

April 18, 1991Hearing Room "B" 3:00 p.m. Tapes 33 - 34

MEMBERS PRESENT:Sen. Glenn Otto, Chair Sen. Dick Springer,
Vice-Chair Sen. Bill Bradbury Sen. John Brennehan Sen. Jim Bunn Sen.
Scott Duff Sen. Mae Yih

STAFF PRESENT: Gail Ryder, Senior Committee Administrator Joan
Green, Committee Assistant

MEASURES CONSIDERED: HB 2001 - Relating to congressional
redistricting, PH/WS

TAPE 33, SIDE A

004 CHAIR OTTO: Called the meeting to order at 3:14 p.m.

VERBATIM TRANSCRIPTION

(TAPE 33, SIDE A)

PUBLIC HEARING

HB 2001 - RELATING TO CONGRESSIONAL REDISTRICTING

Witnesses:Tom Mason, Oregon State Representative, District 11 Bob
Goldstein, Citizen Jim Bunn, Oregon State Senator, District 15

010 TOM MASON, OREGON STATE REPRESENTATIVE, DISTRICT 11: "State
Representative Tom Mason, House District 11, Southwest Portland,
currently. I would like to present to you a version of HB 2001. The
version I will present to you today is not the version that currently
resides in the bill. The version that currently resides in the bill
would be the Majority Report that was adopted over in the House. What I
will present to you today will be the Minority Report that, much to
everybody's amazement, failed on the floor in the House. So if I might
stand up and maybe give you a kind of a cooks tour of what the
reapportionment plan looks like under the Minority Report for HB 2001.
(Leaves microphone). I don't know whether or not I can pick up here.
Basically what you see before you are two maps (Oversize Exhibit D) that
(unintelligible) one map on my left is labeled Congressional Boundaries
March 26, the map on my right is labeled Metro Boundaries March 26
version. (STAFF NOTE: Second map referenced is personal copy of Rep.
Mason, not entered as exhibit). The reason they both have March 26th
version is that this plan was presented initially and then slightly
modified, and the date of the modification was March 26th. The basic
premise of the plan is to start with existing districts, look at the
numerical deficiencies of the existing districts and then tried to round
out any anomalies that occurred in the last reapportionment, preserve
communities of interest, preserve compactness, preserve minority
populations, preserve transportation links and to a great extent not
shift great numbers of people. Now on the map entitled Congressional
Boundaries March 26th (Oversize Exhibit D) you'll notice that it only
has a slight portion of the 4th Congressional District in it. That's
that green area down there. The 4th Congressional District is currently
represented by Congressman DeFazio. It only includes the northwest
corner of the state. The reason for this is that both versions of HB
2001, the Majority Report and this which I am presenting, the Minority
Report, in both versions the 4th Congressional District is exactly the
same. In fact the 5th Congressional District is also the same. So in
both versions of the bill the only controversy that really occurs,
occurs essentially in the northwest area of the state and thus
(unintelligible) unless you want to kind of go out and plow new ground
you probably want to concern yourself with the northwest corner of the
state. Let me tell you what we did."

041 MASON: "We, first of all, eliminated what has become,
euphemistically been called, let's call it the Linn County appendage or
these other anatomical terms, but kind of the Linn County extension that
used to go down here, that's been eliminated under the plan. We ask, we
added some population to the 3rd Congressional District, which was
short, by extending the current boundary, the Oswego boundary just down
the freeway here to Wilsonville. There is a major change there, a major
change here, and then also a major exchange by extending the 5th
Congressional District out somewhat. The purpose of this, there were
several purposes of this, but let me outline some specific purposes.
The first specific purpose was to, had to do with population. Now under
this current plan, the 5th Congressional District, the 4th Congressional
District and the, 5th and 4th, 5th, it'd be the 5th, the 4th or I mean
the 2nd, the 4th and the 5th are zero percentage deviation, right
Adrienne? And zero people deviation. We're down to the ultimate

deviation. The only anomaly occurs between the 1st and the 3rd. The 1st Congressional District is zero percent deviation off the norm, but is two people short. The 3rd Congressional District is zero percentage deviation from the norm, but is three people rich. Now I could have possibly, if I could have spent enough time, found a place to transfer two people from district to another, but then we'd still would have been one person too short. In fact the state, the population in the State of Oregon, unfortunately, is one person two many. You can't divide it by five. But in reality that's, these districts are all nominal deviation and under any court standard I don't think you'd see them change at all."

