



Idaho's Citizen Commission for Reapportionment

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

Phone: (208) 334-4740
E-mail: redistricting@redistricting.idaho.gov
Web site: www.redistricting.idaho.gov

Coeur d'Alene Public Hearing
October 6, 2011
Coeur d'Alene City Hall
6:00 p.m.

Chairman Beitelspacher called the meeting to order at 6:00 p.m. He introduced himself and welcomed everyone to the hearing. He advised the audience that this was the 16th Public Hearing of the Commission, and was the second hearing in Coeur d'Alene. He explained that one of the commissioners, Commissioner Sheila Olsen, from Idaho Falls, was unable to attend, and would be listening to the meeting. He advised that the present commission had adopted all of the testimony presented to the previous commission, so that information was before this commission as they tried to do the job before them. He informed the audience that this was a constitutionally established body, and was charged, after the 2010 census, with drawing new congressional and legislative districts for the entire state. He stated that the commission would be successful, as they were working well together. He said that once the plan was adopted, it went to the Secretary of State, and the Secretary of State would send it on to both houses. There it is spread upon the pages of the journals in both the House and the Senate. He explained that the legislature does not have any oversight over the product of the commission, and that the Idaho Supreme Court was the body of original jurisdiction for any product which they produced, and for any court case that may stem from it. He said that the commission was guided primarily by one man one vote, given to them by the U.S. Supreme Court, the U.S. Constitution, and the mandate from the Idaho State Constitution, as well as Idaho State Supreme Court case law that says *thou shall not split counties unless absolutely necessary*.

He then said that it was his pleasure to introduce his fellow commissioners: **Commissioner Elmer Martinez** from Pocatello, **Commissioner Shauneen Grange** from Ada County, **Commissioner Randy Hansen** from Twin Falls, and, as he had said before, **Commissioner Sheila Olsen** from Idaho Falls, who was not able to attend that evening. He then introduced his Co-Chairman, **Commissioner Dolores Crow**, who he said had been a gem to work with, and they had been sharing the duties of co-chairing the commission in a marvelous friendly fashion. **Chairman Beitelspacher** then introduced the staff starting with **Todd Cutler**, the GIS mapping expert. He explained that **Mr. Cutler** had put the Redistricting Commission's website on the screen, and suggested that the audience note the web address, or if they just wanted to Google the Idaho State Legislature, they would find Reapportionment on the bottom of the left hand column. They could then click on that, and there they would find almost everything including the agendas for the meetings they had, the agendas for the future, the planned meeting times, the scheduled hearings, and they could take the opportunity to listen to any of the hearings if they wished. He then introduced **Cyd Gaudet**, the administrative assistant to the commission. He explained that if anyone wanted to provide written testimony, or receive updates on the commission's activities, they could obtain her contact information after the meeting, and she would make sure that they got onto the mailing list. He next introduced **Keith Bybee**, who he explained had a pretty tough job as he was their ringmaster, their scoutmaster, their mother hen, and he was busy herding them like a bunch of cats.

Chairman Beitelspacher said that he wanted to express their appreciation to the city of Coeur d'Alene for hosting them and allowing them to utilize the facilities. He also thanked **Dave Thomason** from Idaho Public Television for all of his help, as well as **Ricardo Ochoa**, also from Idaho Public Television. He said that he wanted to express his gratitude to them individually, as well as Idaho Public Television in general, for making the proceedings available for others to observe. He explained that they had a public hearing in Idaho Falls the prior evening, and they had flown into Coeur d'Alene rather late, and they would be leaving even earlier the next morning to get to Boise for their third and final public hearing of this series. He said that they would begin their public meetings and continuing work starting the next Tuesday in Boise, in the Senate Majority Caucus Room at the State Capitol Building. He indicated that if there was anyone that wanted to observe them further, they would have that opportunity to do so. He said that **Mr. Bybee** had the sign-up sheets in the back, and if

someone came in and wished to testify to please make sure that they put their name on the sheet, so no one was overlooked in the process. He indicated that they wanted to make sure that everyone had an opportunity to be heard, so they were asking that they limit their testimony to five minutes. In the event they were done, if there was more to be said, and others had not availed themselves of that time, and it hadn't already been stated, then they certainly didn't want to close out any testimony. But they wanted to make sure that everyone had the opportunity to be heard. He asked that the speakers please go through the chair as if it were a legislative hearing. He also asked that when they testified that they identify themselves, their position if they had one, such as a county commissioner, or if they were there representing anyone, so they had that for the record, as all of this would be available for the courts, if needed, in the future. He indicated that the commission wanted to hear what they had to say, even if it was just about how government ought to be working, but their parameters were one man one vote, to keep the counties whole, and to maintain communities of interest. He said that they may have things to tell them about demographics, or geography, but to please keep in mind the mandates of one man one vote, and don't split the counties, as that was pretty much what kept them in line.

First to testify was **Susan Petersen**, the Latah County Clerk, from Moscow, Idaho. She said that their county commissioners could not attend that evening; however, they asked her to read the following statement into the record:

The Latah County Board of Commissioners wish to once again express their support of keeping Latah County whole during the redistricting process.

We feel that keeping our County whole is important in maintaining representation that knows how important education, forestry and agriculture are to the citizens of Latah County. Dividing Latah County and the City of Moscow would allow for a Representative to be elected who does not reside in Latah County. Citizens of the City of Moscow, and especially our rural area and Cities: Potlatch, Troy, Deary, Bovill, Harvard, Viola, Onaway, Genesee, Juliaetta, Kendrick and Princeton would not be fairly represented.

The Board of Commissioners encourages the Committee to consider pairing Latah County and Benewah County as a district. Thank you for your consideration.

