



# Idaho's Citizen Commission for Reapportionment

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Capitol Building  
700 W. Jefferson Street  
Boise, ID 83720-0054

Phone: (208) 334-4740  
E-mail: [redistricting@redistricting.idaho.gov](mailto:redistricting@redistricting.idaho.gov)  
Web site: [www.redistricting.idaho.gov](http://www.redistricting.idaho.gov)

Idaho Falls Public Hearing  
Wednesday, October 5, 2011  
Idaho Falls City Hall  
6:00 p.m.

Present were **Commissioner Crow**, **Commissioner Hansen**, **Commissioner Olsen**, **Commissioner Beitelspacher**, **Commissioner Martinez**, and **Commissioner Grange**. Present from the staff were **Mr. Bybee**, **Mr. Cutler**, and **Cyd Gaudet**.

**Chairman Crow** called the hearing to order at 6:05 p.m., and she welcomed everyone and thanked them for coming. She indicated that they had enough people signed up to speak so that each of them could speak for approximately five minutes, and then have time for questions and answers after each person. She stated that they had **Mr. Cutler** with them, who could actually put the maps on the wall to show them what a plan may or may not do for their district. **Chairman Crow** then introduced herself, and explained that she had been a legislator for a number of years, and was the Chairman of the Revenue and Taxation Committee for eight years. She asked that when their name was called, they would come to the podium. If they had written testimony, she asked them to please give it to **Cyd Gaudet** when they were finished, as it helped tremendously in the minutes, and it was also nice to have their handwritten or typed copy. She indicated that they would be going through the chair, as they did in the legislature, as it gave them all a better feel, and it helped things not get out of kilter. She advised that when they came up, she was Madam Chairman, and she would address them, and then if there were questions they needed to come through the chair, rather than from each of the people. After they had given their testimony, she explained that they would have time for questions and answers from the commissioners. **Chairman Crow** advised that the other Co-Chairman of the Commission was **Ron Beitelspacher**, who had been a Senator for a number of years in the legislature.

**Commissioner Beitelspacher** said that he too wanted to welcome everyone. He said that he didn't think that they had to explain to anyone that this happened every ten years, and how it was that they were there, and what they were doing. He did want to say, regarding **Commissioner Martinez** and **Commissioner Olsen**, that they were well represented on this side of the state. He indicated that **Commissioner Olsen** was a gracious lady, who he thought was the epitome of family, country and God, and had been wonderful to get to know. He said that **Commissioner Martinez**, from Pocatello, had a tremendous amount of inner strength that came from his days as an EMT, and they welcomed that, in case the fenders flew, they had someone who could put the bandages on them. He indicated that this was a difficult thing to do, and to keep in mind that when they brought their plans in, they needed to make them fit into the state. He told them that the commission would be flying out of Idaho Falls that night, and were headed to Coeur d'Alene, where they had another hearing the next day. So if it looked like they were rushing along, it was not that they didn't want to hear what they had to say. He indicated that all opportunity for input was also available on the website, so to please utilize it, but they had a plane to catch to go to Coeur d'Alene, and that would be their reason for leaving when they did.

**Chairman Crow** also indicated that they would have video streaming, sometime in the near future, which would go to all parts of the state, and so if they forgot to ask something that night, they would have an opportunity then.

First to testify before the commission was **Lee Staker**, who indicated that he had served in the Senate with both of the Co-Chairmen. He welcomed the commission to Bonneville County and the city of Idaho Falls. He said that Bonneville County had met with most of the counties in eastern Idaho, and they had put together, and submitted to the Idaho Association of Counties, a plan. The Idaho Association of Counties had presented that to the previous commission as L49, and he would speak to that. In L49, as far as Bonneville County was concerned, the districts included Idaho Falls' natural communities of interest, similar to the districts that were already there. The district with southern Bonneville County and northern Bingham County had a community of interest of rural agriculture, and it worked well because

they had a Bonneville County, Iona, sewer district that went through Ammon, down to Shelley, and Bingham County, that serviced that same area. It took the city of Ammon and southern Sunnyside Road south into Bingham County, and it split Bingham County. He said that he didn't think that Bingham County was happy with that but he didn't think, if they were going to be split, that they were unhappy, and they could address that when they came to talk to the commission. He indicated that the map took a couple of precincts north, on the western side into Jefferson, and a lot of the property owners out there farmed both sides of the county, and it was rural and agricultural. The eastern part of Bonneville County took in the majority of the city of Ammon, Iona, Ucon, Swan Valley, a portion of Ririe, Driggs, Teton, Ashton, Drummond, and the smaller cities of the area. They had, as a community of interest, agriculture, but all of that area was recreational and tourism driven with Island Park, Teton County, the Swan Valley area, and Palisades. Fremont County was split and the southern half was put with Madison, and in the plan there were four splits in Bonneville, three splits in Bannock, one split, two areas, in Fremont, and two in Bingham. There were no precinct splits in this plan, and it had a total deviation of 4%, with a high of .3% and a low of 3.7%. **Mr. Staker** said that L49 laid over pretty well with L83, with a few minor adjustments in the Power County area, and that could be handled very easily by moving a couple of precincts either way, and the deviation was such that it could be handled. He said that he appreciated the opportunity to make his comments, and he thanked the commission.

**Commissioner Beitelspacher** asked if L49 had seven splits. **Mr. Staker** said that there were 3 splits in Bonneville County, 3 in Bannock County, 2 in Fremont, and 2 in Bingham. He also said that he would like to add, that he received an email from **Lloyd Rasmussen**, Chairman of Caribou County, and he said that "Caribou County prefers the district which would include Caribou County, Bear Lake, Franklin, Oneida, and South Bannock."

