

SENATE COMMITTEE ON RULES AND REDISTRICTING

March 22, 2001 Hearing Room C
3:00 P.M. Tapes 37 - 38

MEMBERS PRESENT: Sen. Steve Harper, Chair
Sen. Peter Courtney, Vice-Chair
Sen. Jason Atkinson
Sen. Lee Beyer
Sen. Kate Brown
Sen. Randy Miller
Sen. John Minnis

STAFF PRESENT: Craig Allen, Committee Administrator
Annetta Mullins, Committee Assistant

MEASURE/ISSUES HEARD: Public Hearing
Redistricting
SB 834
HB 2583
SB 551
SJR 20

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 37, A		
004	Chair Harper	Calls meeting to order at 3:02 p.m. and opens a public hearing on redistricting.
<u>REDISTRICTING</u>		
006	Chair Harper	Notes that no one has signed up to testify on redistricting. Enters into record documents received by the committee: <ul style="list-style-type: none">• Letter from Rep. Greg Smith (EXHIBIT A).• Letter from City of Shady Cover (EXHIBIT B).• Letter from Crook County (EXHIBIT C).• Census data by county (EXHIBIT D).• Census data by city (EXHIBIT E).
017	Chair Harper	Closes the public hearing on redistricting and opens a public hearing on SB 834.
<u>SB 834 – PUBLIC HEARING</u>		
023	Scott S. Tighe	Operations Manager, Elections Division, Secretary of State's office (SOS). Reads a prepared statement in support of SB 834 (EXHIBIT F).
054		Issues discussed:
054		<ul style="list-style-type: none">• Why SOS cannot adopt rules to determine voter intent.
077	Fred Neal	Election's Division, Secretary of State's office. Comments that SOS does have the statutory authority to adopt rules and the bill

		does not prevent them from adopting rules; SOS supports the bill.
094	Chair Harper	Closes public hearing on SB 834 and opens a public hearing on HB 2583.
<u>HB 2583 – PUBLIC HEARING</u>		
110	Charles Stern	Yamhill County Clerk and Chair, Oregon Association of County Clerks. Submits a prepared statement and testifies in support of HB 2583 (EXHIBIT G). States he would like his comments to also apply to Sen. Miller’s bill (SB 503). Issues discussed: <ul style="list-style-type: none"> • Whether a person is entitled to vote if he/she has served his/her sentence.
	Stern	Continues presentation (EXHIBIT G). Issues discussed: <ul style="list-style-type: none"> • 1999 legislation on inactive status of voters.
	Stern Sen. Miller	Comments on federal language. States that in his bill he is trying to get at retention as opposed to removal.
245	Stern	Reads from the Federal Election Commission <u>Guide to Implementing the NVRS</u> on targeted confirmation mailings. States that the extended period of time is not in the federal statute but is something the legislature defines. Adds that there are a lot of people who only vote in presidential elections and a time should be chosen so those people are not sent notices.
267	Sen. Miller	Suggests there could be two boxes for recipients to check: one saying the information on the card is correct and the person wants to maintained on the active list, and one that the recipient can check to say the information needs to be updated. Or, a third choice would say they do not want to stay active as a voter. Emphasis therefore is on retention as opposed to removal.
300	Stern	Comments that the choices that Sen. Miller describes are on the current notice and is defined by administrative rule and statute, and that the return card has prepaid postage. The current notice does not have the third checkbox. Inactive voters are not in the count for counting citizens in precinct.
349	Sen. Miller Stern	Asks how the voter status applies to signing petitions. Explains that the FEC guide talks about the inactive voters not being in the numbers for determining precincts or number of signatures for petitions.
390	Chair Harper Sen. Miller	Asks what HB 2583 is trying to fix. Responds he is trying to allow as many to participate as possible. The question is whether to have those who sit out a couple of cycles not count in the majority required in an election.
386	Sen. Miller	Ask if it is appropriate to require someone to register to vote in order to speak one's mind.
395	Chair Harper Stern	Asks Stern what problem they are trying to address. Explains they are attempting to address the voter who chooses not to vote but who wants to stay active. They are trying to narrow the targeted mailing to include not just those who have not voted in five years, but also those who responded in any way in that five-year period.
447	Sen. L. Beyer Stern	Asks if signing a petition could move a person to an active status. Responds that it does not move the person to active status under current law.