Secondly, she said that she wanted to make a statement, not as a county commissioner, but as the County Clerk for Latah County. She said that she was the elected county clerk and administered the elections in Latah County, and had held her position for 20 years. While she understood there was a population criteria, it might not necessarily be in the best interests of the citizens to split the city of Moscow. Their rural cities and communities were very important to the dynamic of their county, and very much part of their county community, and they would like to remain whole. She said that it was important for the persons in their county to be familiar with their elected officials, which they currently were, as currently their whole county was just one district. She indicated that they wanted someone who was familiar with their county, they wanted a person who resided in Latah County to be their elected representative. Those would be people they might see at the school, they may see them at the supermarket, or at an athletic event, or just on the streets of their community. Depending upon how the splits went they could end up with a person that was not from their county, and she did not think that was in the best interests of their citizens.

Lastly, she said that she had been asked about plan L83, and she went to website to look at it, and there was no detail, and she could not tell where the boundaries would be. She said that she thought that it might be better than dividing the city of Moscow, but she could not read it. She also said that depending on how the split went, it would be very difficult to administer the elections if their cities were split.

Chairman Beitelspacher suggested that she visit with **Mr. Cutler** after the meeting, and he could help her take a look at the plan. **Mr. Cutler** explained that they could look at the plans on the website, but those were only quick snapshots and there was not a lot to zoom in on. However they could also go to the Maptitude website and log on as a user, and there they would share all commission submitted plans. He said that they could log on as a user, as if they were going to draw a plan, and then they could go ahead and create a plan, for example from L83, and then they could zoom in and see all of the details. He indicated that if anyone needed help on that, his name was on the website, and they could contact him and he would be glad to walk them through that. **Chairman Beitelspacher** thanked **Ms. Petersen**, and said that clerks had a difficult job in the elections, and although commissioners did not like to hear it, that he always felt that clerks kind of ran the county.

Don Ebert was next to address the commission. He said that he didn't mind hearing that the clerks ran the county, because it was true. He indicated that he appreciated the difficulty that the commission was faced with, and he was going to assume that they were fair people, because he knew that they were chosen because of their reputation of fairness. He said that he was sure that it would be easy for them to make everyone happy. He indicated that he was from Clearwater County, and was the Chairman, and to get there he had driven through Nez Perce County, Latah County, Benewah County, and now he was in Kootenai County. He said that he was about three and a half hours from his home, and if he was from Riggins he would be five and a half hours from home. The most troubling thing to him was the suggestion that maybe Clearwater County would be included with parts as far as Bonner County, as that made a district that was a five and a half, or six hours drive, from one end to the other. To him that was unpalatable as Shoshone County and Clearwater County had a nice long boundary between them, but if they were familiar with that country at all, there was no road, and no way to get there from here, so to speak. So even Clearwater and Shoshone County were quite a ways away, geographically, but that would be more palatable than Bonner County. He said that he did not have the solution for them, but he would encourage them not to use their last little part of the state to balance the rest of the state. He indicated if the commission would start at one end and work it out, and then start from the other end and work it out, and then mix and match Clearwater, Idaho, Shoshone and Latah Counties together to create the balance, he was concerned that

would not be fair to them. He said that he was sure that was about the same thing that everyone was going to say, to worry about them first, and he appreciated that, and whatever decision they made, he knew it would be fair. He indicated that he was a Democrat, and on the way up to the meeting he had called the Chairman of Idaho County, **Skipper Brandt**, who was a Republican, and they were on the same page, that they both felt that Idaho and Clearwater Counties, and probably Lewis County, should be together. From there, he said if they took the rural part of Nez Perce County, that would be one nice district. He asked the commission not to make their district too big lengthwise, and if they could, to preserve their rural nature, as they were very rural, and no urban to speak of. He said that he appreciated them listening to him, and he had faith that they would do the best they could, and to please not use them to balance the north with the south.

Chairman Beitelspacher said he had heard that **Commissioner Brandt** had expressed his concern about that, and that the magic number was 44,788, or roughly 45,000. He indicated that if they took Idaho, Clearwater, and Lewis County, they were still short. He said that he lay awake at night, as he was right there in Grangeville, and had represented all of that area for many years. He indicated that at one time his representation went clear down to the Ada County line, so he understood what was involved in driving those distances. He encouraged **Mr. Ebert** to avail himself of the Maptitude system, and to keep in mind the Supreme Court cases, and that four of the justices who wrote the decisions were still sitting there. They had said very clearly that they could not come into a county, like they used to do when they went into the Lewiston Orchards, and use that to balance it all up to make sure that everyone was whole. He said that they could not do that as the Supreme Court would hold the plan unconstitutional, and they would have to go through the process all over again at great expense. He suggested that **Mr. Ebert** sit down with **Commissioner Brandt**, in front of the computer, and put something together. He indicated that they heard the same thing in Idaho Falls, that they had to keep Power and Cassia together, but then what would they do with all of the folks on the Wyoming line. **Commissioner Beitelspacher** said that we had the most open reapportionment process that there was in the United States, and he urged them to figure out how they could make a district that had 45,000 people in it, and didn't cut county lines, and he would make sure that they all took a look at it and gave it serious consideration. **Mr. Ebert** said that he did not know if they would be able to do that without splitting a county somewhere. In conclusion, he said that he appreciated what the commission was up against, as it was difficult job, and he was glad that it was them and not him. He thanked them and said that he had confidence that they would do the best they could do, and that was all they could ask.

