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BOARD OF APPORTIONMENT PUBLIC HEARING
MOUNTAIN HOME, ARKANSAS
August 3, 2021

CRIS M. BRASUELL, CCR
BUSHMAN COURT REPORTING

1 (Recording Begins)

2 JUDGE DICKEY: -- the men who are working
3 hard to -- to prepare for us a fair and
4 transparent and just redistricting.

5 The timeline we're in is six months behind
6 schedule. We -- the district maps were already
7 drawn and shown in meetings at this time ten
8 years ago.

9 We have for you some suggestions of what
10 we see is happening. From the map from the
11 American Community Survey of 2019, shows the
12 migration, the significant migration to the
13 northeast and to Central Arkansas.

14 We are under the constraints of having
15 this done and reviewed before December 31st.
16 And we won't get a -- an interpretive map or
17 census until on or about September the 30th.

18 The purpose tonight is to get questions
19 and comments from -- and suggestions from you.

20 PBS is live streaming and videoing this.
21 The comment forms, if you didn't see them when
22 you came in, I hope you will take -- take them,
23 fill them out, in addition to any comments you
24 want to make at either one of the two mics that
25 are available.

1 I'm -- let me tell you a little bit about
2 the criteria that we are operating under. The
3 legal basis is Article 8 of our Constitution,
4 the Voters Rights Amendment of 1965 as amended
5 and the Equal Protection clause of the 14th
6 Amendment.

7 And there are nine criteria that are
8 listed in front of me in case you want to come
9 and check those when I'm through.

10 The first is the one person one vote
11 balancing of each of the legislative districts
12 which is done by the Federal Census every ten
13 years so that the districts for the Senators
14 and the Representatives, for those of you who
15 don't know, are what we call substantially
16 equal; which is generally a plus or minus
17 deviation, unless there's an impermissible
18 violation of some other criteria.

19 There are a hundred House seats, 35 Senate
20 seats, which our Constitution provides for.
21 The House seats this year, we anticipate, will
22 be -- to be substantially equal will be about
23 30,000 persons per district. The Senate seats,
24 about 85,000.

25 Section 2 of the Voters Rights Amendment

1 of 1965, the second criteria, prohibits
2 discrimination based on race, color, or
3 language minority. And then the third one,
4 Equal Protection clause of the 14th Amendment,
5 limits redrawing district boundaries based
6 strictly on race.

7 There are four geographic principles;
8 compactness, that is the eyeball test,
9 referring to the shape of the district, round
10 or square.

11 In 1912, Governor Gerry of Massachusetts
12 drew the area around Boston to look like a
13 salamander, hence the word gerrymandering, not
14 gary mandering, which was his name, Gerry, but
15 salamandering, gerrymandering, or as they said
16 at the -- at a seminar we just -- we went to,
17 dummymandering, which is -- you know, we're
18 trying to avoid that.

19 Contiguous or contiguity, Latin, meaning
20 to have contact with, these borders touching.
21 You can't have pieces of a district, an island.

22 The core of existing districts and our
23 goal are whole counties, whole cities, whole
24 precincts. And you understand that's our goal
25 and we won't be able to achieve it in some

1 instances.

2 But minimize splitting the political
3 subdivisions, communities of interest,
4 commonalities, economical, social, political,
5 cultural, ethnic, or religious interests.

6 And the ninth one -- I'm sorry. The
7 eighth one, the continuity of representation.
8 There is a -- an inclination to not make
9 incumbents run against each other. That is to
10 acknowledge that voters elected them and we
11 would prefer that they don't -- it may be, in
12 some cases, also impossible.

13 And, finally, minimize partisanship, no
14 targeting or giving preferential treatment to
15 one party or the other.

16 You may -- and that is, at this point,
17 will be determined in a state setting and not
18 federal.

19 The Rucho case is a case that came down in
20 the last ten years, in 2019, actually, which
21 decides that -- that those cases should go to
22 state court and not to Federal Court.

23 At that -- at this point, I'd like for
24 Shelby to briefly talk to you -- Shelby
25 Johnson, talk to you about the maps and then we

1 will open it for comments.

2 MR. JOHNSON: Thank you, Justice Dickey.
3 Good evening. My name is Shelby Johnson and
4 I'm in the Arkansas Geographic Information
5 Systems Office. We're a part of the Department
6 of Transformation and Shared Services. And we
7 furnish technical support to the Board of
8 Apportionment and also cities and counties and
9 school districts across Arkansas.

