Reapportion plans challenged in 11 states

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Attorney General David H. Leroy said Friday a decision is awaited on a court challenge to the state's legislative district proposal but Idaho is only one of 11 states where there are legal challenges and there are 11 other states which still have not reapportioned.

A Idaho Legislature special session in 1981 adopted a legislative reapportionment plan but a challenge by a northern Idaho group was upheld in district court, primarily on grounds that it split county lines.

A state appeal is now pending before the Idaho Supreme Court and if upheld it likely could go to the U.S. Supreme Court, said Leroy. He noted the U.S. high court has affirmed in past cases splitting county lines to achieve equal representation.

Rick Masters, director of legal affairs for the Council of State Government based at Lexington, Ky., said at present 36 states, including Idaho, have approved congressional redistricting.

In Idaho that was done simply by transferring 21,500 people from the northern and eastern areas of Boise in the 1st District to the 2nd district.

Idaho is one of 39 states reported completing legislative reapportionment but 11, including Idaho, are under legal challenges.

Besides Idaho, other states facing legal legislative reapportionment challenges include Alabama, Colorado, Louisiana, Maryland, Mississippi, New Mexico, North Carolina, Pennsylvania, Rhode Island, and Virginia.

There also are legal challenges on congressional redistricting in Georgia, Mississippi, Pennsylvania, and South Carolina.

Maine and Montana will not reapportion until 1983 and Massachusets will not reapportion until 1985.

Masters said of the pending cases there are several which have potential significant impact on reapportionment case law.

In Pennsylvania, the three-judge federal panel upheld the plan which the plantiffs contend dilutes minority voting in the Philadelphia district.

In Rhode island, a federal court suit challenging the new State Senate reapportionment plan resulted in the plan being declared unconstitutional by a three-judge federal panel. The state was then enjoined from conducting either the September primary or the general election in November for State Senate seats.

In Maryland, two cases challenging the legislative plan have been appealed to the U.S. Spreme Court. Plaintiffs in both cases allege political gerrymandering, a system where grotesque boundaries often result with the view of helping one of the political parties at elections.

Masters said the Council of State Goverments, in conjunction with the National Conference of State Legislatures, will continue to monitor and report on the latest developments in reapportionment throughout the country.