Next to testify was **Jon Ruggles**, from Wallace, in Shoshone County. He indicated that he was in opposition of map L83, as well as L13, which had the same configuration. He said that as he went through the maps, he came to the conclusion, as a Democrat, that he agreed with the Republicans on L62, which tied Shoshone with Kootenai County, that it was a far superior map. He indicated that L62 was an effort to address the issues in northern Idaho, and it seemed to fit the bill. He indicated that in northern Idaho they had issues of commerce, and the commerce they had went from east to west, not from north to south. **Chairman Beitelspacher** pointed out that there had been over 90 plans that had been submitted to the commission, and that they were looking at all of them, and parts of all of them, while they tried to solve the rubix cube that they had in front of them. **Mr. Ruggles** said that the fact that they had to have 43,000 individuals in a district was just, but it was not fair, as they were going to disenfranchise a group of people as it was a six hour drive from one end of the district to the other. He indicated that L62 was far superior in terms of commerce, and the way that the roads ran back and forth. He said that miners in Shoshone didn't know anything about farming and he was pretty certain that there was not much down there except for wind and farmers, and **Commissioner Beitelspacher**. He indicated that they had to understand that they had to have some level of cohesiveness in the rural culture which they were involved in.

Commissioner Hansen said that one of the challenges they had, as far as he could see it, was that L62 divided county lines four times. He indicated that the commission's major mandate was to keep counties whole, and if he wasn't mistaken, L62 split Kootenai, Benewah, and Latah, and that was a part of the challenge that they had. The other part of the problem was for them to get the population base, they either had to go into Moscow or into Coeur d'Alene, and steal part of that population, which took them over county lines, or they had large districts. He asked if anyone could comment on that, as that was the challenge they had when they looked at maps such as this one. **Mr. Ruggles** then went to the map projected on the wall and described the geographic connections in the northern area. **Chairman Beitelspacher** said that it was probably the first time that this had been done in a public hearing, but he gave the audience a scenario that they could all address together. He said for example that someone lived in Lemhi County, and didn't want people to go north and south; they wanted them to go east and west. He asked what then happened to the senator from McCall, and how did he get over to the people in Lemhi County. He said that when they drew the maps, they had to draw a little more than a specific area, because it was like a balloon, when you squeezed it in one place, it popped out somewhere else. So he urged the audience, when they drew their maps, to take a look at what it did to the rest of the state.

Representative Harwood, from District 2, was next to address the commission. He indicated that in map L83, the way his district was drawn, there was no way that a legislator could serve effectively in that district. He said that they had passed a bill that said they had to have a major highway going from one end of a district to another, without going through another district, and in L83 it did not have one. He indicated that for him to serve Riggins would take him three and a half to four hours to get there, to go to an hour meeting, and then up to four hours to get back. He said that **Senator Broadsword** had asked him to say, for her, that she would hope that the committee would not split cities as in L83. He indicated that L83 would not only split St. Maries, the town, but would split one precinct in half. He indicated that the plan that he and **Senator Broadsword** could support was L82, as it kind of kept everything intact. He said that the district that he served now was gerrymandered, as on the southern side, when he went up to Clark Fork, he had to go through District 5, District 3, District 1, and even District 4, to get to the rest of his district. He explained that the Clark Fork River split the town of Clark Fork in half, and one side belonged to District 1, and the other side belonged to District 2. He said that it was about 100 miles that he had to go, outside of his district, to serve just a couple of people, and he urged the committee to look at those sorts of things closely, and when they saw something

like that, to move it into the other district. He also said that previously there had been a lot of gerrymandering that went on to accommodate someone that wanted to be in one district or the other, and he asked that the commission not do that.

He noted that he had not complained about using the reservation as a boundary ten years before, and he wished that he had. He thought that the law said that they had to use a visible highway or road, and the reservation boundary just went over the mountain, and it was hard to know exactly where it was. So he thought that the commission needed to use a creek or a highway, which would be more understandable than the Coeur d'Alene Reservation as a boundary. He stated that he was in favor of the plan that was basically L34 to begin with, and was put together for all of the five districts in the north, as the numbers worked well, and there was very little crossing into counties. He indicated that he appreciated the work that the commission had to do, and that no one was going to love them for it, but you had to love **Commissioner Crow** no matter what happened.

Commissioner Hansen said that he wanted to speak plainly, and he wanted them to know emphatically that they did not know where the Representatives and Senators were in the state, and they did not care. He indicated that their focus was specifically on complying with the law, and putting together the best they could for the State of Idaho. He said that **Chairman Beitelspacher** had laid out very succinctly what their charge was, and he wanted it on the record that his experience with the commission was very much in line with what the Supreme Court had said they should do. He indicated that there was no gerrymandering, and they were complying with the law.

Representative Harwood said that when he was serving in District 7, when he first got elected, there was a community in his district that he could not get to, from Idaho. He indicated that he had to go to Missoula, and come back to Idaho to get to that little community, and that made it tough and he felt for them. **Commissioner Hansen** said that they had the exact same testimony the prior night, and there they had to go through Wyoming. **Commissioner Crow** said that she wanted to say that, of any commission that she had been on, that this was the hardest-working. They also got along better, and were dedicated to do it the legal way, and when they started to look at anything it was with blinders on, as they saw nothing but the map, and the roads, and the way that our Constitution said that it must be divided. She indicated that was kind of hardnosed, but that was the way to stay out of court, and that would save a lot of money and time. She said that she thought that everyone there would agree that they were dedicated to doing it the legal way. **Chairman Beitelspacher** said that he wanted to echo everything that his honorable co-chair and **Commissioner Hansen** had said, that there would not be a ranch put on one side of the line just because someone did not like the representation on the other side of the line. He said that he didn't know where anyone lived, and he didn't care where they lived. He indicated that they had a difficult enough job doing what they had to do, much less worrying about some legislator who may not run again, as it was a foolish waste of time and was going to land them in court. Then they would have to do this all over again, and it was going to cost the people money.