TAPE 38, A

- 018 Sen. Miller Stern Asks if it is necessary to have all the different categories. Responds that federal law requires that they track these people. Explains that the federal law talks about inactive voters being monitored.
- 047 Chair Harper Asks that HB 2583 be used as the vehicle to work out an agreement.
- 063 Chair Harper Closes the public hearing on HB 2583 and opens a public hearing on SB 551 and SJR 20.

SB 551 AND SJR 20 - PUBLIC HEARING

- 072 Senator L. Beyer District 21, Lane County. Explains that he brings the committee two versions of the same idea.
- SJR 20 is a referral to the voters to see if they like the idea of nonpartisan legislators.
 - SB 551 simply adds legislators, representatives and senators, to the list of nonpartisan positions in the state.
 - Experience has been there is a broad range of people serving on public bodies and it has had no effect on the body because the bodies decide issues.
 - Neither the Oregon nor U. S. Constitution mentions parties.
 - A couple of states have had experience with legislatures that were nonpartisan. Nebraska is a unicameral system and is nonpartisan. Comments on Minnesota with three parties.
 - One of the advantages is cost. Comments on costs for staffing for caucus office; costs Oregonians \$6-8 million a biennium.
 - Being nonpartisan does not prohibit splits; there will be differences of opinions.
 - Introduces Brian Johnston, Harry Bodine, and Deirdre Molander.
 - Submits *The Oregonian* article about the Nebraska legislature written by Harry Bodine (**EXHIBIT H**).
- Issues Discussed:
- 210
- Downside of proposed legislation.
 - Differences of opinions and debate on issues.
 - Whether legislators would consider the merits of all legislation differently than now.
- 370 Deirdre Molander Portland resident. Reads prepared statement in support of a nonpartisan legislature (**EXHIBIT I**).
- Tape 37, B**
- 008 Brian Johnston Salem resident. Testifies in support of SB 551:
- Bill addresses the question of whether the process we have is the most effective way to use the citizens and elections process. Does not believe so. Believes a nonpartisan legislature would be a better way:
 - The two parties substitute as information for an electorate that may not be fully informed on the issues, and allows organizational techniques within the legislative body itself.
 - There have been wonderful candidates who would be intellectually productive in this body but lacked the party registration that would make them appropriate for their

district.

- Once people get here the functioning within the body is often times a function of party as opposed to issue.
- Believes Congress is too large a body to be a nonpartisan body. Ninety people are not difficult to organize.
- Offers to loan tape of interview several years ago with Senator Whittman, then presiding officer of the Nebraska legislature and the clerk for the body.

058 Harry Bodine

Testifies in support of SB 551 (**EXHIBIT J**):

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- Explains unicameral legislative system in Nebraska.
- Last week of Nebraska legislature session is orderly.
- Comments on comparison of costs; Oregon's cost is twice that of Nebraska.

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Issues discussed:

- Statewide offices and the congressional delegation in Nebraska are elected on a partisan basis.
- State budgets of Oregon and Nebraska.
- Length of Nebraska sessions.
- Holidays and length of workdays.
- Why Nebraska is the only nonpartisan legislature.
- Limitation on introduction of bills.

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Chair Harper

Adjourns meeting at 4:25 p.m.

