

R E P O R T
OF THE
TEMPORARY REDISTRICTING ADVISORY COMMISSION
TO THE GENERAL ASSEMBLY

April 30, 1991

Pursuant to section 42.6, Code of Iowa 1991, the Temporary Redistricting Advisory Commission submits this report to the General Assembly regarding the plan for congressional and legislative redistricting submitted by the Legislative Service Bureau to the General Assembly on April 15, 1991.

HEARINGS

The Commission held three public hearings on the plan on April 23, 24, and 25, in Council Bluffs, Des Moines, and Cedar Rapids respectively. As required by law, summaries of testimony and information presented at the hearings are attached to and by this reference made a part of this report.

RECOMMENDATION AND STATEMENT ON THE APRIL 15, 1991 REDISTRICTING PLAN

The Legislative Service Bureau staff has completed the redistricting plan and the Temporary Redistricting Advisory Commission has listened to and received testimony presented at three different hearings across the state.

The challenge of a fair redistricting plan is never an easy task when the following redistricting standards must be met:

1. The plan must be established on the basis of population.
2. District boundaries must coincide with boundaries of the political subdivisions of the state with the number of counties and cities divided into more than one district to be as small as possible.
3. The plan's districts must contain convenient contiguous territory.
4. The plan's districts must be as compact as possible with the first three standards taking precedence over compactness.
5. A district must not be drawn for the purpose of favoring an incumbent legislator or congressman, political party, or other person or group.
6. To the extent possible, each Senate and House district must be included within a single congressional district.

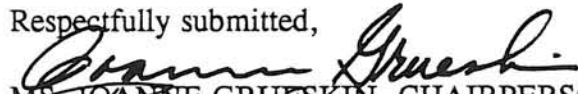
After three days of informative hearings and careful review of the proposed redistricting plan and evaluation of alternative plans presented by other parties, we come to the conclusion that the plan is an excellent one, fully complies with all statutory criteria, and should be enacted into law. The plan is the outcome of a process that is a model for the nation. The Governor and the Legislature, wisely building on the experience of 1981, have developed a nonpartisan framework for the development of the plan. The Legislative Service Bureau has applied the law fairly and without regard to partisan affiliation of residency of incumbents. We recommend that the General Assembly approve the plan.*

OTHER RECOMMENDATIONS

One concern that was raised by some speakers was the irregularity of the boundaries. The staff is required to follow city precinct boundaries and those boundaries cannot be changed until a plan is approved. This problem might be partially solved if the following guidelines were adopted:

1. City election precinct lines drawn after redistricting should be drawn to create more compact and less irregularly shaped precincts.
2. In the redistricting process in 2001, legislative district boundaries could be redrawn without following city precinct boundaries, while continuing to follow township lines, by the Legislative Service Bureau staff in order to achieve more compactness.

Respectfully submitted,


MS. JOANNE GRUESKIN, CHAIRPERSON


MR. BRENT R. APPEL


MS. PATRICIA M. HARPER


MR. WYTKE WILLEY

*Mr. William J. Scherle, member of the Commission, did not vote in favor of the recommendation to approve the plan or the majority report and submits a minority report which is attached.

MINORITY REPORT
SUBMITTED BY MR. WILLIAM J. SCHERLE
OF THE TEMPORARY REDISTRICTING ADVISORY COMMISSION
TO THE GENERAL ASSEMBLY

April 30, 1991

Mr. William J. Scherle, member of the Temporary Redistricting Advisory Commission, submits the following minority report to the General Assembly regarding the plan for congressional and legislative redistricting submitted by the Legislative Service Bureau to the General Assembly on April 15, 1991:

While I commend the Legislative Service Bureau for its nonpartisan work in drawing the proposed congressional and legislative redistricting plan for submission to the General Assembly, I cannot recommend that the General Assembly approve the redistricting plan for the following reasons:

1. The approval of the redistricting plan would necessarily prevent the General Assembly from considering alternative redistricting plans.
2. Alternative redistricting plans may very well contain numerical equality or superiority to the redistricting plan submitted.
3. Such alternative plans, with numerical equality or superiority to the redistricting plan submitted by the Legislative Service Bureau, may indeed contain congressional districts which are conveniently contiguous and which are cohesive with similar business interests and other shared commonalities.