Next called to testify was **Al Hassell**, who welcomed the commission to Coeur d'Alene. He said that he had been on the Coeur d'Alene City Council for over 20 years, and had been involved in the community for over 40 years. He indicated that he had a letter that he wanted to read from the city of Coeur d'Alene, from the entire council and the mayor:

Welcome to Coeur d'Alene, and thank you for holding hearings in North Idaho to go with the many hours of effort and work you will put into performing this constitutionally mandated redistricting effort.

According to the 2010 United States census, the population of the State of Idaho increased by 273,629 people, or 21.1% since the 2000 census for an official 2010 U.S. census total population of 1,567,582.

The same census showed the population of the City of Coeur d'Alene increased by 9,622 people or 27.9%, since 2000, for an official total population of 44,137. Coeur d'Alene grew at a faster pace than the overall State of Idaho for many good reasons, among them a healthy business climate, a beautiful place to live, a caring community, and hard work among the citizens to make Coeur d'Alene a desirable place to call home.

As you well know, after every such decennial census, state and federal law requires each state to adjust the boundaries of its legislative and congressional districts to account for the population changes that have occurred over the previous decade. This process is in order to ensure equal representation, also referred to as the principle of "one person, one vote".

After the 2000 census, for the first time in Idaho history, due to an amendment to the state's Constitution passed by the Idaho voters on November 8, 1994, a bi-partisan commission of six appointed citizens rather than the Legislature redrew legislative and congressional district boundaries.

The redistricting guidelines specifically state that legislative districts should, as much as possible, preserve communities of interest and traditional neighborhoods. There is no more clear a definition of a community of interest, including many traditional neighborhoods, than a city.

According to the 2010 United States Census, the population of Idaho divided by 35 legislative districts, which we have had for the last ten years, leaves a perfectly divided district population of 44,788. Quite coincidentally, but also very fortuitously, this number is almost exactly the 2010 population of the City of Coeur d'Alene at 44,137.

This makes your work in our county quite easy, in that keeping Coeur d'Alene whole in redistricting is not just sensible, it is almost mathematically perfect.

Idaho's first Commission on Redistricting (which included Coeur d'Alene businessman and former legislator Dean Haagenson) did an exemplary job of "keeping cities whole" to the maximum extent possible when it redrew the state's legislative district boundaries after the 2000 census. He added that at that time Coeur d'Alene was put into three districts due to the population base, and he did not think that was necessary this time.

Your predecessors on Idaho's first Commission on Redistricting did not fragment cities unnecessarily into multiple legislative districts. Examples where they kept cities as communities of interest whole include District 4 and the City of Coeur d'Alene, District 6 and the City of Moscow, District 7 and the City of Lewiston, District 10 and the City of Caldwell, District 12 and the City of Nampa, District 14 through 19 and District 21 and the City of Boise, District 20 and the City of Meridian, District 24 and the City of Twin Falls, District 28 and the City of Blackfoot, District 30 and the City of Pocatello and District 33 and the City of Idaho Falls.

We in Coeur d'Alene, as with many cities around the state, once again feel it is vital to keep cities whole to preserve traditional neighborhoods and communities of interest and provide for proper one person one vote representation in the State Legislature.

So today with our signatures below the elected Mayor and Council of the City of Coeur d'Alene urges the 2011 Idaho Commission on Redistricting to adopt a policy of keeping our city, and all of the state's cities, whole as it adjusts legislative districts boundaries to account for population changes that have occurred since the 2000 census.

He indicated that the letter was signed by the entire city council, and the Mayor, as well. **Chairman Beitelspacher** said that if he were to summarize **Mr. Hassell's** remarks, that the city of Coeur d'Alene had enough people for a district, and they wanted one. **Mr. Hassell** indicated that was correct.

Helo Hancock, the Legislative Director for the Coeur d'Alene Tribe, representing the Tribe, was next called to testify. He explained that he had testified before the prior commission. He thanked the commission for conducting the hearings, as he thought it was very important for the public to have their voice in this important process. He also said that they gave them their condolences as this was a very challenging thing, as they had all witnessed, and it was not an easy feat, so he wished them the best of luck. He said that they wanted to provide their comments on the process as it affected the Coeur d'Alene Tribe. He indicated that a theme that they had heard from others was the importance of communities of interest, which he thought was the second criteria in the statute, which was keeping neighborhoods and communities of interest together. He indicated that in his previous testimony he had said that it was their preference that the Coeur d'Alene Indian Reservation be kept whole, and that it be joined with a legislative district in Kootenai County. He said that the reason for that request was that they felt their reservation community was most similarly situated with the community of interest in Kootenai County. He indicated that many of them had probably heard of the Cataldo Mission, which was the oldest building in Idaho, and was one of the most historically important buildings in their culture, and was located in Kootenai County. He said that the Spokane River was historically their summer and wintering grounds, and Kootenai County had always been one of the most important, culturally geographic areas for their people. He indicated that they contributed significantly to the community with public transit, they met regularly with the County Commissioners, and they were linked with I-95. He said that in years past the tribal members didn't always come to Coeur d'Alene to shop; however, with I-95 as good as it was, that was where their people now came to do commerce and to shop. He pointed out that the Coeur d'Alene Tribe was the largest employer in Kootenai County with almost 2,000 employees, with many of those at their casino which was located in Kootenai County. He said that 60% of their employees were not Indian, and they did not always live on the reservation, like him, who lived in Coeur d'Alene and commuted to the reservation for work. He said that the tribe had a very significant and important interest in Kootenai County, and they felt that there was truly a community of interest that met the definition and the intent of that provision in the statute.