**Dell Raybould** was next to testify, and thanked the commissioners for coming to eastern Idaho, and to meet the folks who were going to be represented in the future with the decisions that they made. He said that he was glad to be back with **Chairman Crow**, as he had served for many years on the committee which she chaired in the House. He indicated that he knew that the basic intent of the committee was to follow their instructions to make the population in each one of the legislative districts as equal as possible. But what he wanted to talk to them about was that while they were looking at population, to also take a look at other factors that those of them that represented the people at home, in the Legislature, had to consider. That was the area that they served, and the main interests in that area, and how they could put together, and bring to the legislature, the wishes and the best interests of the people that they represented. He represented District 34, which at the present time served all of Madison County, and all of Fremont County, with the exception of the Island Park precinct. He said that if he had his "druthers" he would say to leave it the way it was, but because of the population increase in Madison County due to the university, that was not going to be possible for them to do. He would like the commission to take a look at their district and the natural resources that were represented in that district, for just about everything outside of the university. Because that university was not a public university, as sponsored by the state, the legislature did not have an awful lot to do with the operation or the function of the university. So the basic interests in his district, District 34, were natural resource issues and business interests. He indicated that Fremont County and Madison County had a great natural resource interest together, and he urged the committee to do everything they could to keep those two counties together as much as possible because of the natural resources.

He said that all of the irrigation water for the northern portion of Madison County, and most of Fremont County came from streams that originated in Fremont County, from Henry's Lake, the Island Park Reservoir, and other reservoirs up there, as well as streams, and the canal systems and the irrigation districts that took off of those streams, and served the population of those rural areas. He indicated that it was important that they had representation from District 34 that had an understanding of their irrigation systems, and their business interests in that district. He said that they had a lot of potato processing, various potato shipping operations, and a multitude of grain shipping operations that all depended on their agricultural community for their livelihood, and for the jobs that they created. He said that also extended into their implement dealerships, fertilizer plants, and all of those things that made up the bulk of the industry in that area. He urged the committee to take a look at population, as that was the law, but when they put the districts together, to take a look at the plans, so that it would include the agriculture and natural resource areas into the district that they had created. He said that he used theirs as an example because he thought that it was a good example of how important it was to maintain that. He indicated that the plan that they just saw on the screen was relatively good, and there was another plan, that he could not remember the number of, that included all of Fremont County and Madison County, with the exception of three or four precincts in the southern part of Madison County, and that was a pretty good plan to take a look at. He asked that the commission not to just look at population, to look at industries and the continuity that they needed to keep that together so they could work with their county commissioners, and with their city councils, and with their agricultural organizations to represent them properly in the legislature. He thanked the commissioners again for coming, and said that he didn't envy their job as it was a real responsibility that they had, to make this work out.

**Commissioner Hansen** said that part of their mandate was exactly what he was asking, and he thought that they had spent a lot of time talking together as commissioners, and they appreciated exactly what he was saying because part of their responsibility was to have like interests together. He indicated that not breaking up counties was their number one priority, but their second priority was exactly what he was asking for. He thanked **Mr. Raybould** for bringing that to their attention, and for his comments. He said that with the new legislation on roads that would be their third pecking order that they would be looking at.

Next to testify was **Vicki Meadows**, the Power County Commission Chairperson, who said that she appreciated the opportunity to be there that evening and to visit with them. She said that she had been a County Commissioner for nine and half years, and had come on board right after the last redistricting party, so this was new to her. She also introduced the other Power County Commissioner, **Delane Anderson**, and said that the third commissioner, **Ron Funk**, had just had surgery and could not attend. She indicated that Power County had contentious issues in the past, and when they finally got them settled someone would usually tell her that they wouldn't do her job for

all the money in the world. She said that she wanted to tell the commission that she would not do their job for all of the money in the world. She indicated that she would be speaking in more general terms, and she read the letter that they would like to have put into the minutes.

*To the Distinguished Members of the Idaho Redistricting Committee:*

*The Board of Power County Commissioners would like to express our gratitude and respect for your service on the Idaho Reapportionment Committee.*

*The former Redistricting Committee submitted a compromise map labeled L83 on September 23. Unsure of the degree of emphasis placed on their recommendation, we would take a moment to address the proposal.*

*Map L83 joins the agricultural and rural communities of Bannock, Bingham and Cassia Counties with Power. However, while addressing Power County's reapportionment concerns of keeping agricultural interests together, L83 splits Power County.*

*Map L83 (or similar versions) may not stand a Supreme Court challenge based on the 2002 Idaho Supreme Court case Bingham Co vs. Idaho Redistricting Commission. In the Bingham case, the Idaho Supreme Court indicated that counties can be divided to create Legislative Districts only when necessary to meet the "one person one vote" standard. Map L83 splits many counties and based on the 2002 decision would likely be unacceptable.*

*In short, we believe that we are best served by remaining in a legislative district with Cassia County as reflected by Map L79. (She added that the map that Idaho Falls was talking about sort of overlaid that as there was a lot of similarities between the two, and she thought their map was L41. She said that the map that they would most be used to would be L79. She said that L39 was put together by a group of counties in the Magic Valley and they were the far eastern county that was invited to that meeting, and that map also fit fairly well with eastern Idaho.) It protects our common agricultural base and aligns the rural nature of Power, Cassia and rural Twin Falls County.*

