

House Committee on Legislative Rules & Reapportionment Subcommittee on
Reapportionment March 12, 1991 - Page

These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in quotation
marks

report a speaker's exact words. For complete contents of the
proceedings, please refer to the tapes.

HOUSE COMMITTEE ON LEGISLATIVE RULES AND REAPPORTIONMENT

SUBCOMMITTEE ON REAPPORTIONMENT

March 12, 1991 Room 350 8:00 a.m. Tapes 13 - 14

MEMBERS PRESENT: Rep. Greg Walden, Chair Rep. Peter Courtney,
Vice-Chair Rep. Ray Baum Rep. Margaret Carter Rep. Bill Markham Rep. Tom
Mason Rep. Randy Miller

VISITING MEMBER: Rep. Ron Cease Rep. Carl Hosticka

STAFF PRESENT: Adrienne Sexton, Committee Administrator Carol
Wilder, Committee Assistant

MEASURES CONSIDERED: HB 2001 - PH

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proceedings, please refer to the tapes.

TAPE 13, SIDE A

004 CHAIR WALDEN: Calls meeting to order at 8:04 a.m.

HB 2001 - PUBLIC HEARING

014 REP. TOM MASON, HOUSE DISTRICT #11: Presents a map of a proposed
Congressional Redistricting Plan. - Map has perspective of northwest
corner of the state. - Congressional District #2, the eastern Oregon
congressional district, presently extends into Josephine and Jackson
Counties.

- On this plan, this extension into Josephine and Jackson Counties is
eliminated; this makes Congressional District #2 whole. - This
elimination gives the district a population surplus of 5,475, or .9

percent.

- Considered five things:

1. Looked at actual numbers - Who needed to gain and who needed to lose? The 5th and 1st Congressional Districts needed to lose population.
2. Considered what the witnesses said at the regional meetings.
3. Looked at existing communities of interest.
4. Wanted to preserve existing political boundaries.
5. Wanted to eliminate anomalies out of the prior congressional redistricting plan.

- This plan took what was done in 1981 and tried to continue those lines. - In 1981 when the 5th Congressional District was added to Oregon, it was decided to carve the 5th Congressional District out of the center of the existing four congressional districts. - This plan continues upon that decision.

- The specifics of the districts are:

- CD 1 remains basically the same, but Yamhill and Polk Counties are placed into the 5th Congressional District. Loses some of Dunthorpe to the 3rd Congressional District.

- CD 2 has few changes except for the gaining of the remainder of Jackson and Josephine Counties.

- CD 3 needed to gain population, so the proposed plan extends down into northwest Clackamas County in the area of West Linn, Wilsonville, and along the freeway to Charbonneau.

- CD 4 loses the Linn County finger.

- CD 5 picks up Yamhill and Polk Counties.

- Describes the communities of interest that are preserved by this particular approach:

- CD 1 has two communities of interest: the coastal area and the high-tech industry in Washington County -- the Beaverton-Hillsboro area. The existing boundary for CD 1 involves the west side of Portland. This suburban area is more oriented toward Beaverton than Portland.

- CD 2 is an agriculturally oriented district. This plan continues that orientation.

- CD 3 has two communities of interest: an intense urban area--the downtown area of Portland, inner southeast, inner north, and inner northeast Portland. It has the largest minority population in northeast Portland, which is preserved. Have an urban community of interest in this district. The second community of interest is the suburban community of interest in the far east side of Multnomah County, in Lake Oswego, and extending down into the Wilsonville area. The alternative to this would be extending the district on the east side of the

Willamette River into Milwaukie. However, if you do that, you will extend yourself down into rural areas of Clackamas County, creating a rural community of interest. I think it makes more sense to preserve an urban-suburban community of interest.

180 REP. MARKHAM: Where is the east line of that district?

181 REP. MASON: Essentially, the Willamette River.

182 REP. MARKHAM: No, the east line.

183 REP. MASON: That's the Multnomah County line.

- CD 4 which is now currently represented by Congressman DeFazio remains to have three communities of interest: the rest of the coast, timber interests throughout the 4th CD, and the University of Oregon. - CD 5 remains an agriculturally oriented district with Oregon State University.