He said that their recommendation was that the reservation be kept whole, and that it be joined in a district with Kootenai County, and there were not any maps, that he had seen, that accomplished that. He indicated that the map that came the closest to something they were supportive of was L64, for the seven northern districts. He said that L64 was a map that kept counties whole, which seemed like one of the themes of the commission; however, it did split the reservation. He indicated that there were some emails sent to the prior commission, which were not sent on their behalf, but that alleged that splitting the reservation was a guaranteed lawsuit from the Coeur d'Alene Tribe, and he could assure them that was not the case. He said that L64 split the reservation to the north and to the south, however it kept some representation from the northern part of the reservation that was in Kootenai County with a Kootenai County district, so of the maps he had seen that was the one that they liked the most, but it was not necessarily their preference. **Commissioner Hansen** asked where the majority of the tribe's population was located. **Mr. Hancock** said that the majority of the population on the reservation was located on the I-95 corridor, on the western side of the reservation in the communities of Worley, Plummer, and DeSmet. He indicated that there were roughly 10,000 residents on the reservation. He explained that to the east, the majority of St. Maries was off of the reservation; however there was a small piece on the reservation. **Commissioner Hansen** asked, in the interest of keeping counties together, if the tribe would be alright with a split such as **Mr. Hancock** had described in L64. **Mr. Hancock** said that they were all right splitting the reservation like that, and that was one thing that he wanted to clarify, as it was represented to the prior commission that it wasn't all right, and would be a guaranteed lawsuit, and that was not the case. **Chairman Beitelspacher** asked if the boundary followed the Benewah, Kootenai County line. **Mr. Hancock** said that he thought that it did. **Commissioner Martinez** asked what the population split was in each section of the reservation. **Mr. Hancock** said that he would guess that it was 35% in Kootenai County and 65% in Benewah County. It was then discussed that there were 5500 people on the portion of the reservation in Benewah County, so **Mr. Hancock** said that it was probably more like 45% in Kootenai County, and 55% in Benewah County.

James McMillan, from Wallace, was next to address the commission. He stated that he was there as a concerned citizen, and in the interest of full disclosure he was **Representative Shannon McMillan's** son, but he was speaking only on his own behalf. He said that this was probably one of the few times that he agreed with **Mr. Ruggles**. He indicated that the previous commission was faced with two competing plans, there was the one that was currently L82, which started out as L34, and the Democratic commissioners were promoting a plan that would have Shoshone County connected with Clearwater and Idaho Counties, and still keep the tongue of Bonner County. He saw that the previous commission came out with plan L83, which appeared to take into consideration the criticisms of both of the plans. The criticism of the Republican plan was that it unnecessarily split counties, and the criticism of the Democratic plan was that it created unwieldy, gargantuan districts. In proposing L83 it appeared that the previous commission took into account both of those criticisms, and gave them a District 7 that was both a gargantuan, unwieldy district and unnecessarily split counties. As **Representative Harwood** had stated, it split the city of St. Maries in half, and connected Shoshone County with Clearwater County and Idaho County. He said that he lived in Wallace and had been to Riggins and Grangeville and those places, and that drive took several hours, going over Fourth of July Pass, Lewiston Hill, and White Bird Pass, and was quite a journey to get from one end to the other. He said that there were really no historical connections, no community of interest, and the only historical connection that Shoshone County had with Clearwater County was that 150 years ago the county seat for Shoshone County was in Pierce.

He indicated that this commission was bound by the constitutional and by the statutory guidelines. The constitutional requirement was that they try to avoid splitting counties as much as possible, and the statutory guidelines also required that communities of interest be maintained, and that the districts be connected by highways. He said that he would submit that until the Idaho Supreme Court declared the statutory guidelines unconstitutional, that the commission should try to reconcile the provisions as best they could. He suggested that it was L82 that best did that. He said that we are an oddly-shaped state, and up north they were in a bottleneck, and unless Canada was willing to cede them the regional district of east Kootenai, or Montana was willing to give them Sanders and Mineral County, unfortunately splitting counties was a fact of life in the northern panhandle. Taking into account trying to avoid splitting the counties, and the statutory guidelines, L82 best accomplished those two goals. He said that L82 connected Shoshone County with Rose Lake and Cataldo. He indicated that part of Cataldo was in Kootenai County and their children were part of the Kellogg School District. He also thought that part of their fire protection came from the fire district that was based in Kellogg. Further south in Shoshone County along the St. Joe River, the people there did their shopping, and their business in St. Maries, and their children went to school in St. Maries. He said if they wanted to go from Avery up to Wallace they had to go through Benewah County, and the southeastern corner of Kootenai County, so those were clearly maintaining communities of interest under the statutory guidelines, in L82. Further south into proposed District 5 it attached Benewah County to northern Latah County, which made a lot of sense.

He said that, having gone to the University of Idaho for an undergraduate degree and his Law Degree, he was quite familiar with the road and the territory between Wallace and Moscow, and Latah County, and he could tell them that northern Latah County and Benewah County had a lot in common. They had an agricultural economy, and in the eastern part it was mostly a timber-based economy. In having spent seven years in Moscow and being a little politically involved there, he could tell them that rural Latah County and the city of Moscow were worlds apart. He said that rural Latah County had a lot more in common, and was more of a community of interest with Benewah County and southeastern Shoshone County, than with the remaining areas. **Mr. McMillan** said that he had submitted an email to the previous commission in support of the plan that was now L82 and he hoped that the commission would consider it, and he hoped that the commission would consider the realities of representing such a district as the proposed District 5 in L82, versus the proposed District 7 in L83.