*We have discovered over the last ten years that communities of interest are broader than where a person shops. (She said that granted people in American Falls went to Pocatello) Our constituent's community of interest include such things as power transmission corridors and water rights and we have developed numerous relationships and formal MOU's to jointly address these and other issues with Cassia County.*

*Cassia County agrees and would like to stay with Power County and we have included a copy of their letter of endorsement.*

*Whatever the number of the final map,(she said that she did go back and look and the map in 2002 was L94 so they still had ten to go) we would ask that you please give our request to remain with Cassia County, the greatest possible degree of consideration. Please consign Power County to a district with Cassia County.*

*Again, the Power County Board of Commissioners would like to express our appreciation and respect for your service on the Idaho Reapportionment Committee in this very challenging process.*

*Sincerely,*

*Power County Commissioner*

*Vicki Meadows, Commissioner Chair*

*Ron Funk, Commissioner*

*Delane Anderson, Commissioner*

**Commissioner Hansen** asked if the reservation came down into the two counties. **Ms. Meadows** said that the reservation actually exists in four counties: Caribou, Power, Bannock and Bingham. She said that there was just a very small portion in Caribou and she did not believe that anyone lived there. She indicated that Power County had a good portion of it in the east, and that Power County probably had the bulk of the non-tribal lands, and probably had the most non-tribal members. **Commissioner Hansen** asked which county the bulk of the tribe was in. **Ms. Meadows** said that it was split between Power County and Bingham, and that Power had the biggest share of fee lands and non-tribal members. She said she would let Bingham County speak to their portion, and Bannock County had a fair share. She indicated that it was going to be split regardless of how they did it. However, if they wanted to keep the reservation together they would end up splitting Bannock and Power Counties. She said that L83, which was suggested by the former commission, actually split Power County right along (she pointed to an area on the map), and one part went into rural Bannock County, with the city of Pocatello being its own district.

Next called was **Delane Anderson**, who said that he would just like to endorse **Ms. Meadow's** statement in respect of the commission's time.

**Carrie Scheid** was next to testify. She said that she was a happy retiree, and she wanted to thank the commissioners for the hard work they were going to undertake. She indicated that she followed Betsy Russell's blog during the last commission, and it seemed to get a little contentious at times. She said that she was pleased to see that this commission was eating lunch together, which the other commission could not do, so she congratulated them. She indicated that she had three points that she wanted to make. She said that she was not a map person but she did want to mention that when she looked at the maps, it was great that they had them, but she really couldn't tell, in

her community, where the splits were. She indicated that she didn't know if that could be fixed so that you could see which roads were really the delineation marks. She said that when she tried to bring it in closer it only went so far, and then you could not see it, so it was pretty hard to really see what happened. Her first point was that she hoped, in the spirit of their lunch meetings, that they would continue to do this in a rational, friendly, and non-partisan way, as all of the citizens would benefit greatly from that. She said that it was frustrating to see our lawmakers, on all levels, constantly fighting and bickering. Secondly she wanted them to know how concerned she was to see in L83 that **Senator Bart Davis**, who so well represented Idaho Falls, was being banished to Bingham County. She indicated that Bingham County was great, but they did not know who he was there, and it was such a loss for Idaho Falls. She said that Idaho Falls was an urban area that was well represented by him, and to see the line almost curve around his back yard, to move him to Bingham, was a little disconcerting to her, so she hoped they would take a hard look at that. Thirdly, she had read some of the census data, which was really boring, but what was interesting was that in the last ten years she saw that there were now 22 communities in Idaho that had populations of 10,000 or more, compared to 16 ten years ago. She stated that 54% of the state lived in communities of 10,000 or more. She indicated that we were not the urban metropolis of Los Angeles or New York, nor did they want to be, but at times she felt that the way we approached politics, that some of the urban interests were not recognized. She hoped that in the redistricting process they would consider that. She indicated that she loved rural and agriculture, and that she married a retired farmer and rancher, and it was the best thing that she did in her life, but she would like to see that the urban points of view and their like interests remained. **Chairman Crow** indicated that the commission had a letter from **Senator Davis**, who could not be there that night; however he had made his comments in the letter.

Next called was **Jerry Scheid**, who said that he was the farmer/rancher that **Ms. Scheid** had referred to. He indicated that he appreciated the commission being there, and he felt very sorry for them for the work that they had ahead, as he thought it was going to be a tough job. He said that he just wanted to reiterate the concern about **Bart Davis's** district. He indicated that **Commissioner Hansen** had mentioned that keeping counties together whenever possible was one of the goals of the commission, and he thought that was a worthy goal, and he would encourage a long hard look at that.

Next to testify was **Phil McGrane**, the Chief Deputy to the Ada County Clerk, **Christopher Rich**, who was also present. He indicated that his presence indicated the emphasis of how truly important this process was. He said that they came to meet with them early in the process, just as they had with the previous commission. He indicated that he was present on Wednesday when they first met, and the analogy was brought up, by one of the former commissioners, on how this was a relay race and the baton was being passed. He said that was really important for them to recognize, because for all county clerks, the byproduct of what the commissioners did would be passed on to the county clerks, as they administered all elections in the state. So the lines that they drew would impact how elections were conducted throughout the state, and that made a significant impact on how complex elections could or could not be. He said that he would focus on issues that impacted all clerks statewide, and there were a few important points that he wanted to emphasize. The first and most significant was to try to use very clear, distinct boundary lines such as most commonly used streets, as everyone could draw a line down a street and say who lived on which side of the street. He said that clerks throughout the state had faced the same problem that they had in previous commissions, which was if they used section lines, or irrigation ditches, or any other thing that was not going to last ten years, it created problems. He indicated that as his background was in elections work, and as an election specialist in Ada County, he could tell them that they would draw their map today; however ten years down the road, they would not know what the communities would look like. This was especially true if they became developed, as they had in Ada County, areas where developments had grown, and they had used a section line or irrigation ditch as a boundary. If the developer had taken their backhoe and put a house over the boundary, they got into the challenge of going out to the house to guess where the master bedroom was, to determine which legislative district that person should vote in. He stated that major streets were the very best boundary that they could have, and that following those distinct lines was very important to clerks because after they were done, the clerks would have to take the information and determine what address numbers belonged in what district.