10 We maintain a live map information about
11 Arkansas. And one of our statutory
12 responsibilities is to maintain statewide
13 versions of our election geography such as
14 election precincts, state House, state Senate,
15 congressional districts, school board zone,
16 justice of peace districts, and municipal
17 wards.

18 At the end of -- or at the midpoint of
19 each decade, one of the things that we do is we
20 roll that information up to the federal level
21 so that those boundary lines can be
22 incorporated into the Census Bureau files,
23 which are then, in turn, used to summarize
24 population for our state and the various
25 jurisdictions and election geographies.

1 Unfortunately, as Justice Dickey mentioned
2 earlier, the census has been terribly behind
3 schedule in this particular cycle. And, as a
4 result, we're at a stage where we're not able
5 to look at the actual 2020 counts at the lowest
6 level of geography.

7 And so we are only able to look at
8 estimates that come up through 2019. And those
9 are the maps that are displayed on either side
10 up here. There were maps out in the foyer.

11 And then what we were able to do is run
12 some analysis. And I'm just going to describe
13 those very quickly for you and then we'll move
14 on to the public comment.

15 The first map that we look at is just the
16 change across the nine-year period from 2010 to
17 2019 for the counties of Arkansas.

18 And I think what I would like to do is
19 just draw your attention to Eastern Arkansas
20 and Southeastern Arkansas where you see the
21 darkest color of red. And, in those counties,
22 that represents counties where across the
23 nine-year period those counties experienced the
24 largest amount of population decline.

25 In the next shade of red, you would see

1 down the scale is counties that have lost
2 population but that decline hasn't been
3 dramatic. And then the next scale, a
4 continuing loss of population down to the
5 lightest shades and the shades in white. That
6 represents counties that have not really gained
7 population and haven't really lost dramatic
8 population either.

9 And then, as you enter the scales of blue
10 hues on the map, those scale up. And those
11 represent counties across the last nine years
12 that have gained in population with the
13 lightest shades of blue being minimal
14 population gain and the darkest shades of blue
15 being dramatic population gain.

16 One of the things that I think all of us
17 know intuitively, but it bears repeating, is
18 that population tends to follow prosperity and
19 opportunity. And so when we have, for example,
20 the gold rush in California, that was a great
21 example where you have dramatic population
22 shift.

23 And we've seen some of that pretty
24 dramatic population shift in Arkansas for a lot
25 of various reasons.

1 Moving on, we were able to then use the
2 2019 estimate data to cast up what we looked at
3 as the House districts of Arkansas and on
4 estimate of how much they're -- vary from their
5 target.

6 And so what we do is we calculate the
7 total pop -- we take the total population of
8 Arkansas, we divide that by 100 House
9 Districts. And so, in this scenario, that
10 number was 29,994. So each House district
11 should be roughly 29,994 persons.

12 And the numbers that you see on the map
13 are representing the district numbers and then
14 that population up or down from the target.

15 Again, the shades of red are illustrating
16 House districts that need to gain population.
17 And that means that they must geographically
18 get larger in order to gain additional
19 population.

20 And then down to the lower shades of red,
21 those districts are still below their target
22 and need to gain some but maybe not as much.
23 The lighter shades, again, those are districts
24 that may be somewhat on target or within
25 balance.

1 And then scaling into the hues of blue,
2 the lightest hues of blue represent districts
3 that need to grow a little or get a little more
4 population.

5 And then the scale goes up and those hues
6 of blue need to lose population, with the
7 darkest shades of blue being districts that
8 have far too much population and need to
9 geographically get smaller in order to share
10 that population with adjoining or neighboring
11 districts.

12 And you can see here in North -- North
13 Central Arkansas, House District 61, we
14 estimate House District 61 is about 1,400
15 population down. House District 100 needs to
16 grow by about 900 in population. House
17 District 99 needs to grow by about 430.

18 If we look at House District 64 a little
19 bit south of here, it needs to grow by 1,856.
20 So these kind of at least paint a picture of
21 where the complexion and composition of the
22 House districts might be headed. And gives the
23 decision makers some notion of where in
24 Arkansas we might see some change ahead.

25 The next map moves on and essentially

1 describes the same thing, except we're now
2 looking at the Senate districts. And in this
3 analysis, with 35 Senate seats, we divide the
4 state's total population by 35 to arrive at the
5 target Senate district of about 85,696 in this
6 scenario.