Next called to testify was **Gresham Bouma** from rural Latah County. He thanked the commissioners for this opportunity, and indicated that when the previous commission had met in Moscow that quite a few of the rural residents of Latah County had indicated that they were a community of interest with other rural interest residents in Benewah County. He said that he was there that night to support one of their maps. He indicated that it was unfortunate to take the narrow part of Idaho and divide it lengthwise, and that it made no sense to him to make an ultra tall district that they had to go in and out of to get from one end to the other. He said that some of the more recent maps had done that, and he thought that the districts should be as geographically cohesive as possible, and he thought that L82 did that better than any other map. He indicated that it did separate Moscow from the rest of rural Latah County, but they had a lot in common with the rural residents of Benewah County and Shoshone County as they tended to make their livings the same way and valued some of the same things. He said they would not find them protesting in the streets when the mega loads came through, because they knew that they needed the gas and oil to survive, as they made their living using the fuel, and they absolutely needed it. He said that the people in Moscow didn't seem to understand that, and they seemed to want to do anything they could to make it more expensive for the oil companies to do business. He indicated that mostly he wanted to express concern about the big tall district, that itself may not have been gerrymandered, but seemed to indicate other gerrymandering going on around it, and that created a district that was unwieldy. He said that L82 avoided that, and if someone didn't know anything about the political interests, he thought they would choose L82.

Chairman Beitelspacher asked **Mr. Bouma** if he lived in eastern Latah County. **Mr. Bouma** said that he lived a little north of Moscow, and pointed out that one of the maps split the eastern portion off from the rest of it, and there was really no separation in terms of community of interest there. He said that if they did take Moscow, and put it with Lewiston, there was a community of interest that made sense to them. He said that it was really unfortunate to divide the cities themselves, and it would avoid that, and it minimized county splits overall as well. He indicated that by just looking at the maps you could see what was going on, and when the map got oddly shaped it indicated that someone was playing politics, as one of the prior commissioners had admitted by saying that he wanted to preserve influence in the part of the state where they had it.

Bonnie Douglas was next to address the commission. She said that she lived in Precinct 50 which was attached to Coeur d'Alene. She indicated that she could walk to her house from where the hearing was taking place, and she asked the commission to include her precinct as part of Coeur d'Alene. She pointed out that there were two incorporated areas, Armstrong Park and Ferdinand Circle, which she asked the commission to include as part of Coeur d'Alene. She said that she also agreed with the concept of keeping Coeur d'Alene whole.

Next to address the commission was **Representative Ringo**, who thanked the commission for taking on this chore. She said that she was happy to hear what their priorities were as it was important to have counties and communities of interest together, and she thought it was important to ignore where the politicians lived. She indicated that obviously there were going to be some changes in the districts, and that was going to require an election in 2012 that would put people in Boise that would appropriately represent the interests of those districts. That would also require the forging of new relationships, and that was always a nice opportunity. She said that she liked the direction that the commission was going, and that looking at it from a representative's view, that community of interest was important because they liked to minimize the situations where any vote they made was going to make half as many people angry, as happy. She indicated that she had three letters with her to represent, one was hers, one was from the city of Moscow, and one was from the County Commissioners, and they all pretty much said the same thing. She said that it had been something of a dream to have Legislative District 6 be exactly Latah County because it afforded her the opportunity to work with the County Commissioners, the County Prosecutors, and the County Clerk to find out what was important for her to do, in Boise, to represent the interests of their county. She indicated that the University of Idaho was the backbone of Latah County, as it provided over half of the employment, and there were individuals in all of the small communities, throughout the county, that worked at the University of Idaho and came to Moscow regularly for their jobs.

She indicated that the mayor had signed a resolution indicating what the city of Moscow would like to see done, and since it was a resolution there were a lot of *whereas* which she wouldn't read. However she said that a common thread, beside the fact that they wanted to have Latah County whole, was that they did have to grow as they did not have enough people anymore, and they would like to bond with Benewah County. She said that the resolution pointed out that they were connected with Benewah County by a recently improved highway; that the University of Idaho, within Latah County and Moscow city limits had a strong working relationship with a community of interest in the Coeur d'Alene Tribe; that the Idaho Horizons Program and Building Sustainable Communities Initiative established the name, "Better Together", to refer to their partnership with that community;, and that in 2010 the University of Idaho earned the Outreach Scholarship/W.K. Kellogg Foundation Engagement Award for the Western U.S. Region, and was one of five national finalists for the C. Peter Magrath University/Community Engagement Award, for its partnership with the Coeur d'Alene Tribe and the Benewah County communities of Plummer, Tensed, and DeSmet. She indicated there was more in the resolution, and it was signed by the mayor. She said that she attended the meeting where they discussed the resolution, and the vote was not unanimous, although the dissension came pretty much from whether it was appropriate for the city council to communicate with the commission on this issue, but most people thought that it would be. She indicated that **Susan Petersen**, their County Clerk, had already represented to them that the County Commissioners would like to have Latah County whole, and would like to explore bonding with Benewah County as a legislative district, and she could safely represent that they would embrace getting as much reservation land there and enjoy forging that relationship with the Coeur d'Alene Tribe.

Nancy McAninch from St. Maries, in Benewah County, was next to testify. She said that she pretty much agreed with **Mr. Bouma** and **Mr. McMillan** in requesting that the commission bring L82 back into consideration. She indicated that L83 was totally unworkable as the long district would make it impossible for representation. She said that she was not in politics, but it was hard for her to believe that there was not politics involved. She indicated that they all had said that they were going to be levelheaded and blind, and would make decisions accordingly, but as a simple housewife who came from Pennsylvania to live in Idaho, she was suspicious, so she urged them to all be very careful that they didn't cause her suspicions to be proved. **Commissioner Crow** said that she wanted to tell **Ms. McAninch** that she was going to be very surprised, so to be ready. **Ms. McAninch** said that in Pennsylvania they were represented according to the percentage, and she didn't understand why the commission was 3 and 3, and why a state that had the ratio of 79% to 21% got equal representation on such an important board. **Chairman Beitelspacher** asked if he understood that she was saying that there should be more Republicans and fewer Democrats. **Ms. McAninch** indicated there was no way to break a tie. **Chairman Beitelspacher** asked if the 79% to 21% referred to the partisan part of it, and **Ms. McAninch** answered Republicans to Democrats. There was then some discussion about the percentages, and in answer to the question about why the commission was equal, **Chairman Beitelspacher** indicated it was that way because the constitutional amendment was introduced by the Speaker of the House, Congressman Simpson, a Republican, and it overwhelmingly passed in an overwhelmingly Republican House and Senate, and was overwhelmingly passed by the very Republican State of Idaho, so he assumed that the people in their wisdom, did what they thought was best.