The other thing was communities of interest, and cities in particular, as communities of interest. He said that while many of the cities would emphasize how important it was to be kept whole, he wanted to give them an example of why that should only be taken to a certain extent, and not literally. He then handed out maps of current District 20 for the commissioners. He said that the map focused on the Meridian region, and that the commission of 10 years before had followed city boundaries, and the problem was that city boundaries did not always make sense. He explained that the District 20 was colored yellow on the map, and the blue area was now the current Meridian city boundary, and they reflected nothing of what the district looked like anymore. He also pointed out that the legislative district was very oddly shaped because it tried to follow city boundaries. He asked the commission to try to encompass communities of interest in nice square, large shapes, and boundaries that made sense, as it made a difference to those communities. That was because cities did annex and de-annex, and change and grow over time, especially in a state like Idaho that has seen so much growth, and where there is going to be future development. While they could not incorporate growth into their districts, they could at least plan it logically when they were drawing lines. The final point that tied into that was one of the things that the most recent legislation had instituted, which was keeping precincts whole. For the rural areas he asked that they please do keep those precincts whole, but in all of the urban areas he asked them to please ignore that legislation, and that it should be a unanimous vote in the urban areas to split precincts. This was because often those district lines made up precinct lines, and some of the angles and shapes did not make much sense. He urged the commission to please split those precincts as the elections code calls for all county commissioners to redraw their precincts when they were done. He indicated that pretty much all of the urban communities would be redrawing their precincts from scratch, due to population changes.

**Commissioner Olsen** said that was very interesting and thanked him for the visual aid. **Commissioner Beitelspacher** said that as all of the precincts did not follow streets, they were going to have to divide some precincts, and they may need the clerks to file a brief on behalf

of that, if it got to court. **Mr. McGrane** said that they would be happy to supply a brief to the court to support that decision. He noted that in L83, it appeared that the former commissioners had heard their cry.

**Chairman Crow** indicated that as more people were signing up to testify, she was going to have to start being more careful about the five minute time limit.

**Rebecca Casper** was next to testify. She said that she was a resident of Idaho Falls, a mother of four, and someone who never missed a chance to vote. She indicated that she had a PhD in Political Science and taught an American Government class, and earned an income as a part time political consultant in eastern Idaho. She thanked the commission for taking the time to take their show on the road, and indicated that when the last commission came there was only one quarter the number of people that showed up, as clearly there was more interest this time around. She also wanted to commend to them their fellow commissioner **Sheila Olsen**, as she had decades of service to Idaho, and she has a reputation consistent with respect. **Ms. Casper** said that **Commissioner Olsen** was practical and fair-minded, and she appreciated her inherent fairness and her love of our political system. She indicated that she wanted to talk about process, both the commission's process, and the political process in general. She indicated that although her politics tended to run conservative and republican, when it came to policy matters, that was not where her first loyalty laid. She said that as a political scientist, and as a mother, and as a citizen, her first loyalty laid with this democratic republic, and the principles that it was based on which included fairness and equality. She then told a story about playing cards with her cousin who cheated to win. When she got old enough to realize what he was doing, she complained to her aunt and got him into trouble. Then he stacked the deck so **Ms. Casper** would win, which she thought was great, until she realized that he had stacked the deck for her to win, and it took all of the fun out of it. She learned that winning wasn't fun when it was not fair. She said that she was not implying that the commission was going to stack a deck, but she would tell them that once a process got subjected to political review by the media and such, and when it came down to a regular citizen, sometimes cynicism could not help but creep in. So she wanted to suggest that the drawing of the legislative boundaries was the beginning of the larger political process for most citizens, and it was larger than the process that the commissioners were participating in.

She said that the cynicism that could creep in, if the public perceived bias, would breed distrust, and distrust in a political process would breed indifference about the political process. Indifference would then breed a low turnout and lack of participation, and when voters stopped voting, what was the difference between that and disenfranchisement in general, as then all that they did in politics became less meaningful and less legitimate. She indicated that as a society we could not afford to lose a single participant over the next decade, and the success of any democracy-based system couldn't afford to lose anyone. She said that over the next three months it was the commission's privilege to seek to enfranchise as many Idahoans as possible, and she would ask the commission to give them a voice, and that the voters in Idaho could only afford for them to be successful in that regard. She said that they did not need to win a political battle or a war, they needed to win the hearts and minds of every voter, and to inspire them to believe that the process was fair and that the boundaries that they came up with made enough sense that they would want to get out and vote. She indicated that it was all right to split a few precincts, but asked them not to split Bonneville County four ways.

**Chairman Crow** said that she thought that she could speak for every commissioner there, that they were citizens first, and that they were not involved in politics right now. She thought that their mainstay was that they did a good job for the entire state, for all citizens as quickly and as well as they possibly could.

