submit their files no later than 12:00 PM on September 15, 2021 to ensure that any technical issues are resolved and that plans are being presented to the board in the best way possible. Additionally, staff requested that no partisan or political data be brought the board's attention unless the board requests this information at a future time.

Ms. Bahnke requested that staff make the plans submitted by third-parties available to the public before the board adopts a final plan. Staff agreed to make the plans available to the public on the website.

Adjournment

The following items were requested from the following board members:

- Ms. Bahnke requested that an agenda item be added to all future meeting agendas to identify next steps for the board. Specifically, Ms. Bahnke would like to have an idea of the next steps for the community outreach phase. Additionally, a next step is to address the senate districts.
- Ms. Borrromeo requested to make a uniform lunch break for 1-hour.

Now that the board has taken official action to adopt two plans, staff will work to publish the two adopted proposed plans to the website map gallery on the "Map Gallery" page of the Alaska Redistricting Board website [www.akredistrict.org/maps].

Ms. Marcum moved to adjourn the meeting. Ms. Bahnke seconded the motion.

The board adjourned on September 9, 2021 at 3:00 p.m.