7 Again, the darkest shades of red are
8 Senate districts that need to grow
9 dramatically. And so at the very lowest end of
10 that scale, Senate District 25 in Southeast
11 Arkansas, it needs to gain almost 12,700 in
12 population in order to become more equal with
13 the other Senate districts.

14 You can contrast that in far Northwest
15 Arkansas with Senate District 1. Senate
16 District 1 in far Northwest Arkansas needs to
17 lose approximately 20,000 -- 27,800 in
18 population.

19 The Senate districts in this region,
20 Senate District 17 is -- it needs to gain by
21 about 1,000. Senate District 19 needs to gain
22 by about 2,100. And then Senate District 18
23 needs to gain by almost 4,700 in population in
24 order to come up to be substantially equal.

25 Now, one of the things that you may be

1 pondering, and I think it's worth mentioning,
2 is where does the population come from. Well,
3 it comes from moving those lines around and
4 moving them to areas where there is additional
5 population, if they need to gain; or, if they
6 need to become smaller, to move that line to
7 share that population with another.

8 And, of course, in -- we do this at the
9 state level. And so to draw an analogy, for
10 Senate District 26 in far Southeast Arkansas,
11 you can't go to Louisiana and get population
12 from Louisiana to grow Senate District 26. And
13 you also similarly can't go to Mississippi.

14 So in order for Senate District 26 to
15 become substantially more equal with all of the
16 other districts, it must grow west or north.
17 Similarly, here in North Central Arkansas, your
18 districts, if they need to grow, they must
19 either go south or west and -- or south and
20 east.

21 So hopefully those are a quick bit of
22 explanation about the maps. Those exhibits are
23 here at the front. And then they're also out
24 in the foyer. And that includes some of the
25 detailed numbers. And so we'd invite you to,

1 as time allows, to take a look at those
2 illustrations when time permits. Thank you
3 very much.

4 JUSTICE DICKY: And now for your
5 comments, suggestions, or criticisms.

6 There are the two microphones. If you --
7 before you start, if you will state your name
8 and which district or county you're referring
9 to, you're -- you're living in.

10 Yes, ma'am?

11 WILLANE CARBALICK: My name is Willane
12 Carbalick. Can you hear me? Is it on? Yes?

13 JUSTICE DICKY: I think it's on if you'll
14 speak --

15 WILLANE CARBALICK: Hello. Oh, there it
16 is.

17 JUSTICE DICKY: It's on.

18 WILLANE CARBALICK: Okay. My name is
19 Willane Carbalick. I live out in the Jordan
20 area of Baxter County.

21 For you -- those of you who don't know
22 where that's at, I'm right near the Norfork
23 Dam. Our two claim to fames out in that area
24 is the Jordan Marina area on the lake where we
25 have the sand beaches and Whispering Woods

1 Restaurant for those of you who have joined --
2 joined dinner there.

3 We share the 72519 zip code with Calico
4 Rock. That's caused problems because Calico
5 Rock is in Izard County, we're in Baxter
6 County. I belong to the 64th District, so John
7 Payton is my Representative.

8 I live 20 miles from Mountain Home.
9 Jordan -- you may laugh at this, but Jordan
10 really is a subdivision -- I mean, a -- yeah, a
11 -- let me try it again, a suburb of Mountain
12 Home.

13 When I traveled in here this evening on
14 Highways 177 and Highway 5, there's houses and
15 small businesses all along the way. I past one
16 cattle ranch and another very small cattle
17 ranch that had a couple head of steer.

18 Jordan is an area of retirees. The lake
19 is a big draw for us to come down here. We're
20 close to the Jordan Marina.

21 We have a very active fire auxiliary
22 program that supports a very good volunteer
23 fire department. Our homes aren't all next
24 door to each other. We all wanted a little bit
25 of space.

1 In fact, we were social distancing before
2 it became a reality. We have services provided
3 by Brunner Hill Water, North Arkansas Electric.
4 Now we have good internet service through Next
5 and we still have Century-Tel.

6 But everything we want to do that's
7 outside of the lake requires us to come to
8 Mountain Home. It's where our county seat is,
9 it's where we pay our taxes. It's where the
10 courthouse is, it's where the sheriff is
11 headquartered. It's where the Baxter Regional
12 Hospital is, which unfortunately we all seem to
13 be needing to use more often as we age.

