

MINUTES
Approved by the Commission
Commission for Reapportionment
Friday, September 17, 2021
1:00 P.M.
Council Chambers, Eagle City Hall
Eagle, Idaho

Members: (Commissioners) Cochairs Bart Davis and Dan Schmidt, Commissioners Thomas Dayley, Nels Mitchell, Amber Pence, and Eric Redman; (Commission Staff) Paul Boucher, Elizabeth Bowen, Keith Bybee, and Todd Cutler

Absent/Excused: None

Also present (Signed in): Rod Beck, Steve Bender, Paula Davina, Greta Dunlap, Scott Grow, Mary Jane Marlow, Mary May, Matthew May, Dirk Mendive, Vic Milk, Carol Richel, Jim Rice, Jane Rohling, and Arlene Studer.

The meeting was called to order by Cochair Schmidt at 1:01 p.m. A silent roll call was taken.

Opening Remarks

Cochair Schmidt opened by proposing a motion to amend the agenda to include a business meeting following the public testimony. Without objection, the motion passed. Cochair Schmidt explained the purpose of the Commission for Reapportionment. The commissioners introduced themselves.

Public Testimony

Cochair Schmidt described the process of how the commission would receive testimony and invited the public to testify.

- Steve Bender was the first to testify, providing [two handouts](#) to the commissioners and testifying on Plans L035 and C035. He pointed out Maptitude mapping errors by using the program "Dave's redistricting tool." He testified that the commission should ignore precinct lines and asked the commission to vote on that during the meeting or give guidance. Mr. Bender talked about legislative districts and talked about how his report explained why Ada County could not be considered an undivided county with nine precincts. He asked the commission to consider splitting part of Ada County into Canyon County to create self-contained districts. He also discussed ways to split counties and districts such as using the Boise River as a dividing line. Cochair Schmidt asked for clarification about the plans in Mr. Bender's handouts. Mr. Bender clarified the titles of his plans and his estimates on how to make the numbers work. Cochair Schmidt and Mr. Bender then discussed the rule regarding precinct lines. Cochair Schmidt affirmed that the commission couldn't vote on that at the time, but also noted it was on the agenda that afternoon to review the hierarchy for reviewing plans. Mr. Bender asked if there was a way to use areas smaller than the census blocks. Commissioner Redman stated the commission had to follow the census tract lines. Commissioner Pence asked Mr. Bender if he keeps around 52,000 people, would he have to draw a new district. Mr. Bender responded that mathematically, ten districts do not work. Commissioner Mitchell said the commission should reconsider its work on the precinct boundaries in Ada County.
- Arlene Studer testified in support of Plan L023. She talked about where she lives west of Eagle Road and called it an excellent dividing line. She offered her support for Plans C025 and C026 because they keep Ada County intact.
- Carol Richel testified in support of Plan L023, claiming that she mostly uses services in downtown Eagle. She noted Highway 16 made the most sense as a natural corridor for a dividing line. Cochair Davis asked if she was referring to the northern boundary. Ms. Richel replied that she was referring to the western boundary.

- Rod Beck, chairman of the Ada County Commission, testified that the Commission for Reapportionment should ignore the current precinct boundaries. The Ada County Commission will be adding several precincts regardless of the Commission for Reapportionment's end result, so he would suggest the commission ignore precincts and added that the Ada County Clerk agreed with this. Mr. Beck asked the commission to look at communities of interest as well and said the commission should split Ada County only once. Cochair Schmidt asked if the Ada County commission could provide a map and testimony. Mr. Beck offered to provide a plan within two to three weeks. Commissioner Mitchell asked if the commission should consider school districts or city boundaries more. Mr. Beck explained the history behind the school district boundaries, and acknowledged they would be difficult to use, whereas the city boundaries would be a little less difficult to use.
- Senator Jim Rice testified to the commission on his plan, L034. He stated that Middleton and northern Nampa were growing together and that his plan kept the county line intact between Middleton and Star. He described the boundaries he used to construct his map and described the districts he drew. Commissioner Pence asked him to elaborate on an area within his map around Kuna. Senator Rice explained the reasoning he used to draw the area. Cochair Schmidt, referencing Mr. Beck's goal of nine districts in Ada County and one community of interest, asked if his map did the same. Senator Rice responded that it did and showed that his nine districts maintained the community of interest and stated his one split didn't disadvantage anyone.
- Jane Rohling testified in support of Plan L023. She wished that Eagle would not be split but says a split at Eagle Road was acceptable as a way of splitting District 14. Cochair Davis asked about Plan L034 and wondered how that plan impacted her hometown. She claimed growth is unpredictable, and she wished to keep Star together, but she liked L023 better. Cochair Davis noted that making these different communities fit together is difficult. Cochair Davis again showed her Plan L034, that keeps Eagle whole, and asked if she still preferred L023. Ms. Rohling replied that she still preferred Plan L023. Cochair Schmidt asked if Plan L034 would work too, though. Ms. Rohling repeated that Plan L023 works better. Commissioner Dayley remarked on Mr. Bender's map and asked Ms. Rohling if that map would be satisfactory. Ms. Rohling stated it would not.
- Victor Miller testified on Plans C01 and C02. Mr. Miller stated that C01 looked like the map that already existed, and that C02 would make the landmass of the congressional district two increase, which would cause the second congressional district to be very large. He summarized by stating more Idahoans would be displaced with Plan C02, and Plan C01 would be more logical.
- Mary Jane Marlow testified that she supported the previous testimony and would like to keep Congressional District 1 intact. She would not like to see Ada County split, and if the commission needed to split it, she would suggest not splitting Ada County down the middle. She added that she disliked the way the maps were split up now and Ada County should be as connected as possible.