Reapportionment is a word that throws fear into the hearts of all incumbent legislators. The Federal Government, through a redistribution process called a census, determines the national population and divides the 435 seats into equal congressional districts. Shifts in population cause states to lose or gain representation depending on their numerical position. This unfortunately is the plight of the state of Iowa. We lose one congressional seat. So much for reason and history.

The Legislative Service Bureau, using the figures based on the last census, has compiled a redistricting map which is relatively close to the deal -- close but not the ultimate -- the ultimate being one of three plans submitted by Mr. Lee Dallager.

As Commission members we were told that "the number is the thing -- any substitute for the Legislative Service Bureau plan must be numerically superior in variation or deviation. The Legislative Service Bureau plan shows a simple disparity between high and low (districts) of 143 persons. Commendable! However, plan three (Dallager) shows a variation of 122

persons -- 21 less persons than the ideal plan submitted by the Legislative Service Bureau! Now, if we believe in what we say that "the number is the thing" how come we are not considering this plan for real fair representation based on one-man, one-vote! Why should this plan not be considered? Furthermore, the other two plans, one and two (Dallager), show a disparity of less than 500. The Supreme Court in 1971 allowed a disparity of one percent which would be over 5000. This plan provides total equality for all the citizens of Iowa and should be adopted. This plan does not affect the districts of one, two and five. They are left entirely intact! The only districts that were touched were the third and fourth districts under the Legislative Service Bureau proposal.

Plan three (Dallager) makes sense because it literally leaves a strong assemblage of present congressional districts. Since this plan has achieved the impossible by keeping the disparity so low and equal, why should we forsake the traditional values of the surviving districts? Why should we not consider the historical traditions and culture of the people living in these districts? Why should we ignore the compactness, contiguity, and commonality of these districts? If we have accomplished what the law demands and dictates, and the people prefer to be represented by someone with whom they feel comfortable and familiar, don't you think that we should be governed by their wishes? I do. I voted against the Legislative Service Bureau plan one because it does not fully comply with the law as I envision it and secondly, it creates a total dismemberment of southwest Iowa and disrupts the remaining counties to the east by unnecessary and unwarranted intrusion.

The people of Iowa never were offered an alternative plan to redistricting. Now, they have one and I hope that, as a former member of Congress serving in two reapportioned districts, that you will consider my recommendations through personal experience and give your constituent an opportunity to remain where they are!

Respectfully submitted,

MR. WILLIAM J. SCHERLE

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SUMMARY OF THE COUNCIL BLUFFS PUBLIC HEARING ON THE APRIL 15, 1991 REDISTRICTING PLAN

April 23, 1991

The first hearing of the Temporary Redistricting Advisory Commission was called to order at 7:05 p.m., Tuesday, April 23, 1991, in the Community Room, 205 South Main Street, Council Bluffs, by Ms. Joanne Grueskin, Chairperson. Other members of the Commission present were:

Mr. Brent Appel
Ms. Patricia Harper
Mr. William Scherle
Mr. Wythe Willey

Also present were:

Ms. Diane Bolender, Director, Legislative Service Bureau
Mr. Gary Kaufman, Senior Legal Counsel, Legislative Service Bureau
Mr. Andrew Karl, Research Analyst, Legislative Service Bureau
Mr. Gary Rudicil, Research Analyst, Legislative Service Bureau

Other interested persons were also in attendance.

Chairperson Grueskin began the hearing by introducing the Commission members to the audience. She then stated the rules to be followed by members of the public wishing to make statements before the Commission. Chairperson Grueskin concluded her remarks by stating that copies of written testimony by public speakers should be provided to the Commission members, if possible.

After a brief introduction of the Legislative Service Bureau redistricting staff, Ms. Bolender presented the audience with an oral description of the standards used to create the proposed congressional and legislative redistricting plan, as specified in chapter 42 of the Iowa Code. She continued her remarks by discussing the redistricting time table followed by the Legislative Service Bureau. Ms. Bolender concluded by stating that the Legislative Service Bureau is not an advocate of this redistricting plan.