14 Of course, we have this great university
15 here, ASU, that supports the kids in our area
16 that want to have additional education. They
17 -- it provides us with cultural activities,
18 when we're not in a pandemic, of theatre,
19 musical groups, and good speakers.

20 We've got the library. Our doctors are
21 here. Our shopping is here. The newspaper and
22 the radio station where we get our information
23 is here. And so is Nelda Speaks. She's the
24 representative here. She's not our
25 representative.

1 But the information, if we want to hear
2 what's going on in the state, usually comes
3 through her, because of the news media.

4 Our rep, John Payton, which as I said, is
5 64th District, is down in Wilburn, Arkansas.
6 From my house to his town, according to
7 Mapquest, is 72.8 miles.

8 He has parts of Baxter County, Cleburne
9 County, Marion County, Searcy County, and Stone
10 County. Most of that area is very rural.

11 So between Jordan, where I live in Baxter
12 County, down to Wilburn with my representative
13 is, is a rural area.

14 Jordan is not a rural area. We have bits
15 and pieces, but predominantly we are dependent
16 on Mountain Home area. We need to be in with
17 either the rest of Baxter County and Mountain
18 Home to represent us. It's not -- we're not
19 getting fair representation because we're not
20 the rural area that John represents. We're
21 more of a city type area.

22 It's not happening now with the way the
23 districts are designed. Please, you need to do
24 something to fix this.

25 JUSTICE DICKEY: Thank you for your

1 comment. You have already posted your comment
2 online, have you not?

3 WILLANE CARBALICK: (Inaudible.)

4 JUSTICE DICKEY: Thank you for tonight's.
5 All right. There others, as I understand.
6 Maybe not.

7 (Indiscernible Crosstalk)

8 JUSTICE DICKEY: It should be --

9 (Indiscernible Crosstalk)

10 JUSTICE DICKEY: There's a tiny button.

11 GARY PHILLIPS: Okay. Does that sound
12 like -- is that on? Oh, okay.

13 JUSTICE DICKEY: It is on. If you will
14 state your --

15 GARY PHILLIPS: I don't -- I don't think I
16 need 700 words, but kind of --

17 JUSTICE DICKEY: State --

18 GARY PHILLIPS: -- along the same lines, I
19 think --

20 JUSTICE DICKEY: Wait. Excuse me.

21 GARY PHILLIPS: Okay.

22 JUSTICE DICKEY: Will you state your name
23 --

24 GARY PHILLIPS: Oh, sorry about that.

25 JUSTICE DICKEY: -- and which county.

1 GARY PHILLIPS: Gary Phillips. I'm from
2 Fulton County and from Senate District 18,
3 which is the orange one in the top center
4 meandering all the way down toward the center.

5 I would just like to see compactness
6 become a much stronger criteria. If that could
7 be a little more square or round, because it
8 really goes a long way.

9 And the same thing could happen that
10 somebody could be on the southern end and very
11 hard for me to contact. And, also, as a
12 candidate, it would make it very hard for them
13 to get their whole district.

14 So I just think compactness could be a
15 little easier for voters and candidates and
16 easier to understand maybe.

17 JUSTICE DICKEY: So you're
18 anti-salamander?

19 GARY PHILLIPS: Yes.

20 JUSTICE DICKEY: Okay. Any other
21 comments?

22 CANDA REESE: I'm so sorry. Good evening.
23 My name is Canda Reese and I'm the county and
24 circuit clerk here for Baxter County.

25 And I just would -- you mentioned it

1 already, but just to reiterate the plea as much
2 as possible to not split up precincts parts and
3 to keep the precinct lines in -- intact.

4 JUSTICE DICKEY: Thank you.

5 CANDIA REESE: Thank you.

6 JUSTICE DICKEY: We -- I think Shelby has
7 spoken to the county clerks and we understand
8 that they're in a bigger and harder time crunch
9 than we are with the counties and the -- and
10 the precincts particularly. So they -- they're
11 aware of that, but it helps to remind them.

12 Yes, sir?

13 BOB LARGENT: Good evening, Judge. I'm
14 Bob Largent from Harrison and a constituent in
15 Senate District 17.

16 A group of citizens in Boone, Carroll,
17 Newton, Searcy, and part of Marion Counties,
18 which we have dubbed Hub of the Ozarks, are
19 well served today in the Senate. We're well
20 served by four separate Senators. And each one
21 of them brings a lot to the table, extremely
22 supportive.