**Commissioner Beitelspacher** said that he should have pointed out, for the record, that everything that was presented to the first commission had been adopted by this commission as a matter of record, so that all testimony that came before the first commission was legally before this commission for their consideration. He indicated that for those of them that had testified in the past. He also said that **Chairman Crow** was doing an incredible job, and that they had a long list in front of them, and they did have a plane to catch in an hour and ten minutes to go to Coeur d'Alene. He said that **Chairman Crow** had been very sweet; however, they needed to stay brief and on course if they could.

Next to address the commission was **Anne Voilleque**, who said that she considered herself to be a professional volunteer. She thanked the commission for serving, and thanked **Commissioner Olsen** for taking on this huge job. She said that she would encourage the commission to look at the census report, and to look at the use of technology in terms of redistricting lines. She also asked them to consider urban interests as Idaho was becoming more and more urban, as we now had 22 cities with 10,000 or more in population. She said that she didn't mind if they didn't keep Idaho Falls together, and she didn't even mind being with Shelley or Rigby. However, when they started redistricting she encouraged them to think about Idaho Falls, Pocatello, and Boise as total communities that were expanding out, and not getting smaller. She said that she did not care where the precinct lines were, as they changed their precinct lines often, and she was not sure that they should be a consideration. She indicated that precinct lines were important; however, the districts were very important, and how the precincts fit in that, they would just wait and see. She commended the commission for their hard work, and thanked them for listening.

**Abbie Mace**, the Fremont County Clerk, representing Fremont County, was next to address the commission. She said that she had been the clerk for eleven years so this was her second round of the redistricting process. She said that during the last redistricting she had voiced her concern regarding being kept whole as a county, and as they could see, that had not worked, as Fremont County had been split for twenty years. She said that they were a small population county, as at the last census they had 13,000 citizens. She indicated that she would reiterate some of the comments that **Mr. Raybould** had presented regarding their communities of interest with Madison County, and she agreed that they had the most common interests with Madison County. Due to the fact that Fremont County had been split for the last twenty years, she thought that it was time that Madison County felt a little of that splitting, as everyone deserved a fair chance of those

things happening. She said that being as small a community as they were, it was tough to get a voice when they were already the minority in a district. She also wanted to reiterate some of the things that had been brought up regarding being a county clerk, and said that it was extremely difficult to run the election operations. She gave the commission an example of difficult boundaries in that one of their precincts followed a wagon trail that was not there anymore. She said that it was through the forest, so trying to get it redrawn had been very difficult. She asked the commission to please keep those things in mind. She indicated that she appreciated their willingness to serve on the committee, and she wished them luck with their adventure.

Next to testify was **Scott Workman**, a Franklin County Commissioner. He said that he was the only one there from the down counties, so he was speaking for some of the other commissioners who had met and discussed this process. He said that included in his district now were Franklin County, Caribou, Bear Lake, part of Bonneville, and Teton. He said that it had been a district where they had nothing in common with Teton, and to get to Teton in the winter you had to go into Wyoming or drive the interstate to get there. He indicated that as far as the people in Bonneville, it was still that in the winter you had to drive on the interstate, and that had been an issue ever since it was done. He said that it was over three hours away to get to Teton, and as he had discussed with the other representatives, it had been a tough district to go through. He indicated that he had met with the other commissioners regarding L49, and that was the plan that they all agreed with, as it put them with people of commonality. He indicated that if the Oneida County Commissioners were there, as the commission had on record, they would love to be with Franklin County. He said that they met regularly with the commissioners from Oneida County, but they had different representation. He said that they met with Bonneville County too, at times, but they never met with Teton County on anything. He indicated that he was kind of speaking for Teton County, as at times he felt like they had been left out of representation. He stated that in their area they would like to see Oneida County, Caribou County, Bear Lake, Franklin County, and the southern end of Pocatello, as proposed in L49. He indicated that worked well for them, and that even the commissioners from Bannock County supported it. He knew that it stepped on some legislators' toes, but he was there to say that they would just as soon not worry about that and do what was right, and set the districts up so that they worked. He said that if they were good legislators, they would either get re-elected or not, so he encouraged the commission to make it so that it worked for all of them. He indicated that to keep things together they would probably have to start at top and the southeast, and end in Boise to get it to work, because they were limited in population in that area. He wished the commission good luck on their process, and said he hoped that it worked out well for everyone.

**Ladd Carter**, a Bingham County Commissioner was next to testify. He said that Bingham County had their testimony on file, and the commissioners could read that. He indicated that they had not changed their minds since the last hearing, and that they would like their county to be kept whole, and with the population just under 45,000 it was a perfect fit. He said that currently there were two precincts in Bingham County that were in District 27, and the rest were in District 28. He indicated that as a member of one of those precincts in the western part of the county they kind of felt like the red headed stepchild when all of the commerce was in the other direction. He indicated that the problem they saw with L49 was that western Bingham County was extremely rural, and north Bannock County was extremely urban. He said that the area that they put together was divided by the American Falls Reservoir and the Snake River, and there was no way to connect that with the state highway without leaving the district. He urged the commission to keep them whole as that was their desire, and it looked to him like that was a fit.

**Commissioner Hansen** asked what the population base was, and **Mr. Carter** said that it was just short of 45,000, at about 44,800.