Submitted By,

Reviewed By,

Annetta Mullins,
Committee Assistant

Craig Allen,
Committee Administrator

EXHIBIT SUMMARY

A - Redistricting, letter, Rep. Greg Smith, 1 p

B - Redistricting, letter, City of Shady Cove, 3 p

C - Redistricting, letter, Crook County, 2 pp

D - Redistricting, census data by county, staff, 3 pp

E - Redistricting, census data by city, staff, 4 pp

F - SB 834, prepared statement, Scott Tighe, 1 p

G - HB 2583, prepared statement and matrix, Charles Stern, 3 pp

H - SB 551, *The Oregonian* news article, Sen. L. Beyer, 1 p

I - SB 551, prepared statement, Deirdre Molander, 1p

J - SB 551, prepared statement, Harry Bodine, 2 pp

SENATE COMMITTEE ON RULES AND REDISTRICTING

**March 22, 2001 Keizer Community Center
6:30 P.M. Tapes 39 - 40**

MEMBERS PRESENT: **Sen. Steve Harper, Chair
Sen. Peter Courtney, Vice-Chair**

MEMBERS EXCUSED: **Sen. Jason Atkinson
Sen. Lee Beyer
Sen. Kate Brown
Sen. Randy Miller
Sen. John Minnis**

VISITING MEMBERS: **Rep. Vic Backlund
Rep. Steve March**

STAFF PRESENT: **Marjorie Taylor, Redistricting Coordinator
Annetta Mullins, Committee Assistant**

MEASURE/ISSUES HEARD: **Redistricting**

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE , A 004	Vice Chair Courtney	Calls meeting to order at 6:33 p.m. and welcomes community members. Explains requirements in the redistricting process and introduces Representative Backlund, Senator Harper, and Representative March.
	Vice Chair Courtney	Explains that population numbers in each Senate and House districts must be approximately equal numbers based on the 2000 U. S. Census; 57,000 for the House seats and 114,000 for the Senate seats. States that House District 33 must lose 6,275 people and that population will be moved to another House district. Senate District 17 will lose 7,278 people that must be moved into another district. Informs the audience that the legislature has until June 30 to complete redrawing of the lines and if the legislature fails to complete a plan that is signed by the Governor, the Secretary of State will draw the new lines for House and Senate districts for the entire state. Explains that the plan for redrawing the House and Senate district lines will begin in the House of Representatives and the plans for redrawing the lines for congressional districts will begin in the Senate.
135	Vice Chair Courtney	Reviews requirements and restrictions in ORS 181.010 for redrawing district lines.
143	Vice Chair Courtney	Explains the responsibility of the legislature in redrawing

		congressional district boundaries; each congressional district must have a population 684,000 plus. Identifies congressional districts on map and explains the changes in population that must be made. Advises that if the legislature does not complete a plan that is signed by the Governor, the federal courts will decide the congressional districts lines.
190	Rep. March	Explains that the Secretary of State drew the existing lines in 1991. The Secretary of State attempted to take into consideration communities of interest, but those communities of interest may not be the same for 2001. States that the districts are not being drawn for the purpose of favoring any political party or incumbent legislator or person. Asks witnesses to present their opinions on communities of interest and what should be in a district for the purpose of revising the district lines.
214	Chair Harper	Comments he would like to hear comments from the audience.
221	Rep. Backlund Barb Wasson	Comments he is here to listen to comments from the audience. Teacher at Chemeketa Community College. Asks that community colleges be considered as a community of interest because community colleges are a strong part of the communities.
260	Jacqueline Moir	Asks that consideration be given to not dividing the city of Keizer. States that Keizer is a very unique community that has grown drastically in population. Keizer has one high school and the community spirit is strong.
253	Garry Whalen	Comments that Keizer is a unique community and there are some issues that they need to maintain identity with, as well as the resources within the community. Asks what the implications of redistricting are for Land Conservation and Development (LCDC) and urban growth boundary (UGB) issues.
293	Vice Chair Courtney Whelan	Advises redistricting does not have any effect on either. Comments he hopes that there is some way of losing the 6,000 population from Keizer without impacting the population within the city limits.
305	Vice Chair Courtney	Reviews population figures for Keizer in 1990 and 2000 (EXHIBIT A, page 3).
289	Lore Christopher	Keizer Mayor. Comments that Keizer would not be well served by splitting the city. Explains there are many arterials that would allow the city to be split. Currently, all the children in Keizer attend McNary High School. One of the reasons people choose to live and raise their children in Keizer is because everybody can get around McNary High School and Whittaker Middle School. States that the community is so strongly in support of their children that it binds the community together.
348	Christopher	Explains that Keizer is also associated with Gervais and Brooks and the communities do a lot of things collectively. States that Keizer is known for the Iris Festival; the iris farms are located in Brooks. Suggest it would seem that as the lines are redrawn, Keizer would be kept in a whole and would take in some of the neighbors to the north. Adds that she believes the children in Gervais and Brooks are also bussed to McNary High School.
364	Rep. Backlund	Comments that he believes some of the children are bussed.
365	Christopher	Comments that the children in Gervais and Brooks are Keizer