23 We believe, however, that a more focused
24 representation driven by the commonality of the
25 -- of that area would be beneficial to the

1 combined economic development and growth of
2 North Arkansas as well as that of the state.

3 And each of those five counties brings a
4 significant strength to the table in business
5 personalities, but they share much more in
6 common. And I want to just highlight a couple
7 of those.

8 One is tourism, featuring the Buffalo
9 National River and the National Park Service
10 Headquarters for the Buffalo National River is
11 the heart of the commonality. It runs through
12 all five counties.

13 The economic and quality life impact that
14 the Ozark Mountain tourism region has amplifies
15 what the Buffalo National River does.

16 And when you couple that with Table Rock
17 Lake, Bull Shoals Lake, Kings River, and the
18 White River, you have an unmeasurable impact on
19 tourism in North Arkansas.

20 Businesses focused in manufacturing
21 substantially enhances everything that we do.
22 In those five counties, there are over 25 major
23 businesses and manufacturers.

24 Fourteen in that area have their global
25 headquarters located in those five counties.

1 Livestock production leads all counties
2 statewide and poultry business in the five
3 counties thrives.

4 The Northwest Arkansas Economic
5 Development District also provides services to
6 those five counties. The retail market is
7 another important commonality. It's
8 concentrated in the five North Arkansas
9 counties and exceeds 90 -- \$963 million in
10 value.

11 We got an opportunity gap in those five
12 counties though of over \$143 million allowing
13 for growth in the retail environment.

14 Healthcare, a very real commonality is
15 concentrated in the area with the North
16 Arkansas Regional Medical Center. It serves
17 all five counties today. And they've recently
18 partnered with the Regional Healthcare System
19 to expand the services to those five counties.

20 Law enforcement is centrally located here
21 with the 14th Judicial District, providing
22 circuit courts and judges and an experienced
23 specialized drug task force along with the
24 headquarters for the Arkansas State Police
25 Troop 1.

1 Four national and regional trucking
2 companies are located here. Their
3 transportation infrastructure is networked
4 throughout those five counties in North
5 Arkansas.

6 The U.S. Highway 412 corridor project, as
7 well as major upgrades to Highway 62, 65 north
8 and south corridor are presently in progress.

9 The Arkansas Department of Transportation
10 has over \$60 million in planned projects in its
11 current highway improvement plan.

12 And the Boone County Regional Airport
13 provides those five counties and surrounding
14 communities with outstanding commercial and
15 corporate aviation services.

16 The last commonality that the five
17 counties share is education. It's integral to
18 everything that I've mentioned previously.
19 North Arkansas College, which conducts the
20 number one manufacturing program and the number
21 one nursing program in the entire state of
22 Arkansas serves all five counties with its
23 primary and satellite campuses today.

24 And the college is in the midst of an
25 eight million dollar funding and design

1 campaign for a new center for robotics and
2 innovation manufacturing center. That will cap
3 all of the education for our business and
4 industry.

5 Now, these commonalities, we believe, are
6 very unique. And we would ask consideration
7 for a Senate district that encompasses those
8 five counties. Thank you, ma'am.

9 JUSTICE DICKEY: Thank you, Mr. Largent.

10 I think there are other views on this, if
11 I'm correct. And -- anyone else? And your
12 letter, Mr. Largent, has already been sent in;
13 is that correct?

14 BOB LARGENT: (Inaudible.)

15 JUSTICE DICKEY: Has -- it's online, I
16 believe, as a comment.

17 BOB LARGENT: (Inaudible.)

18 JUSTICE DICKEY: Any other comments?

19 KEVIN VORNHEDER: My name is Kevin
20 Vornheder, I'm the chairman of the Baxter
21 County Libertarian Party. I'm served by Nelda
22 Speaks in House District 100 and Scott Flippo
23 in Senate District 17.

24 I had the question, how will the Board
25 balance its eighth principle, continuity of

1 representation, versus the danger of allowing
2 representatives to select their own voters?
3 And, as a corollary, what digital solutions, if
4 any, are being used to avoid even unintentional
5 human bias?

6 JUSTICE DICKEY: Well, what's in front of
7 you are our goals or the criteria that we
8 operate. Some of them we can't achieve.

9 But you've asked two questions, I believe.
10 If you'll repeat the first one. One of the --
11 one of the men who are expert in this can
12 answer that.