068 MASON: "Let me talk about the communities of interest that the various districts represent. I'm going to start not numerically, but I just want to kind of get around it, to the ones where there is no real controversy about. The 2nd Congressional District remains the predominantly eastern Oregon district. Its orientation is predominately agricultural, its community of interest is predominately agriculture. It does however, under both plans, extend into southern Oregon somewhat for population and there would be a community of interest down there of tourism and to a certain extent some timber interests. But again, under both plans, there is no change between the 2nd. The 4th Congressional District, again the same under both plans, has, I would say, two major communities of interest; one being timber and the second major community of interest being the University of Oregon, which indeed is in the 4th Congressional District. Starting up the valley, the 5th Congressional District has two primary communities of interest; one being Oregon State University, which is deliberately, deliberately kept in the 5th Congressional District, and I might also add that the, that Oregon State University is in the 5th Congressional District under both versions of the plan also. There is no (unintelligible). The 5th Congressional District's orientation, primary orientation, or not primary, but major orientation would be Oregon State University and agriculture. The 1st Congressional District's, oh I'm sorry, I forgot to mention one aspect of the 4th Congressional District I should have mentioned is that it also has a community of interest on the lower half of Oregon's coast, which I was somewhat pointedly reminded of as Sen. Bradbury came in. Something that us Portland people are accused of all the time, I would not want to commit that sin. The 1st Congressional District has several communities of interest. The northern half of the coast being a major one and that community of interest is linked intricately with the river. And I would maintain that historically the river and the coastal ports in the 1st Congressional District have been always linked as one community of interest. In fact I would maintain, and no one has had the wherewithal to disprove this statement so far, that the 1st Congressional District remains Oregon's oldest Congressional District and this orientation has been there, I think, for as long as anyone can tell me, at least the past 30 years. So a coastal orientation. Its second orientation would be towards the, what I would call the high-tech industry in the Washington County area and it also has the, there is a strong connection between this Washington County high-tech orientation and southwest Portland. You'll notice that the 1st Congressional District includes in it the west side of Portland. There is a strong relationship between southwest and northwest Portland and Washington County. A substantial number of people commute back and forth. You have the new light rail line going in here to further establish communication links between the west side and Washington County. A very strong community of interest in here. Another community of interest would be the location of Portland State University in the 1st Congressional District. Again I want to emphasize this point, we have deliberately, under this plan, placed each of the three major schools, set aside the Medical, the Health Sciences Center for a moment, placed the three major universities in three separate congressional districts. Again both plans have done that, although there is a variation in the Majority Report."

119 MASON: "Now the 3rd Congressional District would remain all of east side of Portland, Oswego and then down to Wilsonville. The orientation of the 3rd Congressional District or the community of interest of the 3rd Congressional District is what we call an "an urban/suburban" orientation. It is urban in this area here, suburban in this area here and suburban in this area here, Wilsonville, Lake Oswego, (refers to Oversize Exhibit D, Metro map). The choice there is deliberate because the other orientations of its bordering districts, and essentially the district that borders at the crucial points, which are the 5th Congressional District, that orientation is rural/agricultural, that if you were to take population from this area in here, Clackamas County, the community of interest and the orientation would be rural/agricultural orientation and you would be connecting it up with a congressional district who's primary orientation and community of interest has to do with urban/suburban matters. So the reasoning for extending 3rd Congressional District down into the Wilsonville area is that suburban goes very well with urban and also there is a strong communication link down here, right down the freeway here and it is a near extension . . . We'll look at this on a larger map, it is a near

extension of the Oswego portion of the 3rd Congressional District that was, that was, (unintelligible) on the 3rd Congressional District in 1981 is an extension, a continuation of that policy which was established in 1981. And I might add, added that notwithstanding all of the protest, no one said anything about it in 1981 and was not objected to by anyone in 1981. No lawsuits were filed in 1981, therefore I would maintain that as far as this is concerned and was, it essentially was good law then, was accepted law then and should be good law now. I don't think there was anything else I overlooked. I might acknowledge the written testimony of Rep. Whallon, pardon me, Walden, Whallon did go back, he was the Representative who was the Chairman in 1981. The written testimony of Rep. Walden, (Exhibit A). I would like to ask the indulgence of the Committee to keep the record open so that other interested parties might submit written testimony also. I notice he was good enough to append a lot of articles, but he seems to have left out the articles that were pro our plan, so I guess what's fair is fair. I am open to any questions, Mr. Chair."

190 BUNN: "You divide Yamhill County in half. McMinnville and Newberg are split. Doesn't that divide a very definite community of interest?"

192 MASON: "Yes, it does, and the reason that happens is that when you are going for, trying to find the population, it is inevitable that you are going to split some communities. And in the best of all possible worlds, which certainly doesn't occur in politics, no communities of interest would be split. The reason why that split occurred was that the population needed to be found to keep the 5th Congressional District basically compact in its shape, and that's where we went to get the population. But there is nothing particularly deliberate about that, we just needed to get the population somewhere."

