

Judge's legislative remap proposal is a monstrosity

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A deep look into the legislative reapportionment plan sanctioned by a northern Idaho district judge reveals it to be a monstrosity that will confuse voters even more than the present system.

Attorney General Jim Jones, who is challenging the proposal, already had said it had wide discrepancies. In a talk to the Blackfoot Rotary Club last week, he cited wide discrepancies between Bingham and Bonneville County, for example.

He said proposed District 32, made up of Bonneville and Teton counties, is 15 percent above the average district population while neighboring Bingham County, in proposed District 26, is 29 percent under for a 44 percent variance.

This compares with the present statewide reapportionment system which allows only a 5.35 percent variation, as contained in House Bill 830 enacted by the 1982 Legislature and under which apportionment is presently based.

There are other wide variances. For example, in a floaterial district embracing five north central counties in District 8 there is a population of only 91,246 compared with District 21 made up of Ada County with 173,036, almost double the population. Yet each district gets one senator and two state representatives, which is discrimination against Boise.

The most confusing provisions in the new proposal are seven so-called "floaterial districts" which embrace between five and seven counties each, except for Ada which is placed in one district.

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In eastern Idaho, for example, people in Lemhi, Custer, Butte, Clark, Jefferson, Bonneville, Teton, Fremont and Madison counties would vote in District 33 for one senator and two state representatives. This would be in addition to legislators within their own present legislative district boundaries.

In Bingham County, voters there would vote with those in Power, Bannock, Oneida, Caribou, Bear Lake and Franklin in District 29 for an extra senator and two representatives, in addition to those in the regular districts.

These floaterial districts do have some advantage because the largest cities likely would elect legislators, thus giving more voice to cities that have been largely under-represented since Idaho became a state in 1890.

Most voters are disinterested in reapportionment. It would be a sure bet that most don't even know the senator and two representatives who presently represent them, much less the district boundaries.

The plan approved by 1st District Judge Dar Cogswell calls for 44 districts instead of 35 and avoids splitting county lines. It actually changes little except to elect 21 more legislators, seven in the Senate and 14 in the House.

Aside from the two "floaterial districts," it doesn't change much in eastern Idaho. It shifts Butte from Bonneville to neighboring Clark, Lemhi, Jefferson, and Custer counties as one district. It places Bingham in one district, rather than having Shelley, Fort Hall and Aberdeen apportioned to five neighboring districts. This would be an improvement.

Jones should pursue diligently the court case challenge to the Cogswell plan, which is based on one proposed by a northern Idaho college professor who appears long on theories and short on practicality.

Actually the Idaho Legislature under House Speaker Tom W. Stivers, R-Twin Falls, will have the final voice in drafting any new legislative reapportionment, providing it meets court approval.

The Idaho Supreme Court is scheduled to hear all of the issues Dec. 7.

If the Idaho court still accepts the present plan, then the case should be appealed to the U.S. District Court, and then, if needed, to the U.S. Supreme Court. The Supreme Court has accepted splitting of county boundaries which would indicate the Idaho provision is unconstitutional. Jones said he plans these appeals if necessary.