13 KEVIN VORNHEDER: Yes, ma'am. How will
14 the Board balance its eighth principle,
15 continuity of representation versus the danger
16 of allowing representatives to select their
17 voters?

18 JUSTICE DICKEY: Doug? Doug House, who is
19 an attorney with the AG's office.

20 REPRESENTATIVE HOUSE: Your first question
21 ties into your second one.

22 KEVIN VORNHEDER: Yes, sir.

23 REPRESENTATIVE HOUSE: It's not a pure
24 robotic process. As you heard this gentleman
25 talk about these industries, these people,

1 these employers, employees linked and students
2 and so on and so forth. All of these things
3 come into consideration.

4 Now, in each of these areas that are
5 districted voters have voted someone into
6 office. So the Board is going to try, as best
7 it can, to keep from penalizing an incumbent by
8 forcing them to run against another incumbent.

9 But it's unavoidable. You can look at the
10 map. You can look at Southeast Arkansas, there
11 are several districts in either the Senate or
12 the House side, it's going to be impossible not
13 to combine them and, there force -- and thereby
14 force incumbents against each other.

15 But it's a decision that has to be made
16 based on fairness, federal law, state law, and
17 transparency.

18 No, 135 friends of ours, all many of them
19 newly discovered, have conveyed their interest.
20 We are aware that 135 people have a personal
21 stake in this. But the attorney general, the
22 governor, and the secretary of state are
23 charged with doing what complies with federal
24 law, what complies with state law, what is fair
25 to both parties, all of these principles down

1 here, as best they can. It's a human
2 decision-making process.

3 The young lady who spoke about the Jordan
4 area, did I get that right? Okay. You can
5 look at these maps, any of them, and you
6 realize they were written ten years ago.

7 And you're going to see gerrymandering
8 going on just from looking at the maps. When
9 they squirrel all the way from Central Arkansas
10 down to the Louisiana line, that indicates a
11 human decision.

12 Your governor, your secretary of state,
13 and your attorney general are not built that
14 way. They're going to try to do what's right,
15 what's fair, what's legal under state and
16 federal law. That's the best answer I know to
17 give you.

18 As far as robotic solutions, very
19 sophisticated software is available. And this
20 might be a good place to explain something.

21 The Census Bureau goes throughout the
22 entire United States and makes up census
23 blocks. This auditorium could very well be a
24 census block with a population of zero.

25 Go down the street a little bit, you might

1 find a four-square subdivision that has a
2 population of 300 people. And each one of
3 those population blocks, census blocks, becomes
4 a building block towards each Senate or each
5 House district, or for that matter, each
6 justice of the peace, city ward, school board
7 district.

8 And they are picked and chosen and plugged
9 in based on existing districts, core districts,
10 to make them grow or shrink as necessary in
11 order to achieve the most substantially equal
12 population as is practical.

13 Now, I'll give you a, just a for instance.
14 Say that you've got an ideal district of 30,000
15 people and you've got a House -- excuse me,
16 you've got a city that has 30,250 people.

17 Well, they can add those 30,000 people,
18 plus that additional 250. That's not exactly
19 equal, but it's substantially equal because
20 you're respecting a municipal boundary. All of
21 those rules come into plays.

22 Go to Little Rock, if you need a
23 district's 30,000, you're going to have six or
24 eight of those in the City of Little Rock.
25 You're going to have four or five of them in

1 Fort Smith, two or three or four in Jonesboro.
2 So all of these principles go into effect as
3 can be balanced best by three people who are
4 human beings and trying to do the best thing
5 for the people of the State of Arkansas.

6 I hope I've answered you.

7 KEVIN VORNHEDER: It was very
8 enlightening. Thank you.

9 REPRESENTATIVE HOUSE: Thank you.

10 JUSTICE DICKY: Thank you.

11 Any other comments or questions?

12 Yes, ma'am?

13 WILLANE CARBALICK: Since I'm not an
14 original Arkansas native, are we tied to the
15 hundred representatives and the 35 Senators?
16 Is that by the Constitution or --