202 BUNN: "What is the population discrepancy from high to low in your plan?"

203 MASON: "Well, as I said before you were here Senator, there is no discrepancy at all on three of the five districts. There is zero percent deviation, zero population. The 3rd Congressional District is zero percent deviation, three people high. The 1st Congressional District is zero deviation, two people low. So, it is awfully hard to find these census tracks with two people in them, as you probably well know."

209 BUNN: "Certainly. Did you take into account in splitting Yamhill County the splitting of the Hispanic community?"

211 MASON: "Yes, we did. In fact if you will look at some of the figures, and we'll submit our figures, I don't think Rep. Walden appended my figures to his testimony. But when you look at the Hispanic population splits, and you look at the Minority population splits, you will find that both plans are better on some districts and worse on others. But the cumulative effect is, and I believe Chairman Walden agreed to this during our last hearing, is that any differences on minority representation between the two plans are nominal at best. In fact, I believe that they run something in the effect of the major differences in minority representation come up to at most in the tenths of a percent. They just are not substantial. I would note that under our plan the 1st Congressional District is much better, not much better, is better on minority representation. I believe under their plan the 3rd Congressional District is better on minority representation. But you're only talking in terms of tenths of percents."

230 BUNN: "Dealing specifically with the Hispanic community, did you deal with total numbers or did you consider that there's a different community of interest between the rural Hispanic community and the suburban/urban Hispanic communities?"

233 MASON: "The question of the urban Hispanic community was raised during our hearing, but I remained, and I do remain, unconvinced that there is a substantial difference of interest between those communities. One could perhaps make that argument, it's not an argument that I'm convinced by or an argument do I make, I'd be happy to see anything submitted on the record to make that argument."

238 BUNN: "You made the connection between Portland into Washington County with the light rail as a community of interest and then you said, if I understood correctly, that the portion of Clackamas County in the gray is rural/agricultural area, and therefore logically would not be included with the more metropolitan area in either the 3rd or the 1st. Is that correct?"

244 MASON: "Yes."

244 BUNN: "Do any of the areas within the gray, in your district, include part of the Metropolitan Service District (MSD)?"

246 MASON: "Yes they do. And we had testimony on the MSD boundary. And the relevance the MSD boundary of the testimony was interesting, it came from two, I think, primary sources. One of the sources being now Rep. Ron Cease, who is the, at one time, was the Chairman or Chairperson of the Commission which put together the MSD, which at that time was called Metro. Now as you remember Metro succeeded an organization called Columbia Regional Association of Governments (CRAG). And Rep. Cease testified that the boundaries were not intended to fulfill a function in congressional reapportionment and he did not see, from his perspective, any great relevance of those boundaries. On the other hand former Chair of Metro, Mr. Ragsdale, came in and offered testimony to the other side. I find it interesting and from my own perspective, that although there is a boundary there, that the issues that concern Metro, although they are important issues, are relatively limited vis-a-vis, what a congressional representative would have to advocate for. In other words the issues of Metro are waste, transportation and the zoo. Now transportation could be argued that's an important congressional concern. I don't think you could make the argument as strongly for waste. And I don't think you could make any argument at all for the zoo."

273 BUNN: "In the suburban/urban argument, don't Washington and Clackamas County have more in common than Washington County and the coast?"

276 MASON: "No, I don't think so, in the sense that Washington County and the coast have had a strong relationship, especially with the Sunset Highway. I think a traditional route to the coast, and I have almost a romantic view of people motoring over to Gearhart, has been through Washington County. I don't think there is a stronger relationship there. Let me though address the question, let me address two things. Also you do have the relationship of the coast to the Columbia River, and I think Mr. Ed Whelan came in from the Port of Portland and testified that this had been a strong relationship between the Columbia River and the coast, a strong relationship between congressional . . ."

291 BUNN: "I wasn't, I think I see the tie between Columbia, Clatsop and the coastal counties. My concern is specifically Washington County's tie to those areas because it seemed to me that Washington County, as part of the Tri-County area was much closer in relationship to a Clackamas County type community of interest than it was to a coastal/natural resources economy."

296 MASON: "We disagree. But let me address the question of urban/suburban. One of the things that came out in the hearings was, and I think particularly the hearings we held in northeast Portland, was a desire on the part of the testifier, people who testified from northeast Portland, particularly from the northeast Portland minority community, that was particularly concerned about city issues, that they have two congressional representatives. Now let me address that. Under the majority report (Oversize exhibit E), which is . . . these reports have adopted names, Walden and Mason, as you are finding out quickly, they get your name very quickly. Under the Walden plan, although Portland nominally has a second congressional representative, and the Walden Plan is not out there, is Lester . . . why don't you just put it out there, I'm not afraid of it."