		children and it would be wonderful if the same district could incorporate them as well. Adds that the Keizer Rotary Club is a strong club and raise \$50,000 that is poured back into the community, including Brooks and Gervais because the club recognizes that some of the most important citizens are Rotary Club members who live in the outlying area north of Keizer. Also, the Keizer Chamber of Commerce has over 300 members.
390	Christopher	Explains that River Road runs from Salem to Brooks, Highway 99 runs from Keizer into Gervais. Adds that Salem Parkway is natural divider except for Highland School. Believes that some of the Highland School children will be going to the new Claggett Middle School in Keizer.
408	Christopher	Asks where the congressional district lines are and what the census populations are in the area.
429	Vice Chair Courtney	Explains lines for the First, Third, and Fifth Congressional Districts.
428	Christopher	Comments that Keizer "will take Beaverton," population 50,000, to increase the population in the Fifth Congressional District.
437	Christopher	Comments that she believes the 47 percent growth in Keizer indicates this is a community where people have chosen to live and believes they have chosen to live here because of the individuality of the neighborhoods, the strong volunteer efforts, and the strong community that rallies around its children. The last thing they would want any committee to do is to separate the City of Keizer in any way. Adds she is not sure there is a lot of support for keeping Keizer in Salem or to the north. All that matters is that wherever Keizer goes, Keizer goes intact with surrounding neighborhoods.
<u>TAPE 40, A</u>		
015	Jim Keller	Keizer resident. Comments the legislature has a real challenge. States he is worried if the change of the lines pulls Keizer too far north and completely out of Salem. States that Keizer has so many things in common with Salem including transportation and a number of other issues. States his hope is that if the southern border is pulled north, that there is still some type of connection with Salem to help serve both communities.
027	Chuck Lee	Resident on south end of Keizer. Comments it would be important to keep the City of Keizer in tact within one House district. But also echoes Keller's comments that as the committee looks to expand the numbers, the committee should look south. Believes that many people who have moved to Keizer and represent the large increase in growth work in Salem. Believes there is a natural connection that is stronger toward the south than toward the north. Adds there is a substantial Hispanic community in southeast Keizer and believes there would be a dividing of a common interest by dividing the Hispanic community that might exist in the north end of Salem, particularly in the Highland area and southeast Keizer area. The have done so much in the last couple of years to develop a sense of identity in that community and believes there is tremendous overlap more toward that area than there is a common interest with some of the smaller cities to the north.
049	Lee	States that if the committee is going to move anything, it should be the area east of I-5. Believes that is an area of less common