Next to testify was **Paula Bauer**, a resident of rural Latah County, a District 6 Precinct 30 Chairperson, and Director of Brushfire Alliance, Inc. She said that after overwhelming testimony about disenfranchisement from rural residents all over the state, it was hard not to feel like they were not told to shut up and sit down because L83 felt like a slap in the face to many rural residents. Given the hand-wringing by former commissioners over potential lawsuits caused by county divisions, and the fierce opposition to L37, L82 and similarly drawn maps, it was hard to believe that L83 was approved since it divided more counties than many of the previous maps which were rejected. So it was hard to understand how the litigation-phobic souls supported the flip flop contrary to the stated reason for opposing many other sane proposals which were put forward. She said that counties had to be divided, and it was evident given the number of commission votes required for passage, which criteria was considered more critical by Idaho Statutes, because it only required four votes to divide a county, but it required five votes to create a district without adequate road access, like District 2, or to divide current precinct lines. She indicated that supported the rational conclusion that division of counties was not considered the most critical issue. The wording in the statute, she believed, was to keep counties together as much as possible, which demonstrated the understanding that counties were going to have to be split. She said that some had approached redistricting in a very partisan manner, with a strong protectionist agenda over their perceived

strongholds, and that was made very clear in public testimony in the past. However those petitioning for better representation for rural areas, regardless of party affiliation, felt their voices were ignored in favor of the larger population centers. She said that was certainly true in District 6 where outlying residents repeatedly affirmed that their voice did not get heard over the din of Moscow. Maps like L37 or L82 were not drawn to protect regions held by either party or to protect incumbent seats, they were drawn with the voters in mind to create fair and sane districts around strong shared community interests.

She indicated that she had stated previously that the rural mindset was the most basic way that people identified themselves, as you either loved rural life, or you liked city life. She said there was nothing wrong with either one, but that distinction was a strongly held value that transcended race, religion, income level, party affiliation, or employment factors like where you worked. She indicated that many people she knew were willing to commute an hour and a half because they liked rural life, and it was an important value. She said that people were not ambivalent about the urban/rural distinction. She indicated that maps like L37 and L82 had broad support from the rural people of District 6, and that she had signed petitions from a lot of residents in District 6. She said that she wished she could have concentrated more effort to inform voters in her area and gather signatures, but her busy life precluded her from travelling around the county to share with people. She said that for the small amount of time that they collected signatures she could tell them that the response she got from the rural residents was that they were very willing to sign the petition to *get away from Moscow*, because they felt disenfranchised and that they did not have a voice. So the support for L37 was very strong because they thought they would be joined together with a stronger community of interest, and L82 did the same thing. She said that L37 could be improved by respecting Moscow city limits, but that was impossible given the current precinct lines. She begged the commission to put partisan posturing aside, and to heed the voters, because if people continued to feel disenfranchised, she questioned what they were to do to get heard.

Commissioner Crow indicated that she had heard more political posturing that night than she had heard from the commission since they began. She said that they were using a blind eye when they looked at the maps, and they were bound by the law and by the constitution to do certain things, and that was what they were doing their very best to do. She indicated that she thought everyone would agree that was what they were going to do. **Ms. Bauer** said that she was encouraged to hear that as she did not get the same impression from some of the questions that were directed by the previous commission. **Commissioner Crow** answered that they were not the previous commission, and she couldn't say enough that that was their commitment. **Commissioner Hansen** said that they had heard a lot the prior night, and that night, and that their hope was to do exactly what **Ms. Bauer** was saying, to keep rural life but also to let urban life exist. However the reality was the numbers, and that was the concern that they had to deal with. He went back to the point they had earlier, that as they went through the process and designed their own maps, they had two options, to either jump into the urban area and take a portion of that, or they had large districts, and that was the way that our state was laid out. He said that he appreciated the discussion regarding north and south, and which way the districts ran, but he thought that as they continued to go through the discussion, the commission wanted to reassure them 100% that they were looking at fulfilling the law, and not putting people into positions.

Next called was **Karen Calisterio**, who thanked the commission for coming. She told the commission that she was a resident of Benewah County and she lived on the Coeur d'Alene Reservation. She indicated that the reservation was 75% non-Indian, and was made up of farming, logging, and ranching, and it did have a very strong community of interest with northern Latah County, southeast Shoshone County, and some of the southern parts of Kootenai County. She said that over the last few years she had participated in hosting town halls in every precinct in Benewah County and Latah County, and some in Kootenai and Shoshone County, and she had heard, over and over, the voice of the people. She indicated that just like the people that signed the petitions, they were adamant, and the signatures on the petitions included the Mayor of the city of Potlatch, and the City Council because, as a city, they felt disenfranchised because of Moscow. She indicated that Benewah County and Latah County, to include Moscow, were polar opposites in regard to communities of interest, and from what she understood, maintaining communities of interest was one of the high priorities.