202 CHAIR WALDEN: Under your plan, is Albany in the 5th or the 4th?

204 REP. MASON: In the 4th. That has a lot to do with the cleaning up of the lines. - CDs 3, 4 and 5 each contain a major university and that is deliberate--each university needs to have congressional representation to get grants, research projects, etc. - Four out of five of our current congressional representatives have approved this plan. They gave input but they did not write this plan. I came up with the plan and presented it to them and they made a few suggestions. As far as I know, Congressman Smith has no objections to the taking of the Jackson-Josephine portions and adding that to CD 5, but I can't speak for him. - There's nothing radical about this plan; it builds upon the 1981 plan. There's nothing partisan about it; it doesn't give anyone an advantage. I would like to see this plan seriously considered.

250 REP. CEASE: How could it be radical if four out of five agree to it?

255 REP. MILLER: I appreciate all the work that Rep. Mason has gone to in putting this together. With respect to those who support it, I'm not at all surprised. What I'm beginning to understand about this process is it's a lot like the lottery and economic development; you figure out how much you want appropriated and then you go about creating some reasons to justify the appropriation. I recognize why, at least with the area I'm familiar with, it got hooked into a particular congressional district in 1981, and I'll be trying very hard to prevent that kind of plan from being enacted once again. I don't think it was fair in 1981. Again, I'm not surprised why the particular incumbents involved might like this, but I think our mission is more to protect the interests of citizens than to protect incumbent congressmen.

277 REP. MASON: There have evolved over the past ten years communities of interest. Even though the four incumbent congressmen have accepted this, this was not with a lot of hard-swallowing on the part of incumbent congressmen. They accept this but it took a lot of work to get them to accept this. CD 3 needs some population and this decision was made in 1981; the decision was not challenged and so it seemed the natural evolution to extend that decision.

289 REP. COURTNEY: Rep. Miller, are you referring to the city of Lake Oswego or the whole legislative area?

293 REP. MILLER: Our legislative area, or at least there are a number of cities and areas around where I'm located that are carved up into three congressional districts. There was a pretty good challenger in 1981 that looked to be an opportunity in CD 1 who had an extremely strong support base in Lake Oswego and that particular support base may have been drawn out of that area so that one particular person would have an advantage in the election.

302 REP. COURTNEY: What district do you think it belongs in? Are you saying that it belongs in CD #1?

307 REP. MILLER: Well, this is the first that I've seen of this plan. I'm reluctant to perpetuate what I didn't think was wise policy in 1981.

310 REP. MASON: What we're trying to do is balance, starting with the numbers of people and the communities of interest. One of the things that always occurs is that when you try to hit the numbers right on the head you're going to get some things that people disagree with. If you move the line out, you're going to drastically change the character of the other district in the sense that you would take what is predominantly an agricultural district and turn it into something else against the urban-suburban districts. If you do that, you're going to change the basic character of the district.

322 CHAIR WALDEN: What is the northern boundary in Yamhill County that you chose to follow?

330 REP. MASON: That was just a staff boundary. These are just where the census block ends when you even everything up.

326 CHAIR WALDEN: Do you know if that was along roads or rivers?

328 REP. MASON: I assume it was the census blocks. I told the technician to get enough population in here to round out the plan.

332 CHAIR WALDEN: That's because you went down into Benton County?

334 REP. MASON: We went into Benton County in order to keep Oregon State University. That is the old plan. The green lines on this map are the old district. We tried as much as possible to follow old district boundaries. CD 1 had to lose population and CD 4 was fairly close and was going to lose to the CD 2 so CD 1 had to lose to CD 5.

343 REP. CARTER: Asks Rep. Miller--Do you see Lake Oswego as a community, regardless of the agrarian nature or the suburban nature of Lake Oswego, as being a total district in terms of the 1981 plan and in terms of the plan that Rep. Mason is presenting?