		interest than south into Salem.
054	Christopher	States that Lee is correct and that the Southeast Keizer Neighborhood Association has really reached out to the entire Highland neighborhood. It is a strongly Hispanic neighborhood and they have been drawn in through the Salem Mennonite Church. It is a strong community of interest. Agrees that Lee is correct in saying if the committee were to divide the Highland area, it would divide that ethnic group. States she also agrees with Lee that the area east of I-5 is probably the area of least commonality with Keizer, Gervais, Brooks, and Salem.
067	Chris Eppley	Keizer City Manager. Comments that he wants to give his support for issues the council members and mayor have spoken about. States that the City of Keizer very recently joined together to form the community for very specific reasons, some related to taxing services, a commonality of investment made in the community, and a water system that is unique and serves the City of Keizer very well. States it would be a shame to divide the city. Adds that he appreciates the work the legislature is doing on redistricting.
084	Mike Swaim	Mayor of Salem. States he is one of Lore Christopher's biggest fans and finds it a pleasure to be working with her. Believes that they have different interest between Salem and Keizer, a different philosophy of government, a different idea of fiscal policies, and believes it would be a boon to both communities to look at the jurisdictional boundaries of the two cities to determine representation, especially in the House and Senate districts.
105	Swaim	Each city deserves to be considered as a whole. States that Salem tried to divide a community with 12 th street and the community came unglued. Dividing a community is a very traumatic thing. It is somewhat confusing to have an overlap between cities. The issue of the Hispanic community is a relevant situation and should be considered part of Salem because of the number of support systems. The jurisdiction line between Salem and Keizer is good. Suggests that the community of Latinos in the Highland area be included in the same district as the City of Salem.
159	Vice Chair Courtney	Advises that the committee will have hearings in Salem and will work with Mayor Swaim to set up the meetings.
158	Christopher	Comments that the City of Keizer has almost reached its UGB and therefore the city can only grow to the north. States that she is not advocating that the UGB be changed, but the new districts will serve for the next 10 years. If there is any interest or desire for Keizer to grow past the UGB during the next decade, it has to grow to the north. That takes in Gervais and Brooks. States that estimates indicate there is only enough infill area and small pieces of land for another 6,700 people.
190	Wasson	Comments that the timeline is so accelerated. Asks if citizens will be allowed to comment on proposed plans. States that she will give the information (EXHIBIT A) to the geography teacher at Chemeketa Community College. Asks if the citizens will be told how the legislature arrived at a plan for redistricting.
207	Chair Harper	Advises that the first eleven hearings are for the purpose of

going out to the communities. The committees will then sit down at the computer and put out a tentative plan. It is hoped that the first plan will be completed in mid to late April. The tentative plan will then go back out for comments for about four weeks. Advises that the statute says the plan is due by June 30 and the committee has set the due date as the end of May and first of June.

242 Chair Harper

Advises that communications with the representatives and senators will be critical.

244 Rep. March

Asks that the audience notice the list of hearings and contacts on the handout (**EXHIBIT A**), and advises that information is contained on the web page, comments may be mailed to the legislators, and the geographers can confer with the committee and develop their own plan. Adds that the committees ask that if someone comes in with a plan, it should be a complete plan, not just a plan for Salem, although it could be. States the committees are committed to having an open process and that is why the committees are going out to the communities before developing a plan. The committees want to get ideas on where to draw the lines.

253 Christopher
Rep. March

Asks if community groups may send comments to staff. Responds affirmatively and informs the audience that the House Committee on Rules, Redistricting and Public Affairs receives testimony for one-half hour each Wednesday. Adds that anyone may send information to the committees and members by any means and that it will be entered into the official records.

249 Vice Chair Courtney

Comments that the committees have tried very, very hard to develop an input process procedure. Encourages audience to attend and speak at any of the committee meetings being held around the state.

301 Whalen

Comments that he thinks there are some areas of communities of interests that need to be specifically thought of, despite the differences between Swaim and Christopher regarding boundaries. It is important to Keizer as a community to maintain a connection both with the representative and state senate level because there are several things the communities share and benefit mutually from: a federally funded regional sewage treatment plant, the school district, and the mass transit system. It is important to maintain that connectivity that will enhance or encourage even a greater sense of cooperation between the two communities. Believes any action that needs further cooperation or work will best be served by having an affiliation at the state level as well as at the city and county level.

358 Vice Chair Courtney

Thanks the audience for attending and commenting and adjourns the meeting at 7:24 p.m.

Submitted By,

Reviewed By,

Annetta Mullins,
Committee Assistant

Marjorie Taylor,
Redistricting Coordinator

EXHIBIT SUMMARY

A - Handout, staff, 4 pp