Next to address the commission was **Kerry Martin**, a resident of Idaho Falls. She said that she would like to see the commission start fresh and not accept the most recently proposed map. She indicated that she believed that if the commission followed the criteria that they stated at the beginning of the meeting, that everyone would be happy. She said that she realized that not all of the counties could stay together, however that seemed to be a very common thread.

**Dana Kirkham** was next to testify. She thanked the commission for their time and energy, and said that it was not going unnoticed. She explained that she was the President of the Ammon City Council, and that she would like to state their support of L49, and particularly for District 31 which worked very nicely for them, and kept their city whole. She indicated that it split them from Idaho Falls, but it kept them with Iona and Ucon, which were communities that were a little more like them, and it kept them with their regional sewer district.

Next to testify was **Jo An Wood**, who said that she had served with a lot of the commissioners, and she was delighted with the people that had been chosen to work out this hard problem. She indicated that she had worked through two other reapportionments, and one she had particular memories of was with **Representative Stoicheff**. She commented that he was a gentleman, and how easy he was to work with, and she thought they were going to have that experience with this board and chairmen. She said that she was speaking on behalf of District 35, and she had to say that they tried very hard to be good legislators for Fremont County and Island Park. She indicated that they loved those people up there, and they enjoyed being part of that, and felt welcome there when they were working and trying to represent them. She said that she was going to speak mainly on behalf of the other, less populated counties that were in her district. She explained that her district ran from West Yellowstone to Lowman Pass, and was 300 miles across, and it took a good length of time to commit to travel across it. She indicated that she didn't care about the travel as she loved the district, and they had so much in common. She said that they would be happy if they were to leave their district the same, as much as they possibly could. She knew that they had to include about 4,000 more people, and they would be happy to take Fremont, Madison, or Bonneville.

She thought that L49, which would take part of Bonneville County, would be a natural fit with their farmers in Jefferson County that farmed in the Osgood area. She indicated that they also had many employees that worked at the Idaho National Laboratory, and a good part of the INL was already in their district. She said if they were to divide along Highway 26, which went out to the site, then they would have the

west side of Idaho Falls, that would fit very well with them, and would leave **Senator Davis** right where he was. One other point that she wanted to make was that the reason that the other counties wanted to stay with Jefferson County, was because they had the major portion of the population for that district. However, it had been an unwritten agreement in their Republican Central Committee, that they felt that one of those other counties ought to have one of the seats in their district. So they had always done that, they either had someone from the Salmon area or the Challis area, or another part of their district, and had not kept all of the representation in the Rigby area. She said that they had tried very hard to work in a difficult situation, such as getting to meetings, but those were the reasons that she believed in L49, although she had not seen it up close. However her request would be to try to keep Lemhi, Custer, Clark, and Butte County with their county, and whatever else they could do that bordered them, and gave them the amount that they needed. She said that she was not afraid of whose seat was in question; she was just looking out for the people that had interests in common.

**Jared Fuhriman**, the Mayor of Idaho Falls, was next to address the commission. He indicated that he would say "ditto" to everything that **Mr. Staker** had said, for the most part. He said that he liked the way L49 was, as it kept them intact which was extremely important for them. He indicated that he appreciated what **Ms. Kirkham**, from Ammon said, as they work very well with Ammon, as well as with Bonneville County. Confirming that the proceedings were being recorded, he said that they would have official record that the city of Idaho Falls and Bonneville County were on the same page. He said that he liked what **Ms. Kirkham** had stated in regards to keeping their identity, and even though they worked hand in hand, and they had a lot of different issues that were similar, it didn't always equate to the same thing, as there was a difference because of the population. So he concurred that Ammon, Iona, Ucon, and some of those others, needed to continue to keep their own identity because that was very important. He indicated that he supported L49, and he hoped that the commission would consider that.

Next called was **Representative Dennis Lake**, who said that he was happy to be there. He indicated that he had just driven over from Boise, so if he looked a little disheveled that was why. He said that he just wanted to reinforce what they had already heard from his county commissioner, and that was that they were fairly adamant that the commission had some responsibilities. Number one was one man one vote, number two was keep counties whole, and number three was communities of interest. He indicated that they believed that Bingham County was a fit for one legislative district, and there were ideas and maps which had been drawn that could divide and go north on the axis of Caribou County and Bonneville County. Bonneville County would be going north, and Caribou County would be coming south, to make legislative districts that way, and would let Bingham County sit by itself.

**Sean Coletti** was called next, and had left.

**Steve Bair** was called, and had also left.

**Kevin O'Brien** was called next. He said that he wanted to ask the committee to reconsider excluding **Bart Davis** from representing Idaho Falls. He indicated that he did an excellent job, and as a Republican he was the only one he could vote for, and he would hate to have that taken away from him.

**Jackie Larsen** was next to testify. She indicated that she was retired and was at the meeting for the very reason that **Mr. O'Brien** had spoken about, and that was **Bart Davis**. She said that had piqued her interest, and she wondered why that had happened, and she wanted to come and learn more about the process. She wanted to make them aware that many of them there were very interested in the important work that the commission was doing, and they were paying attention as they had a vested interest, and they knew the commissioners would do the right thing. She thanked the commission and said that it was a tough job.