347 REP. MILLER: There is a fair degree of common interest. I know that in the past that particular area was carved up without any real meaning other than maybe the politics. I think that is something that I want to look at very strongly in respect to how it is approached and carved up in 1991. I don't have the map that Rep. Mason has created. Some of the things I'm still working through with respect to Lake Oswego is the university representation. I'm not sure that we need to have a university in three different congressional districts. Is there something to be said that if you had two of them in a particular congressional district, maybe the particular congressperson would be

even more zealous in representing university and college interests. Maybe by dividing it up into three different areas, you've got a continuation of what has gone on in Congress in the past--everybody's in there trying to rack off more money for their home districts, all the while being blind to the deficit problem. Maybe we ought to balance things.

370 REP. CARTER: In terms of population or in terms of institutions?

372 REP. MILLER: Population, obviously. We've got to be fairly equal.

375 REP. CARTER: Does it really make sense when you look at how the university system has operated in the past in terms of a congressman having responsibility for a university? I hate to say something that might come like a political aspersion, but when we look at our university system it's certainly not all truly equal in this state. Each congressperson being responsible for a university makes good sense to me because if you look at Portland State compared to the other Land Grant universities it's like a stepchild. It's an urban school which should have a different kind of representation than it has had in the past so it can compete at a higher level.

388 REP. MILLER: It's one of the things that I want to think through. The night we had a hearing in Lincoln City where I think the testimony was that they weren't too excited about the fact that the city of Newport was carved up. Give us one who could really do the job as opposed to giving us a couple who would just have half interests.

400 CHAIR WALDEN: We also have two U.S. Senators who seem pretty interested in securing grants for colleges.

405 REP. MASON: When it comes to the politics of reapportionment, the University of Oregon remains the 800-lb. gorilla of the system. It remains the No. 1 school in the system. At the same time, Oregon State University wants its own congressperson. Just last week Congressman George Brown came to Oregon with the current 5th Congressional District congressman. He is the Chair of the Science and Technology Committee in the U.S. Congress. He toured Hewlett-Packard and Oregon State University at the request of the congressman of the 5th Congressional District. That's an example of the way you get benefit from that. If you had OSU in two districts, there probably would have been a split tour there. Is that good politics or bad politics? I think you could argue that being paid attention to like that benefits Oregon State, and I think they would like to continue that type of attention.

430 CHAIR WALDEN: Didn't the 1st Congressional District used to have Oregon State in it so it would have had two universities? During the last reapportionment, I believe Congressman AuCoin had Oregon State as well. Are you suggesting that he wasn't able to take care of both?

435 REP. MASON: Rep. AuCoin has always been a very faithful representative.

439 REP. CEASE: It seems to me that you can give good reasons and arguments for any plan. Doesn't it make sense that you start essentially with what you had in 1980 and make an assumption that those boundaries basically made sense. What about the argument that people who have been in a district and been represented by one representative may not want any changes made?

TAPE 14, SIDE A

002 REP. MASON: I think it's a very valid argument and that's what I was referring to when I said there's minimal change in this. The 1st, 2nd, 3rd, and 4th are basically the same. The only evolution has been in the center of the 5th and we're trying to continue on with a certain amount of continuity. The testimony we received in northeast Portland was that they wanted to have two congressmen representing the city and I believe this plan does that. Also, they didn't want to dissipate any minority representation by crossing the river, and we did not do that for that exact reason. So the city of Portland retains its two congresspersons.

022 REP. CEASE: On the issue of Oregon State, I'm not sure you could make an argument by itself that you have a university in this district. That university has been in that district over the last ten years. We did receive testimony at the Woodburn hearing that they preferred because of their interests to stay in that district.

028 CHAIR WALDEN: I believe that the person testifying indicated that he was testifying on his own and not representing the university. We had no actual testimony from the university itself.

