

MINUTES
Approved by the Commission
Commission for Reapportionment
Friday, October 01, 2021
1:00 P.M.
Council Chambers, Burley City Hall
Burley, 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): Melissa Brown, Jared Larsen, Steve Miller, Tonya Page, and Doug Pickett

The meeting was called to order by Cochair Schmidt at 1:02 p.m. A silent roll call was taken.

Opening Remarks

Cochair Schmidt explained the purpose and process of the Commission for Reapportionment. The commissioners introduced themselves.

Public Testimony

Cochair Schmidt invited the public to testify.

- Jared Larson testified he was in favor of Plan C01 and opposed to Plan C02. He acknowledged the commission's need to target a near-zero population deviation and that the commission should avoid litigation by choosing a map with the lowest deviation between congressional districts. He opposed Plan C02 because he didn't think the dividing boundary choices made sense. He stated the Treasure Valley was the central hub of the state, and an adopted plan should look like Plan C01. Commissioner Mitchell asked whether Mr. Larson was familiar with the case *Tennant v. Jefferson County Commission*. Mr. Larson replied he was. Commissioner Mitchell stated that under that case, the commission was not required to have exact equality between the two congressional districts. Mr. Larson restated he was trying to avoid litigation altogether. Commissioner Mitchell asked whether Mr. Larson was aware that, in *Tennant*, one of the issues was avoiding county splits, and Idaho statute also states the commission should avoid splits with congressional districts. Mr. Larson said he was aware of the statutes.
- Doug Pickett testified he would stand in favor of any plan that kept Minidoka and Cassia Counties together and stated that the two areas share a community of interest. He stated that Power County could be added to meet the commission's population requirement for a district. Commissioner Pence stated the commission was considering combining Minidoka, Cassia, and Oneida Counties. Mr. Pickett stated that, based on his experience, Oneida County was more oriented toward Pocatello than Burley. He said that there are "sectional divisions" in Idaho, based on a quote from former Governor Ross, and identified three areas as individual sections: the north, southeast, and southwest. He stated the congressional districts should avoid splitting counties as much as possible, and it would be difficult to avoid historical problems and disunity. He concluded that the commission should allow both congressional districts to have access to the capital. Commissioner Mitchell asked Mr. Pickett about "donut" and "donut hole" districts and if the commission should split those districts up. Mr. Pickett said he did not have enough information to speak on the matter. Cochair Davis explained the creation of "donut hole" districts and that he would prefer the districts be mixed, not strictly urban or rural. Cochair Schmidt added that there was similar testimony in northern Idaho that implied rural areas would be drowned out in urban areas, and Mr. Pickett's testimony contradicted those testimonies. Mr. Pickett argued that mixing types of representation was critical to promoting unity

and separating the Treasure Valley would lead to a representative who would be focused on only Ada County. Cochair Davis believed that in the next ten years, there would be an Ada County congressional district, but the commission must closely examine plans for the present. Commissioner Mitchell noted that there was a significant rural presence in Ada County. Mr. Pickett said there was still the issue of perceptions. Cochair Schmidt and Commissioner Mitchell agreed.

- Steve Miller testified to iterate defining splits and subsequent splits. Cochair Davis added that his understanding was that if a county was split once, a second split in the same county would still only count as one county split. Cochair Davis recalled prior testimony and noted that the commission was sensitive to not weaken a county by splitting it several times. Cochair Schmidt said that there would be no "free splits," and every split would be necessary. Commissioner Mitchell stated that the commission would respect as many political subdivisions as possible within the state. Mr. Miller gave an example using Twin Falls and warned of having "donut" districts, which would cause urban areas to overpower rural areas. He also stated the capital would be the nucleus and the commission should start from that point.
- Steven Millington testified about Plan L01, District 24. He pointed out areas in District 24 that had development planned and noted that the population of the area was increasing rapidly. He acknowledged that the commission cannot draw plans to anticipate growth, but the growth could cause issues in the future. Commissioner Redman noted that Kootenai County had the same issue.
- Mr. Bybee provided the commissioners the schedule for the hearings in eastern Idaho. The commission agreed to meet for a business meeting on Friday, October 8, at 8:30 a.m. in Idaho Falls.

With no further business, the meeting adjourned at 2:09 p.m.