Mr. Kaufman discussed the entire process by which the redistricting staff created redistricting plans with the aid of personal computers and how numerous plans were submitted to Ms. Bolender for selection of the final congressional and legislative plan. Mr. Kaufman also described the district numbering process and several of the other redistricting standards used, such as attempting to keep as

many cities and counties whole as possible within congressional, house, and senate districts. Mr. Kaufman also noted that at no time in the process of creating or selecting redistricting plans was racial composition of a district taken into consideration.

People presenting testimony in favor of the first redistricting plan were:

Mr. Gerald Beyer, concerned citizen, Council Bluffs
Ms. Eleanor Tilton, League of Women Voters, Des Moines
Mr. Gene Freund, concerned citizen, Council Bluffs
Mr. Dan Gray, concerned citizen, Council Bluffs
Mr. Harold Swanson, concerned citizen, Glenwood

Several reasons were presented by the individuals in favor of the first redistricting plan, including:

1. The proposed plan is fair and should be passed.
2. The proposed plan includes population, compactness, and density measurements which are as close to the ideal as would be logical to expect.
3. City and county boundaries under the proposed plan have been respected with consistency.
4. The proposed plan would achieve fair and effective representation for the citizens of Iowa in compliance with the standards established by the General Assembly.
5. Change is always difficult, and the proposed third congressional district is no less conveniently contiguous than the current fifth congressional district, which is evident if one tries to drive around the current fifth district in one day.
6. The proposed congressional plan reflects an equitable reality and the proposed plan gives equal chance to both parties.
7. The combining of Polk county to southwestern counties in forming the proposed fourth congressional district will not cause the power to go to the most populous county, for based on past experience, the congressman will represent the interests of the entire district.
8. The congressional plan is reasonable, for if Polk county was placed in a central congressional district, the remaining districts would have to stretch across the entire west of the state or all the way across the south of the state to achieve the necessary ideal population for each district.
9. It is a myth that it is possible to have a congressional district in each corner of the state and achieve the necessary population equality.

10. Including southwest Iowa with Polk County may lessen some of the Nebraska, and especially Omaha, influence on the region and cause its citizens to look towards Iowa.

People presenting testimony for the rejection of the first redistricting plan were:

Mr. Jack Drake, concerned citizen, Lewis
Mr. Charles Gruber, concerned citizen, Council Bluffs
Mr. David Lashier, Shenandoah Economic Development Corporation, Shenandoah
Mr. Allen Nelson, concerned citizen, Red Oak
Mr. Dick Baber, concerned citizen, Council Bluffs
Mr. James Woodworth, concerned citizen, Council Bluffs
Mr. Carl Heinrich, Iowa Western Community College, Council Bluffs
Mr. Mark Doll, concerned citizen, Council Bluffs
Mr. Larry Allen, concerned citizen, Council Bluffs
Mr. Ed File, concerned citizen
Mr. Gale Eschelman, concerned citizen, Elliott
Mr. Ron Tekippe, concerned citizen, Council Bluffs

Several reasons were presented by the individuals for rejection of the first redistricting plan, including:

1. Rural precincts should not be split into neighboring counties as they are under the proposed plan in Pottawattamie county.
2. Congressional district three should be as long as it is wide.
3. Concern about the congressional representation when forty-eight counties under the proposed congressional plan would be represented by someone new.
4. Southwest Iowa has unique issues and should be contained in a single congressional district.
5. Concern that in the proposed fourth congressional district, Polk, Pottawattamie, and Dallas counties will dominate, thus disregarding the needs of rural Iowans in the district, since those three counties make up eighty percent of the population of the district.
6. Congressional districts should be based around population centers and made as square as possible.
7. Southwest Iowa's influence is reduced in the proposed congressional redistricting plan.
8. Southwest Iowa has more in common with Shenandoah than Des Moines.