035 REP. HOSTICKA: It looks like the CD 2 and CD 5 are both about 1% out and I know that one of the proposals discussed earlier was taking that portion of Jackson and Josephine Counties that is in the 4th and putting it in the 2nd. How much of that then is what causes them to be out and was it done for reasons basically just to block out those counties?

047 REP. MASON: It was done to block out the counties and any adjustment that needs to be made between the 4th and the 2nd would be made down there. The movement of about 2,000 voters from the 2nd to the 4th would bring both within one percent. The 1st is actually below 1% now (.96%). The disparity is quite small and it's just a matter of paring off some of those census tracts. All census tracts are not equal. Sometimes you can take up whole counties and not have gotten any people at all. This is not a sticking point on the plan. There was a desire which was stressed on the part of one of the congressmen to round those counties off. If you want to bring it within 1%, that's fine with me.

067 CHAIR WALDEN: In the 4th District the 1 percent, isn't that really closer to 1-1/2 percent?

069 REP. MASON: Yes. A moving of 2,000 from the 2nd to 4th would bring you below 1 percent.

072 REP. HOSTICKA: Do we have a target number, Mr. Chairman, that we're working on in terms of the deviation?

074 CHAIR WALDEN: No, we have not set one. We are just trying to come as close as we can, recognizing all the communities of interest and everything else that goes into the process.

077 REP. CARTER: If we were to do any other community in the manner in which you are thinking--if we were to do suburban, and total Lake Oswego, we would have suburban and agrarian communities together. So, constitutionally wouldn't we run into problems if we did something of that nature because these communities would have nothing in common?

089 REP. MASON: I think you would. If you were to build a suburban district around here with nothing but the (inaudible) of the city, I think you would run into a problem because that would look quite partisan because it would be an overwhelming republican registration and you would also take away part of the representation of the city which would dissipate minority representation in the city. This plan minimizes change.

105 CHAIR WALDEN: Wasn't her question, wouldn't it be unconstitutional to tie urban to an agrarian setting?

108 REP. MASON: That's why when expanding the 1st Congressional District we didn't expand it out into Clackamas County. We wanted to keep an urban-suburban orientation in the 3rd Congressional District. Coastal orientation, high tech, west side orientation, suburban-urban orientation, agricultural orientation, university orientation, forestry orientation. Those five districts have peculiar characteristics to them.

115 CHAIR WALDEN: Don't you have areas within the other districts that also have agrarian areas?

118 REP. MASON: Yes, you do, but you try to minimize them.

119 REP. CEASE: Would you talk about the deviations?

120 REP. MASON: CD 1 has a 0% deviation. It's short 1,394. CD 2 is up 5,475, less than 1%. CD 3 is up 2,559, which is 0% when you round it. CD 4 is short 7,916, 1.6%. CD 5 is up 1,277, 1/3 %. (EXHIBIT A)

130 REP. CEASE: You only have one that is over 1%?

132 REP. MASON: The 4th Congressional District is under 1.6%. You could bring it within 1% by just moving a few census blocks.

139 REP. MARKHAM: When you talk about linking the two major universities, Oregon and Oregon State, together in the same district, were you trying to put the deep thinkers together?

142 REP. MASON: No, I did not think about it because the strategic decision was made to leave them in separate congressional districts. It's an idea, but it's an idea I reject. I think it serves very well to have the agriculture school in the agriculture district.

145 REP. MARKHAM: That's a forestry school too.

155 DAVE BARROWS, ASSOCIATION OF O&C COUNTIES: - Association is made up of 18 counties in western Oregon who receive special timber receipts from the federal government. - When Rep. Mason described the five districts, he described the 1st District as coastal, high tech. Adds one additional element--timber. - The congressman from CD 1 sits on the Appropriations Subcommittee, U.S. House of Representatives. Determines how much funding will be given to the Forest Service and to the O&C lands. - If his interest wanes in this area, Oregon will be badly damaged. - Wants this district to maintain a wood products focus.