17 JUSTICE DICKY: Yes.

18 WILLANE CARBALICK: Can that ever be
19 changed?

20 JUSTICE DICKY: Yes.

21 WILLANE CARBALICK: Has that ever been
22 considered?

23 JUSTICE DICKY: Pardon me?

24 WILLANE CARBALICK: Has that been
25 considered at all with --

1 JUSTICE DICKEY: I'm not aware that it
2 has.

3 WILLANE CARBALICK: -- (inaudible)
4 district?

5 JUSTICE DICKEY: I'm not aware that it
6 has.

7 WILLANE CARBALICK: Okay. Would that
8 solve some of the problems of trying to --

9 JUSTICE DICKEY: You -- huh?

10 (Indiscernible Crosstalk)

11 WILLANE CARBALICK: Okay. And that would
12 require us to vote for it then; right?

13 JUSTICE DICKEY: Thank you.

14 Anyone else?

15 UNIDENTIFIED SPEAKER: I had a question
16 and I'm not sure who'd be best to answer it.
17 How much do roads, rivers, and county lines
18 factor into this? Any at all?

19 JUSTICE DICKEY: Shelby. Yes, it does.
20 Okay. The simple answer.

21 MR. JOHNSON: That's a softball question
22 for me, I think. Thank you, sir.

23 The blocks that Doug spoke about are
24 composed of visible, physical features, such as
25 roads, rivers, railroads.

1 And then layered on top of that are
2 administrative boundaries like county
3 boundaries, city boundaries, election
4 precincts, school district boundaries, and et
5 cetera.

6 So very much so, roads, rivers, railroads
7 play a -- play a part in composing the smallest
8 level at which the Census Bureau can assign
9 population.

10 JUSTICE DICKEY: Any other questions or
11 comments?

12 Well, thank you for being here and for
13 your input. As I said, there are other comment
14 -- comments that you can fill out and mail in
15 or you can look online if you want to know the
16 -- online or the website.

17 (Indiscernible Crosstalk)

18 JUSTICE DICKEY: You want the last word?

19 UNIDENTIFIED SPEAKER: Yes, I do.

20 JUSTICE DICKEY: Okay.

21 UNIDENTIFIED SPEAKER: That's the way
22 county judges are, you know.

23 JUSTICE DICKEY: Yes, sir.

24 UNIDENTIFIED SPEAKER: I just want to
25 thank everybody for showing up and for the

1 Board of Apportionment, you and -- and bringing
2 Shelby with you to recognize that Baxter County
3 and Mountain Home's in the state of Arkansas
4 and for coming here and having this public
5 meeting. And for all those that bothered to
6 attend, we appreciate that.

7 Even with our big rival from Harrison over
8 there, we're on this side of the river and they
9 didn't recognize us, but we are here and we
10 appreciate you coming and making us part of
11 that.

12 And some -- some of the things that have
13 been said here, and I live in District 64 as
14 well, and I'm just eight miles south of
15 Mountain Home at my -- at my home and about 300
16 yards from District 18 of the Senate district,
17 so it's -- I'm right on the borderline of two
18 different districts.

19 But appreciate y'all being here and I --
20 when I look at these maps and I see the
21 population changes, how do you change two
22 districts that have that much -- or three
23 districts that have that much minus and nowhere
24 to go with it and -- and I don't envy your --
25 y'all's job. It's not going to be easy. And

1 thank you so much --

2 JUSTICE DICKEY: No.

3 UNIDENTIFIED SPEAKER: -- for doing it.

4 JUSTICE DICKEY: Thank you, Judge. And,

5 yes, it is a -- it is a dilemma and a challenge

6 for us.

7 We -- after the maps -- after the

8 September 30th census results and we draw the

9 maps, we still ask for your input as far as

10 better ways to do this, so thank you and we'll

11 be talking to you again.

12 (End of Recording)

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[illegible]

I, CRIS M. BRASUELL, Certified Court Reporter and Notary Public do hereby certify the proceedings which appear in the foregoing pages contain a true and correct record of the testimony given by said witness held to the best of my ability, along with all items of evidence admitted hereto.

I FURTHER CERTIFY, that I am not a relative or employee of any attorney or employed by the parties hereto, nor financially interested or otherwise, in the outcome of this action, and that I have no contract with any parties within this action that effects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial attorney, or that requires me to provide any service not made available to all parties in the action.

WITNESS MY HAND AND SEAL this 5th day of October,
2021.

Cris M. Braswell

CRIS M. BRASUELL, CCR
Arkansas State Supreme Court
Certified Court Reporter No. 742

My Commission Expires:
August 16, 2031

CRIS M. BRASUELL, CCR
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