9. The proposed third congressional district's shape is not composed of conveniently contiguous pieces and the plan is too slavishly trying to be equal in population as practicable.
10. Redistricting is all baloney and those who drew the redistricting plan drew the plan for their own advantage as the plan takes power away from the rural areas and gives it to the urban areas.
11. The proposed congressional district lines fracture southwest Iowa and weaken the efforts that have been made by southwest Iowa communities to enhance economic development.
12. The proposed third congressional district is the best example of gerrymandering that has been seen lately, and the district just does not look right.
13. The proposed plan should have contained a central Iowa district with four corner districts.
14. Under the proposed plan, the city of Shenandoah would be split into two congressional districts, two senate districts and two house districts.
15. The travel distance of the representative from the proposed third congressional district will be too great.

There being no further business, the hearing was adjourned at 8:20 p.m.

SUMMARY OF THE DES MOINES PUBLIC HEARING ON THE APRIL 15, 1991 REDISTRICTING PLAN

April 24, 1991

The second hearing of the Temporary Redistricting Advisory Commission was called to order at 4:10 p.m., Wednesday, April 24, 1991, in the Wallace Building Auditorium, Des Moines, by Ms. Joanne Grueskin, Chairperson. Other members of the Commission present were:

Mr. Brent Appel
Ms. Patricia Harper
Mr. William Scherle
Mr. Wythe Willey

Also present were:

Ms. Diane Bolender, Director, Legislative Service Bureau
Mr. Gary Kaufman, Senior Legal Counsel, Legislative Service Bureau
Mr. Andrew Karl, Research Analyst, Legislative Service Bureau
Mr. Gary Rudicil, Research Analyst, Legislative Service Bureau

Other interested persons were also in attendance.

The hearing recessed at 4:45 p.m., and reconvened at 7:05 p.m.

Chairperson Grueskin began the hearing by introducing the Commission members to the audience. She then stated the rules to be followed by members of the public wishing to make statements before the Commission. Chairperson Grueskin concluded her remarks by stating that copies of written testimony by public speakers should be provided to the Commission members, if possible.

After a brief introduction of the Legislative Service Bureau redistricting staff, Ms. Bolender presented the audience with an oral description of the standards used to create the proposed congressional and legislative redistricting plan, as specified in chapter 42 of the Iowa Code. She continued her remarks by discussing the redistricting time table followed by the Legislative Service Bureau. Ms. Bolender concluded by stating that the Legislative Service Bureau is not an advocate of this redistricting plan.

Mr. Kaufman discussed the entire process by which the redistricting staff created redistricting plans with the aid of personal computers and how numerous plans were submitted to Ms. Bolender for selection of the final congressional and

legislative plan. Mr. Kaufman also described the district numbering process and several of the other redistricting standards used, such as attempting to keep as many cities and counties whole as possible within congressional, house, and senate districts. Mr. Kaufman also noted that at no time in the process of creating or selecting redistricting plans was racial composition of a district taken into consideration.

People presenting testimony in favor of the first redistricting plan at both the afternoon and evening sessions were:

Ms. Jacquelyn Elfmann, League of Women Voters of Iowa, Des Moines
Ms. Rosa Lee Griem, Wayne County Republican Chairperson, Corydon
Mr. William Keettel, concerned citizen, Sioux City
Mr. George Welch, concerned citizen, Adel
Ms. Mary Garst, concerned citizen, Carroll County
Ms. Martha Grimes Knutsen, Marshall County Auditor

Several reasons were presented by the individuals in favor of the first redistricting plan, including:

1. The proposed plan is fair and should be passed.
2. Wayne county was divided fairly in the proposed redistricting plan.
3. The proposed redistricting plan is reasonable, near equal in population, a nonpartisan plan, has reasonable size and shape of districts, and has the public perception of being a nonpartisan plan which would be lost if the plan is rejected by the legislature.
4. Both central and western Iowa will have three members in congress to represent the areas' interests.
5. Population equality should be the highest priority, and the proposed congressional plan meets this priority.
6. The population equality numbers are impressive and the proposed legislative redistricting plan treats Marshall county well.
7. One-person one-vote was achieved under the proposed legislative redistricting plan without sacrificing the integrity of political subdivision boundaries.
8. The fact that three staff persons from the Legislative Service Bureau independently created redistricting plans for submission to and selection by the director of the Bureau indicates that the best possible plan was probably chosen.
9. It is currently very difficult to create a congressional plan that contains a central district surrounded by four districts in each corner of the state that

also has low population deviations, therefore the congressional districts should have a mix of both urban and rural counties as is found in the proposed plan.