Business Meeting

- Cochair Schmidt began the business meeting following the end of testimony, reviewing the topics the commission would like to cover.
- Cochair Schmidt asked Mr. Boucher if he had the rest of the agenda for the week of travel in north Idaho. Mr. Bybee responded he was going to cover that topic by confirming the times and locations for the week. Mr. Bybee explained that the first meeting would be at 1 p.m. in Sandpoint, then the following meeting would be at 7 p.m. in Coeur d'Alene. Cochair Schmidt inquired about drive times. Mr. Bybee let the commissioners know that hotels were still being reserved. He noted the following day's meetings were at 1 p.m. at the Coeur d'Alene Tribe and at 7 p.m. in Moscow. Commissioner Pence asked for clarification if there were two different meetings in Coeur d'Alene or if the tribe was in another location. Cochair Schmidt answered the Coeur d'Alene Tribe was in Plummer, Idaho. Mr. Bybee stated the commission would stay in Moscow that night, and Lewiston would be the final meeting in the afternoon on Friday, September 24. Mr. Bybee noted the tightness of the schedule.

- Cochair Schmidt asked the commission about the next agenda item and how the commission should move forward, considering the recent public input. Commissioner Redman suggested Friday the 24th as a potential date for a business meeting, pending travel plans. Commissioner Dayley added that he had an early flight that evening, and he would suggest a Friday morning meeting and business meeting as well during the Magic Valley travel week. Commissioner Mitchell said he would also prefer an early morning meeting in Lewiston and then possibly returning to subcommittees after. Mr. Bybee clarified the time for the Lewiston meeting was 11 a.m., not 1 p.m. Cochair Davis mentioned that it would be better for the commission to meet as soon as possible while memories were fresh. Cochair Schmidt supported the idea of the subcommittees working while traveling. Cochair Davis offered to give some direction to the subcommittees before beginning. Commissioner Mitchell said that the hearings in north Idaho may fill up the commission's time while traveling that week. Cochair Davis remarked that Mr. Cutler may not have to travel, and that they could operate with less staff while on the road. Mr. Bybee agreed, but also offered that Mr. Cutler could join via Zoom call to assist the commissioners. Cochair Schmidt said the subcommittees could meet before the 11 a.m. meeting in Lewiston.
- Mr. Bybee suggested that the commission could hold business meetings during the Magic Valley week after the Hailey public hearing. Cochair Schmidt agreed they should meet on the information before they forget it. He then asked if they needed to amend the proposed plan as they continue, or if they wished to create a set of revisions. Cochair Davis said he may want to have the subcommittees work until they were ready for a more final plan, as well as to avoid sending mixed messages to the public. Cochair Schmidt agreed. Commissioner Dayley asked about Mr. Bender's precinct boundary vote question and inquired how they would go about that. Cochair Schmidt said that the list of precincts Mr. Bender had were inconsistent with the list they had. Ms. Bowen recommended the commission hold off on making the vote formal until they were more confident and ready to adopt a plan. Cochair Davis wanted to waive the precinct requirement when it was time. Commissioner Mitchell agreed they should reserve the vote for later. Mr. Bybee agreed they should wait until later and then the commission could have a list of precincts that were split available for the record.
- Mr. Bybee reviewed options for looking at other plans submitted by the public and offered that he and Ms. Bowen could develop a "criteria hierarchy" to look at maps. They could bring the highest rated plans to the commission, followed by partial maps that could be helpful for drawing. Cochair Schmidt remarked that he can lose track with several proposed maps, so a hierarchy may be helpful, along with major criteria for how he triages the plans. Mr. Bybee suggested columns in the table for proposed maps that list the number of splits, total deviation, and other criteria. Commissioner Mitchell and Cochair Schmidt verbalized their support for that idea.
- Mr. Bybee informed the commissioners that the group "Conservation Voters for Idaho" could bring in its own Spanish translators and asked if the commission would like to professionalize this and bring in a court interpreter. Cochair Davis liked the idea of interpreters but would ask groups to bring their own. He noted that the commission doesn't need to meet due process standards that exist in a courtroom. Cochair Schmidt said he didn't feel the need for official translation but if a group would like to bring their own translators that would be fine.

With no further business, the meeting adjourned at 2:50 p.m.