Next to address the commission was **Tim Hopkins**, who thanked the commission for scheduling a hearing in eastern Idaho. He said that it must have been obvious to them by the testimony that they had heard thus far that these issues were of great importance to them. He indicated that he was a lawyer, and he was not there on anyone's behalf, other than himself. He said that he did represent this commission at the time it was under siege ten years ago, and he had gone to the Supreme Court on behalf of the commission, in an effort to uphold the plans that they had prepared. He indicated that their work was hard, and that they were given the responsibility by the U.S. Constitution of creating districts in which one person was equal to every other person as closely as they could, within a 10% deviation, by the declaration of our own Supreme Court. Beyond that they had the obligations of our Constitution which would have them maintain counties if they could, maintain precincts, and they had a statute that obliged them to try their very best to create districts that included communities of interest. He indicated that every person that had testified before them that evening had in one fashion, or another, said to them, that the single most important component of their responsibility, in their judgment, was for them to consider their communities of interest. He said that was not something that was well defined, and as the county clerks had said to draw the lines carefully, he certainly agreed with them, as he would like to keep the clerks out of their bedrooms.

He said that the concept of communities of interest was so important to the fundamental function of this commission, which was a citizen's commission by judgment of our state. This occurred in a constitutional amendment, taking that obligation away from the legislature, that was by definition political, and putting it into the hands of people like themselves, who appeared there as citizens, as those that were testifying appeared as well. He said that it was a very important responsibility, and at the bottom of it all, the communities of interest should, within the matrix that they had to operate, control the work that they were doing. He indicated that he hadn't come to advocate one specific program over another, but he thought that if they bore that one particular guiding principle in mind, they would have done a responsible job. He said that regrettably many of the people that were not present that evening thought of the job of redistricting as a political game, and they remembered Elbridge Gerry, and the name that he gave to the process of gerrymandering. That was why they

were there as citizens, as this was not a partisan or political exercise, this was an effort in which citizens, with the interests of an entire community at heart, took upon themselves the responsibility to draw the boundaries as best they could, keeping our communities in mind.

**Dennis Sutton** was next to address the commission. He advised the commission that he was from Idaho Falls, and was **Commissioner Olsen's** counterweight, as he was the Legislative District Chair for Idaho Falls, on the other side. He said that he had been a business to business outside salesman for the last forty years and he knew more about this state, and where the outhouses were, than anyone else. He stated that he knew more about communities of interest, as he had walked the land and had been one of the boots in the field, politically. He indicated that to try to put together a campaign in District 30 was a nightmare, and had to be done away with. He said that he was already on record so he would not go over things that he had said before, but he would like to ransom Precincts 2 and 4 back into Idaho Falls, as that was where **Bart Davis** resided. He said that he was willing to offer Precincts 27, 28, 41, 42, 52, or whatever it took from the southern side of Idaho Falls as they were more compatible with the Bingham County rural population. Whereas the districts south of Broadway and west of I-15, comprised of the Skyline High School, always had a problem with the westside/eastside contention, and if they cut those two precincts off, they would fester more bad feelings in town. His other suggestion was regarding Teton County and Swan Valley. He said that Wayans, which is in the southern portion of Bonneville County, was one of two mail-only precincts. He indicated that it was that far out, and that hard to get to, just to service it for an election, and to try to expect people to drive through the wilderness out there during the wintertime was impossible. He then thanked the commission for their work.

**Commissioner Beitelspacher** thanked **Mr. Sutton** for being boots in the field. He said however, that he would like to address something that he had heard several times that evening, and that was about **Senator Davis**. He indicated that he had met the gentleman once, and had spoken to him on the phone a couple of times, and he seemed like a real gentleman. However he was going to speak for himself, and he thought partially for the other commissioners, that they were not there to play political games. He said that **Mr. Hopkins** could do all of them a great deal of good if he would visit with the press and explain about the process, and how it worked, and what it entailed. He indicated that it was a giant jigsaw puzzle and they were boxed by not dividing county lines, and they were boxed by not having the little pieces of the pie that did not come in anywhere. He indicated that he came from Idaho County, and he had spent several terms in the legislature representing over 15,000 square miles at one time, so he could appreciate what **Representative Wood** was talking about, how far it was that they had to drive, and he was also talking about going through time zones. He stated that they were not there to try to save any incumbents, and they had been clear amongst themselves about that, as they have a tough enough job just trying to stay within the parameters that the Idaho State Supreme Court had spelled out for them, the one man one vote principle.

**Mr. Sutton** said that he understood that they were squeezing Jell-O, however the wording was in there that they were not supposed to split precincts, but precincts did not have a one man one vote ruling, and they were going to be redrawn anyway after they were done. He indicated that it was impossible to keep counties whole as the numbers just didn't work, so he urged them to go with spheres of influence. He said that he wanted to replace **Senator Davis**, but it was his job to find a candidate that could generate that following.

Called next was **Mary Ellen McFarlane** who said that she was there to make a request, and to say thank you because all she had heard that evening made her feel more confident. She indicated that she was an independent voter, and for forty years she had felt that she did not really have a voice in Idaho, until recently. Now she thought they were kind of getting a voice, so she was starting to get interested in the process. She indicated that she was not going to say what she had planned on saying because it would take time, so now she was just going to say thank you, as now she was confident that they were not going to be playing partisan politics, and she appreciates that.

**Chairman Crow** thanked her for her comments, and said that was worth the entire trip. She indicated that they wanted to be as fair as they possibly could be. However when you had a state that was drawn like ours, it was difficult, and they knew it was difficult, but they had some pretty good guidelines to start with. She said that they were willing, and had committed that they would work together without too much fuss, and so far, so good. She stated that they were really committed to that, and they wanted what was best for the State of Idaho. If candidates got squeezed out somewhere, like someone there had said, if they were really a good candidate, they could win anywhere. **Chairman Crow** said that she had done that, as she had lived in the same house for twenty three years, and she was in three different districts. She said that sometimes it was good to have to hustle, as it made a better Representative or Senator out of you. She thanked the audience for coming, and said that she was amazed by how many of them came to learn and to speak, and just to show up. She said that she was amazed at how many of them want to get involved, and with that she said good night and god bless.