10. Under the proposed redistricting plan, county elections would be easier to administer in some counties.

No persons testified in opposition to the first redistricting plan.

There being no further business, the hearing was adjourned at 7:45 p.m.

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SUMMARY OF THE CEDAR RAPIDS PUBLIC HEARING ON THE APRIL 15, 1991 REDISTRICTING PLAN

April 25, 1991

The third hearing of the Temporary Redistricting Advisory Commission was called to order at 7:10 p.m., Thursday, April 25, 1991, in the Iowa Room of Iowa Hall, Kirkwood Community College, Cedar Rapids, by Ms. Joanne Grueskin, Chairperson. Other members of the Commission present were:

Mr. Brent Appel
Ms. Patricia Harper
Mr. William Scherle
Mr. Wythe Willey

Also present were:

Ms. Diane Bolender, Director, Legislative Service Bureau
Mr. Gary Kaufman, Senior Legal Counsel, Legislative Service Bureau
Mr. Andrew Karl, Research Analyst, Legislative Service Bureau
Mr. Gary Rudicil, Research Analyst, Legislative Service Bureau

Other interested persons were also in attendance.

Chairperson Grueskin began the hearing by introducing the Commission members to the audience. She then stated the rules to be followed by members of the public wishing to make statements before the Commission. Chairperson Grueskin concluded her remarks by stating that copies of written testimony by public speakers should be provided to the Commission members, if possible.

After a brief introduction of the Legislative Service Bureau redistricting staff, Ms. Bolender presented the audience with an oral description of the standards used to create the proposed congressional and legislative redistricting plan, as specified in chapter 42 of the Iowa Code. She continued her remarks by discussing the redistricting time table followed by the Legislative Service Bureau. Ms. Bolender concluded by stating that the Legislative Service Bureau is not an advocate of this redistricting plan.

Mr. Kaufman discussed the entire process by which the redistricting staff created redistricting plans with the aid of personal computers and how numerous plans were submitted to Ms. Bolender for selection of the final congressional and legislative plan. Mr. Kaufman also described the district numbering process and several of the other redistricting standards used, such as attempting to keep as

many cities and counties whole as possible within congressional, house, and senate districts. Mr. Kaufman also noted that at no time in the process of creating or selecting redistricting plans was racial composition of a district taken into consideration.

Persons presenting testimony in favor of the first redistricting plan were:

Ms. Margaret Smith, League of Women Voters of Iowa, Des Moines
Mr. Ray Dial, Second Branch President, Black Hawk NAACP
Mr. Rick Schloemer, concerned citizen, Davenport
Mr. Jeno Berta, concerned citizen, Johnson County
Mr. Douglas Jones, concerned citizen, North Liberty
Mr. Otto Ewoldt, concerned citizen, Le Claire

Several reasons were presented by the individuals in favor of the first redistricting plan, including:

1. The proposed plan is fair and should be passed.
2. The proposed redistricting plan is reasonable, near equal in population, a nonpartisan plan, has reasonable size and shape of districts, and has the public perception of being a nonpartisan plan which would be lost if the plan is rejected by the legislature.
3. Because of the initial bipartisan support from the General Assembly for the proposed redistricting plan, the plan should be accepted.
4. One-person one-vote was achieved under the proposed legislative redistricting plan without sacrificing the integrity of political subdivision boundaries.
5. Proposed house district thirty-seven is one where a representative from Clinton would represent the constituents of the Bettendorf area of the district adequately and conversely where a Bettendorf representative would represent the interests of the Clinton area adequately.

