

***Amendment Number and Question***  
***HJR 4***

Shall Section 2, Article III, of the Constitution of the State of Idaho be amended to require that the Senate shall consist of thirty-five members; and shall Section 4, Article III, of the Constitution of the State of Idaho be amended to require that the Legislature shall be apportioned to thirty-five legislative districts?

**Legislative Council's Statement of Meaning, Purpose, and Results to Be Accomplished**

The purpose of the proposed amendment is to permanently set the number of senators in the Idaho Legislature, as well as the number of legislative districts in Idaho, at 35. (There are twice as many representatives as senators, which this amendment would not change.) Since 1992, there have been 35 districts and senators, but the Idaho Constitution permits as few as 30 and as many as 35 districts and senators, with the number determined during redistricting (the process of redrawing legislative district boundaries after a United States census). If this amendment is adopted, the number of districts and senators would be fixed at 35 and could not be changed during redistricting.

**Statements FOR the Proposed Amendment**

1. Setting the number of districts at 35 would prevent the number of districts from being reduced during redistricting in 2021. If the number of districts is reduced, Idaho would have fewer legislators, meaning that Idahoans would have less representation in the Legislature at a time when the state's population is growing and the Legislature is addressing complex issues related to population growth. With fewer legislators representing more constituents, Idahoans would have less access to their legislators, limiting their ability to discuss issues of concern with the people elected to represent their interests. Additionally, with more constituents per legislator, legislators might not be able to provide as many individuals with constituent services.
2. Setting the number of districts at 35 and thus preventing any reduction in the number of districts would also keep urban and rural interests in balance. If the number of districts is reduced, rural residents could be added to mostly urban districts, and urban residents could be added to mostly rural districts. This could result in legislators being less responsive to some constituents' interests than others. Furthermore, reducing the number of districts might require districts of great geographical size, which could include many communities that have few interests in common. Large districts might also make travel difficult, and more remote areas of the district could be ignored by legislative candidates during campaigns and by elected legislators who focus on areas where more constituents live. By preserving 35 districts, this amendment makes it more likely that Idaho residents will have representation responsive to their local interests.

3. Redistricting in Idaho is done by the bipartisan Citizens' Commission for Reapportionment and is often contentious. If the number of districts is set by law, the commission would not need to determine the number of districts, eliminating a potential point of conflict between the commissioners.

#### **Statements AGAINST the Proposed Amendment**

1. Redistricting is a complicated process, because redistricting plans must comply with several legal requirements that can be in conflict with each other. For example, districts must be roughly equal in population, but must also avoid, to the extent possible, splitting up counties and communities — even though some counties and communities have significantly larger populations than others. Redistricting plans that fail to comply with all requirements can be challenged in court. By adding another fixed requirement, this amendment would make redistricting more difficult and might invite court challenges. The commission currently has the flexibility to determine the number of districts within a certain range because it is possible that a plan with 30 larger districts could better satisfy legal requirements than a plan with 35 smaller districts. The commission's flexibility should be preserved.
2. Changes to the redistricting process should be proposed well in advance of a redistricting year, with enough time to consider all possible consequences of the change. This amendment would cause a significant change to be made right before redistricting occurs in 2021 without sufficient time to consider the consequences.
3. Reducing the number of legislative districts would mean a corresponding reduction in the number of legislators. This would reduce the size of the government and could potentially save public funds spent on legislator salaries and benefits.