

 Legislative Services Office  Budget & Policy Analysis

# Census, Redistricting, and Idaho's Citizen Commission for Reapportionment

Prepared for Idaho Association of County  
Recorders and Clerks Elections Conference  
April 21, 2021

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- History of Census and Reapportionment
- Redistricting (one-person, one-vote)
- Idaho Redistricting and Election Administration

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## (Brief) History of Census

- Article 1, Sections 2 and 9 of the United States Constitution mandates the “actual Enumeration” of each US resident every 10 years, otherwise known as the Decennial Census
- Beginning in 1980 Congress delegated in Title 13 of the US Code the official date to take the decennial census of population on April 1
- Census data used for apportionment among the states of the 435 seats in the US House of Representatives; redrawing congressional, state and local election districts; and for other purposes like distributing federal funds for population-driven formulas



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## Reapportionment

- Reapportionment is allocating the seats of the US House of Representatives among the 50 states found in Article 1, Section 2 of the US Constitution
- Each state shall have at least one Representative
- The remaining 385 seats are apportioned among the states based on a formula set forth in federal law



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### Congressional Apportionment for 2000 and 2010

Last Six Seats Awarded (with number of People to Spare)				
Seat	2000		2010	
430	Georgia	142,388	South Carolina	50,723
431	Iowa	44,338	Florida	113,953
432	Florida	212,934	Washington	26,609
433	Ohio	79,688	Texas	99,184
434	California	33,941	California	117,877
435	North Carolina	3,086	Minnesota	8,739


States that missed additional seats with additional apportionment				
Seat	2000		2010	
436	Utah	(856)	North Carolina	(15,754)
437	New York	(47,249)	Missouri	(15,029)
438	Texas	(86,273)	New York	(107,058)
439	Michigan	(50,888)	New Jersey	(63,277)
440	Indiana	(37,056)	Montana	(10,002)

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## Redistricting

- Redistricting is redrawing the actual boundary lines to rebalance districts to ensure that districts are equipopulous, otherwise known as the one-person, one-vote principle
- Congressional districts within a state must have almost exactly the same number of people in each district, with few exceptions
- Legislative districts are presumed to have some latitude (up to a 10% deviation) from the ideal district population
- These distinctions are largely from a series of US Supreme Court rulings since the 1960s

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## Redistricting Principles and Criteria

- Federal requirements of equal population and prohibition on racial discrimination
- Geographic principles like compactness, contiguity and preservation of county and other political subdivisions
  - Compactness is the extent to which a district's geography is dispersed around its center, sometimes called the eyeball test
  - Contiguity requires all parts of the district be connected
  - In Idaho, County splits must be minimized, among other criteria found in Idaho Code

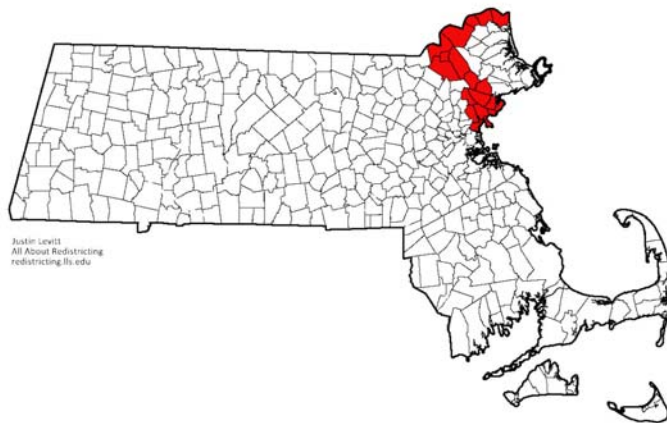


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## The Gerrymander



Justin Levitt  
All About Redistricting  
redistricting.lls.edu



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## The Gerry-mander (cont)

### THE GERRY-MANDER.

A new species of *Monster*, which appeared  
in *Essex South District* in Jan. 1812.

*"O generation of Vipers! who hath warned you of the wrath to come?"*



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## Idaho Redistricting Principles

- Idaho Constitution for Legislative Redistricting
  - Counties should not be divided more than necessary
  - Plans must have exactly 35 districts
- Idaho Statutory Requirements
  - Attempt to preserve communities of interest and traditional neighborhoods
  - Avoid oddly-shaped districts if possible
  - Precinct boundaries followed unless approved by at least 5 commissioners
  - Multi-County districts connected by an Interstate, US, or State Highway if possible



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## Idaho Citizen's Commission on Reapportionment

- Article 3, Section 2 of the Idaho State Constitution established the Citizen's Commission on Reapportionment. It was approved by Idahoans in 1994
- The commission is composed of six members appointed from the two largest political parties of each house of the legislature, and the state chairmen of the two largest political parties as determined by the last gubernatorial election
- The commission has 90 days to complete its work after it has been organized or when census data is available, whichever is later
- Failure to complete its work, a new commission is organized (e.g. 2010)



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## Redistricting in 2021

- Delays caused by the COVID-19 pandemic pushing delivery of the Census to September 30, 2021 from April 1, 2021
- The statutory requirement in Idaho is **NOT** impacted by the delay, "... an order shall be issued no earlier than June 1" §72-1501, IC
- Primary elections may be impacted from the delay
  - If the commission takes all 90 days to complete its work, a plan will be approved in mid-January of 2022



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