200 CHAIR WALDEN: Do you think this plan as drawn would do that?

203 BARROWS: I do think it would. Lincoln County is much more of a

timber-oriented area than the agricultural Polk and Yamhill areas.

205 CHAIR WALDEN: Do you think this would preserve his seniority?

206 BARROWS: Whoever is the representative, we want someone with a timber orientation. We've got to have people who are on the key appropriation subcommittees or the east will dictate the timber policy of this state more than it is trying to do now.

217 REP. MILLER: If you are designing a district that goes beyond a particular individual and well-balanced interests, we ought to consider it. But if it is being designed for a particular person, that's absolutely wrong.

230 BARROWS: The concept of having another district that has a timber orientation besides the 4th is important to Oregon. It's the same reason I thought it was important to re-elect Mark Hatfield this last time--because he's sitting in a position where he can bring home the goods. I'm hopeful that we'll continue to be in a position where we'll have the kind of power we have in the Congress with our senior senators and others.

245 CHAIR WALDEN: Isn't the Willamette National Forest the biggest producer of timber in the United States?

247 BARROWS: It's the largest single national forest.

248 CHAIR WALDEN: Wouldn't the congressman from that district and/or the 4th District have an equally important interest in timber-related issues?

250 BARROWS: I would hope so.

255 CHAIR WALDEN: I thought I was hearing that we were trying to protect a senior member based on your comments, by making sure the 1st District was drawn one way?

260 BARROWS: That is my interest. If we don't have senior people in the right slots in the Congress, the George Millers of this world are going to eat our lunch.

260 CHAIR WALDEN: Are you comfortable with this drawing?

263 BARROWS: Yes, I am because it does have a more timber-oriented base in Lincoln County than the alternative which would be to chop Lincoln County off and slide Polk and Yamhill up a little bit.

270 REP. CEASE: The district lines that were drawn here make a lot of sense. I appreciate the witness's comments about the forest interests. However, we need to make clear even though politics does come into this we don't draw boundary lines because of particular congressional committees.

277 BOB GOLDSTEIN, CITIZEN: Has not been able to complete what he has proposed as a bill, but he does have a submission to make.

340 CHAIR WALDEN: What we are hearing is HB 2001. Whatever is offered would be in the form of an amendment, not another bill. So there's no need to go through the bill introduction process. What would need to be done is to offer an amendment to this bill.

347 GOLDSTEIN: Is there no opportunity for the citizen even at this time through some way of approaching rules to introduce a bill?

352 CHAIR WALDEN: In effect that's what you would have by offering an amendment to the committee.

354 GOLDSTEIN: It is based on an ugly plan that was created ten years ago by an overwhelming majority of democrats of which I am one. It was challenged in the courts. I would divide the state into parallel strips or tiers from east to west. Move west to the ocean. Congressman Smith represents eastern Oregon as one voice; I would like to offer three. On the coast currently there are two representatives; my plan would make it three. Why shouldn't Congress receive three united Oregonians who care about eastern Oregon and the coast at the same time. I-5 and I-84 run through all five districts in the plan that I would offer. HB 2001 is not sufficient to do the job in Congress better than is currently being done.

417 CHAIR WALDEN: That is the existing boundaries. It's only in for purposes of a document which we will amend.

420 GOLDSTEIN: If you have contiguity following equal population, you would not look at color, lines of communication, forests, etc. Strictly that which makes up the state. Any division of counties unnecessarily is an abuse of that county and the people of that county.

TAPE 13, SIDE B

045 MIKE FAHEY, EXECUTIVE SECRETARY, METAL TRADES COUNCIL: Represents 7,000 men and women in Portland metropolitan area; 4,000 of them work in the Portland shipyard. Wants to keep two congressmen in Portland. The combination of the two senators and the two congressmen representing the shipyard in Portland has been a good gel because they all came together to work for shipyard workers and to make Portland seem more attractive to workers from outside the state. Also wants to continue the dredging of the Columbia River to keep it a viable seaport. Wants two congressmen for Portland metropolitan area because it's too big a task for one person.