There was then some discussion about another sign in sheet, and **Chairman Crow** asked if there was anyone else that wished to speak.

**Lin Whitworth** was next to testify. He said that he lived in south Bannock County, and was the person that sued the last time because he felt like they were violating the "don't split the counties" guideline. That was because they had exactly the number of people in Bannock County for two districts, and they wanted to split them off, and he was afraid they were going to do the same thing again. He indicated that in south Bannock County they had a lot of agriculture, and a lot of labor from Pocatello, so they had a mix. He said that if they split off the Democrats in south Bannock County with the five counties in south eastern Idaho, then they would never have another Democratic representative. That was the fear of a person like him, who was a railroader for forty two years, a union man and also a farmer. So that was a concern for him, and he asked the commission to keep that in mind.

Next to address the commission was **Laverne Beech**, the Public Affairs Manager for the Shoshone Bannock Tribes, who said that she was there representing the tribes. She indicated that they had submitted formal testimony to the previous commission, and their position basically remained the same. She said that it could look like a jigsaw puzzle in terms of putting all of the pieces together by county, and

then the reservation cut across four different counties, so historically they had been split up into various districts. She indicated that hadn't been something that the tribes had taken a real interest in until recently, and it had just been in the last couple of years that the tribes had worked hard to increase their presence in state affairs. They had also worked to educate their legislators, and their state leaders about who they were, and how they were the same as other tribes in the State of Idaho, and how they were different from other tribes. She said that the Fort Hall Reservation consisted of 550,000 acres, and was established under a treaty that was signed with the U.S. Government in 1868.

According to the 2010 census they were between 8,000 and 9,000 in population, and were pretty much evenly split between Indian and non-Indian on the reservation. The membership of the tribe was about 5,500, and about 75% of the tribal members lived on the reservation. She said that most importantly the land base of the tribe was 98% owned by the tribe or tribal members. Part of their challenge was that they had been cut into three different voting districts. She explained that no one lived on the reservation in Caribou County, so they were basically split between Power County, Bannock County, and Bingham County, so they really struggled with voter apathy and getting people to take an interest in voting in state elections because they didn't feel like their vote counted. It is their feeling that if they could be put into one district, and the reservation be made whole, they would have a better chance at getting people interested in participating in the state voting process. She said that they knew they did not have enough population to be one district, but they felt that they were more closely aligned with the voters in the north Bannock County area. That was not to say anything negative about Bingham County, as they had some Bingham County representatives there, and she wanted to acknowledge the efforts that they had made to sit down and to work with the tribes, but the reservation would like to be kept whole, and be included with northern Bannock County. She said that they felt that the tribes and the reservation were an obvious cultural and ethnic community of interest.

**Ralph Mossman**, from Teton County, was next to testify. He said that somehow people had decided that communities of interest meant that all rural counties were the same, and that they were really very different. He said that they went to Rexburg and Idaho Falls to do their shopping, and they were very different from the counties that they had been with for the last ten years, which were Franklin County, Caribou County and Bear Lake County. He indicated that they had some things in common with them, but they had much more in common with some of the cities which they commuted to, than they did with cities two hundred miles away. He asked that the commission look at the rural counties and where the people were commuting to. He said that he knew that a lot of the people in the cities did not like the idea of having part of their city attached to a county, but in Teton County that was the only way that would work for them. He indicated that the previous commission had come up with a couple of plans that were all right for Teton County. One was L49 that put them with Fremont County and eastern Bonneville County, and another one put them with eastern Madison County which was also appropriate for them. He indicated that he was sent there with a group of maps from their county commissioner, who could not be present. He said that his county commissioner had gone to a meeting with other county commissioners and they had come up with a plan for eastern Idaho, and he hoped the commission would look at that seriously. He said that he was a candidate for the legislature in the last election and had walked a lot of District 31 from Teton County down to Franklin County, and had talked to a lot of people. He indicated that a lot of rural residents in the five counties were very disconnected from state government, and he thought part of the reason that happened was because the districts were so enormous, and disparate that they could not connect with some of the legislators. He also thought that if they tried to keep the districts a little smaller, and really focus on communities of interest, they would find that more people would be involved in government. He said that it didn't matter if they were Republican or Democrat, their goal was to get the best legislators they could, and they could get that when they had voters that were not apathetic because they felt connected to their legislators.

**Chairman Crow** indicated that she had called **Mr. Mossman's** name, and someone had said that he had stepped out.

**Commissioner Olsen** said that she would like to speak for the commissioners, and on behalf of eastern Idaho they welcomed them, and she was sure that they could sense the vitality and the work ethic that they had in that part of the state. She also asked the commissioners to come back when they could stay longer.

**Chairman Crow** said that she wished to thank whoever was responsible for providing the great venue that evening. She said that everyone had been very nice, and she thanked Idaho Public Television for their part in getting the word out, and she thanked the audience for coming. She indicated that to come out on a night like that, or any night for that matter, was what America was all about, and Idaho was the best part of America. She said that she hoped the audience had gleaned some information, as the commission certainly had, and that they would keep in mind all of things that had been discussed. She indicated that they could not please everyone, and they did have to follow the law. She asked everyone to be careful on the way home, and thanked them again for coming.