She said that Moscow was education- and service-based, and they had resource-based industries elsewhere, and it did not make sense to mix those two. She indicated that the rural population, where they were overshadowed by urban areas, were feeling very disenfranchised, and had said that they were not going to vote because their voice did not count. She said that she was not there to defend any legislator's position, but she would ask the commission to do their best to make the districts easy to access for whoever was in office. She said that she understood, as they had elections every two years, that things changed constantly, but any district that had the potential for a legislator to live on one end of it, and have to traverse to the other end, like in the proposed L83, in the wintertime, would be impassable. She also believed that when the legislature was not in session, the legislators had to pay for their own travel, so that created an unfair burden on the legislators who had to go to the extra travel expense and accommodations to properly serve their districts. She urged the commission not to include Moscow with Benewah County, and to please keep communities of interest together and respect the word of the people.

Commissioner Hansen asked what the common interest was between Moscow and Lewiston. **Ms. Calisterio** said that they were both education- and service-based towns. **Chairman Beitelspacher** said that he thought that he heard that the mega loads were being protested in Moscow, and in Lewiston they were putting people to work. **Ms. Calisterio** said that she could not answer that question. **Chairman Beitelspacher** said that the issue of the rural life was certainly appreciated, but the problem was with rural Idaho there wasn't anyone in it, and that they had to have 45,000 people. **Ms. Calisterio** said that L82 had addressed that in the north.

Dan Thompson was next to address the commission. **Mr. Thompson** stated that he was a precinct committee person from Shoshone County, and was speaking on **Chuck Rich's** behalf as he was unable to attend. His recommendation to the commission was to take a look at L32, L35, L34, and L82 to see if they could work with those as a plan to satisfy everyone, as he believed that the solution lay in those drafts.

Next to address the commission was **Phil Lampert**, a County Commissioner for Benewah County. He said that L83 was completely unacceptable for Benewah County as it split the county and the county seat (St. Maries) right down the middle. He indicated that one of the commission's mandates was to keep counties whole, and another one was to keep communities of interest whole, and L83 did not meet the test on either one of those mandates. He said that he lived in Plummer, so he was on the west side of the county, and that Riggins was over half way to Boise from where he lived. He indicated that if he lived in St. Maries, or in the upper end of the district in L83, that would be seven hours driving time from Mullan to Riggins, and it was ridiculous to even propose a legislative district like that. He said that the most palatable one that they had seen so far was L82, as it kept Benewah County whole. He indicated that Benewah County was small, with a population of 9,500 or 9,600, but they felt that they had a community of interest with Shoshone County as they were both rural and had resource-based economies, and commerce travelled east and west through the counties. He said that they felt they were a community of interest with the southern and eastern part of Kootenai County, and they also felt that most of Latah County was also a community of interest. He said that he felt bad for Latah County if they had to be split because they all wanted to stay together, but L82 was probably the more acceptable one for those in Benewah County because it had some common sense to it. He said that to go clear down to Idaho County and Clearwater County did not make any sense.

Gary Ingram from Coeur d'Alene was next to testify. He said that he had lived there for 50 years, and had served in the Idaho Legislature in the 1970's, and at the time he was in the House of Representatives he represented all of Kootenai County. He said that the commandment that the commission had to keep counties whole was spelled out in the Constitution, and that the boundaries were set by geography and by law, so if there was a priority, counties had to be it. He indicated that communities of interest were kind of a moving target, as it depended upon who you were talking to and what their interest was. He used Coeur d'Alene as an example, and said that if they wanted one entire district for themselves, because of community of interest, that kind of ignored the fact the legislature had already defined community of interest in that regard with planning and zoning laws where cities were required to identify areas of impact, outside of the city boundaries. So that recognized that there were communities of interest that went beyond city boundaries. He urged the commission that if they had to go into the city of Coeur d'Alene two or three times to balance things out, to go for it. He said that as a resident he would be better represented in Boise if he had six representatives down there from Coeur d'Alene, as that was better than two. He indicated that he was not concerned at all with the city of Coeur d'Alene wanting to be one district, as that was ridiculous. He said that he appreciated the commission holding the hearings, and reminded them that it would get to a point where they had all of the information they needed, and it was time to make a decision, and that time had happened before they were appointed. He advised the commission to forget the business of communities of interest being equal to the counties, and to weigh the counties more, and to get it done.

Last to address the commission was **Larry Yergler**, a Commissioner from Shoshone County. He thanked the commission for coming, and said that he also would not want to have their job. He said that currently they were in District 2, and he wanted to echo what **Commissioner Lampert** said, that Shoshone County and Benewah County had a great working relationship, almost since the state had started. He stated that they had the same basic socio-economic characteristics, such as logging, and natural resource-based agrarian-type economics. He said that Shoshone and Benewah Counties, as well as eastern and southern Kootenai County had high school rivalries, and a lot of their ties were the same. He indicated they felt there should be 35 districts, although they would like to see a representative from every county, although he understood there were some constraints on that with some monetary issues. He said that they saw one map that showed Shoshone County combined clear down to Clearwater and Idaho County, and he would not want to be the person that had to cover that district because it could not be done without going outside of the state, or outside of the district. He indicated that he appreciated the work they were doing, and he thanked them for hearing his comments.

Chairman Beitelspacher said that had brought them to a conclusion in a timely fashion, and he thanked them for that. He indicated that they appreciated everyone coming, and he wanted to reiterate what his Republican colleagues had said, that they were working as citizens without any political bent. He said that might be hard to believe, but to trust him that they had been hard at work, and he had never served anywhere, where they were just trying to solve the problem and just trying get the lines drawn and he supposed that all of the political folks would be mad at them when they got done but so be it. They were here to serve the people, and they hoped they had done that when they were done. With that he adjourned the hearing.