133 REP. CARTER: Supports Mr. Fahey in terms of his concept of maintaining the urban community in how the lines are drawn. Northeast Portland could not compete with Lake Oswego in terms of need.

142 CHAIR WALDEN: Would that not include Lake Oswego in the urban district?

144 REP. CARTER: No, I'm arguing to maintain the lines that are drawn here because it keeps the urban community whole. If drawn in a different way, it will be lopsided. You will have a larger community of interest in terms of a suburban community with a smaller community of interest with the urban community. Supports Rep. Mason's plan.

150 CHAIR WALDEN: Mr. Fahey, are you supporting this proposal?

151 FAHEY: Yes I am. When we started in 1970 and were down to 400 people, we were lucky to have 1-2 oil tankers. Currently, Portland is enjoying 65% of all the oil tanker repair work on the west coast. We're basically one of the only viable ones to bid Navy repair work right now.

163 REP. MASON: For the record, the official file name of this plan will be Mason 3.

172 MARY BOTKIN, AFSCME: Concerned about preserving Congressional districts to re-elect sitting Congresspersons. There is a need to hold parts of a community together to exercise their collective voice and power in speaking to Washington, D.C. What you see here is a map of lines and boundaries that have been drawn with some sensitivity and some degree of interest in economic and population interests. Lines seem to pretty fairly represent the needs of the districts. AFSCME has over 2,000 members at OHSU, the University Hospital in Les AuCoin's district. Les AuCoin and Mark Hatfield have worked hand-in-hand at maintaining the funding levels for that University. The same is true for the rest of the universities; it doesn't seem to be a partisan issue. The lines that have been drawn and the boundaries that Rep. Mason has come up with are fair and make sense. My members build a loyalty to their elected officials as individuals, not based on their party affiliation but with their personal relationship and their ability to work with.

247 REP. MARKHAM: When you started out you said you would draw this a whole lot different from what you're looking at and a minute ago you said that you liked the way it was.

250 BOTKIN: What I said was if I was looking to simply save current incumbents I might draw the line different.

260 MARLIN AERNI, PRESIDENT, UPIU LOCAL #1189, HALSEY PULP AND PAPER MILL: Has problems with the current boundaries. If you move two blocks, you're in someone else's district. Most of our people live in Linn or Marion Counties and we would support this Mason Plan because it makes the lines cleaner.

283 CHAIR WALDEN: Do any of your members live in the Corvallis area and commute?

285 AERNI: Most of our people that live in the Corvallis area are in mill management. I talked to mill management about the plan and they are comfortable with it also.

292 CHAIR WALDEN: That was yesterday afternoon?

293 AERNI: Yes.

294 GREG TEEPLE, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL # 48: One key area of the plan that I'm pleased to see and that's that you haven't jumped across the river in the Portland area. That's keyed to the building trades in that area, in particular the electrical workers, because of the light rail system. The westside light rail system is going to be, when completed, the largest public works project this state's ever seen. It'll provide thousands of jobs for our members. It will provide millions of dollars for their families and payroll. Mr. Fahey covered a lot of the same reasons that I support this plan and that is we still maintain the fact of two congressmen representing the Portland Metropolitan Area. That helps when you're back in Washington, D.C., trying to get money back to Oregon. We support this plan that has purposed by Rep. Mason this morning.

Written testimony was also submitted by John M. Mohr, General Manager, of the Port of Newport, (EXHIBIT B), and Dr. Fred Girod, Citizen from

District 30 (EXHIBIT C).

330 CHAIR WALDEN: Adjourns the meeting at 9:20 a.m.

Submitted by: Reviewed by:

Carol Wilder Adrienne Sexton Assistant Administrator

EXHIBIT LOG:

A - Mason Plan District Data - Rep. Tom Mason - 1 page. B - Written testimony on HB 2001 - John M. MoHR- 2 pages. C - Written testimony on HB 2001 - Dr. Fred Girod - 1 page.