Persons presenting testimony in opposition to the first redistricting plan were:

Ms. Elizabeth Snyder, Mayor of Clinton
Mr. Charlie Sheridan, Clinton County Auditor and Commissioner of Elections
Ms. Jill Davisson, Clinton County Board of Supervisors
Mr. Roger Shaff, concerned citizen, Camanche
Ms. Pat Gilroy, concerned citizen, Iowa City
Mr. John Frey, River City Chamber of Commerce (Clinton and Camanche)
Mr. Ross Spooner, Chairperson, Clinton County Board of Supervisors
Ms. Doris Peick, concerned citizen, Cedar Rapids
Mr. Charles Pelton, Chairperson, Clinton County Republican

Central Committee

Mr. Tom Taylor, Chairperson, Johnson County Democratic
Central Committee

Mr. Sylvester Grady, President, Iowa-Nebraska State Conference
of the NAACP

Mr. Hugh Lamont, Executive Vice President, Clinton Area
Development Corporation

Ms. Maureen Taylor, concerned citizen, Iowa City

Several reasons were presented by the individuals in opposition to the first redistricting plan, including:

1. By splitting the city of Clinton into two house districts, the proposed redistricting plan will dilute Clinton's influence in the legislature.
2. The city of Clinton should not be in the same senate district with the city of Bettendorf.
3. Clinton county should be in a single senate district.
4. The proposed plan has fragmented the rural areas of Clinton county into three house districts and two senate districts.
5. Western Clinton county should not be in the same senate district with Cedar county.
6. Proposed house district thirty-seven is not compact.
7. The city of Clinton should be represented by a person from the Clinton area, and under the proposed legislative plan, that portion of the city of Clinton included in house district thirty-seven could potentially be represented by a person from the Bettendorf area.
8. Proposed house district thirty-seven encompasses an area with different radio and television stations, as well as different newspapers.
9. Campaigning in more than one county increases campaign costs.
10. The residents of the western portion of Clinton County have been placed in a district dominated by Cedar County.
11. The proposed congressional districts should strive to be similar to the current districts.
12. The proposed legislative redistricting plan will dilute the representation from the Cedar Rapids and Linn county areas.
13. The proposed fifth congressional district is too large in area.
14. The support Iowa City has received from the member of Congress currently representing Johnson county may be eroded because under the

proposed congressional plan, Johnson county would be included in a different congressional district.

15. Proposed senate district twenty-four represents interests that are too diverse, such as farming and riverboat gambling, because it stretches from the city of Muscatine to rural Johnson county.

During the course of the hearing, Mr. Kaufman calculated the populations of Bettendorf, Clinton, rural Scott county, and rural Clinton county contained within proposed senate district nineteen and house districts thirty-seven and thirty-eight and conveyed that information to the audience. (After the hearing's conclusion, several concerned citizens from the Clinton area expressed less concern to Commission members about the proposed district boundary lines after receiving Mr. Kaufman's calculations.)

There being no further business, the hearing concluded at 9:05 p.m.

The Commission members gathered at 9:35 p.m. to discuss procedures for its Tuesday, April 30 Commission meeting. A summary of that discussion has been completed separately. There being no further business, the meeting adjourned at 10:10 p.m.

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SUMMARY OF WRITTEN TESTIMONY RECEIVED BY THE
LEGISLATIVE SERVICE BUREAU CONCERNING
THE FIRST REDISTRICTING PLAN

The Legislative Service Bureau received written testimony favoring the proposed first redistricting plan from the following person who did not give an oral presentation at the public hearing:

Mr. Dennis Wangeman, Chairperson, Cedar Rapids Area Chamber of Commerce

The written testimony from this individual specified the following additional reason for support of the first redistricting plan that differed from the reasons indicated in the summaries of the public hearings' oral presentations:

The strong economic alliance which exists between Cedar Rapids and Iowa City will be enhanced by the inclusion of these two urban areas within the proposed first congressional district.

The Legislative Service Bureau received written testimony opposing the proposed first redistricting plan from the following persons who did not give oral presentations at the public hearings:

Mr. Michael Gutttau, President, Treynor State Bank, Treynor
Mr. Thomas Hart, Mayor of Davenport

The written testimony from these individuals specified the following additional reason for opposition to the first redistricting plan that differed from the reasons indicated in the summaries of the public hearings' oral presentations:

The city of Davenport is divided into too many legislative districts and these districts look similar to the districts contained in the 1970 redistricting plan that was criticized for its disregard for municipal boundaries. The districts look very dissimilar to the current legislative plan that respects corporate limits to a greater extent.

The Legislative Service Bureau received written testimony proposing three alternative congressional redistricting plans from Mr. Lee Dallager, who did not give an oral presentation at any public hearing.