313 BUNN: "Can this map be placed up . . . Lester, is there a way to . . . higher so I can see it?"

315 RYDER: "There's a bulletin board on the side there that can be . . ."

314 MASON: "Lester can you move over, or maybe you can just put it on the chair or something. You'll notice . . . thank you, you found your calling. (Away from microphone). You'll notice under Walden that, the what we, I'm going to call it the 1st Congressional District . . . it does nominally have a portion of Multnomah County. But that portion of Multnomah County is only about 13,000 and I believe that is only 2% of Multnomah County. The point we make is that that is only nominal representation on a (unintelligible)."

331 UNKNOWN: "Close enough for (unintelligible)."

331 MASON: "Out of 500,000, 13,000 only about 2%, the orientation of a congress person from this district will not, to any great extent, be affected by Portland. However, (unintelligible) our plan he or she has a substantial portion of Multnomah County and, therefore, will have a strong orientation toward Portland. Now the point I'm trying to make is that in the testimony in northeast Portland, particularly on behalf of the minority community in northeast Portland, that they wanted two congressional representatives with a Portland orientation or with a Portland kind of view of things so that their interests, as a minority group, can be adequately represented."

344 BUNN: "Isn't there some concern about arguing the need for two representatives when your population equals 102%?"

347 MASON: "Well of course any population equals 102% or 100% no matter where you want to draw the lines. But Multnomah County isn't exactly one district. We have also made the judgement call, and these judgement calls have to be weighted, that notwithstanding the incidental fact that Multnomah County is 12.33 state representative districts or 13,000 people heavy for an ideal congressional district, that notwithstanding that fact, it is probably much more important to have two congressional representatives from the metropolitan area. That's a judgement call, that's a balancing that has to be done and we have come down on the side of what the testimony wanted from the Portland residents. Incidentally I don't think we ever, that I remember and I may be wrong, I don't know if we ever had any testimony from anybody from Portland not wanting two congressional representatives. That might have been an oversight in the people arranging testimony, but that, (unintelligible) I seem to remember it."

366 BUNN: "You talk about the romantic attachment from Portland through to the coast. Trying to pull out on to the highway in Yamhill County I notice a number of people from Portland have that romantic attachment through Yamhill County on Highway 99 and out 18. Does that same logic apply, that that community should be maintained, because of that traffic corridor?"

374 MASON: "It's a good point, but again you have to balance, again eggs have to be broken to make omelets, and I think that the overall consideration is that a line has to be drawn. If an argument can be made, I think that on Yamhill County you could probably, to a certain extent, move lines. But if you move lines, remember wherever you take population you have to put population. And again we are down to zero deviation. I don't want to quibble over, and I won't call them nominal, amounts of population. But I think we have a tendency in reapportionment to focus a little narrowly, usually on our own district, but . . . "

387 BUNN: "Well I understand that, and so I won't spend too much more time on Yamhill County. But, as I understand it, if Yamhill County had been left, well actually if it had been placed in either congressional district, the 1st or the 5th, whole, as it is now, that it would be the second largest county, as far as impact on that district, giving it a strong voice in the congressional district. By splitting it, it becomes a very small influence. As you had mentioned the people in that portion of Portland were concerned about losing that voice because of being split. Where Multnomah County has maintained 1, and now 2% are trying to say give us a second, I do think it's legitimate for Yamhill County to express the concern, that as the second largest county in a district, we are now being split to the point where maybe the fourth or fifth in two districts . . . Also you talked about these, the five congressional districts, as communities of interest. Once you've got those communities of interest wouldn't it make sense to maintain those communities by developing legislative districts within them?"

407 MASON: "No, you're talking about coterminous. And coterminous is only done in three states and I have been informed that it actually doesn't work too well there. I think the only time coterminous could work, as both a political and a practical and even a real legal matter, is if you were to start with the legislative districts, go from the House district, then go to the Senate districts, then go to the Senate districts and then draw coterminous congressional districts off the Senate districts. And you gentlemen, and Sen. Yih, well know why I'm talking about that, because if you don't you're going to end up splitting Senate districts. You just can't take twelve rep. districts, you've got to take six Senate districts. And I think that coterminous would only work if you start on the legislative side, then go to the congressional. I would like to see legislative, and like I say because of the pairing, senate, I'd like to see Senate, those lines, draw congressional lines, and I think that the Walden Plan, with all due respect to Walden, starts in the wrong end. It draws congressional lines, then tries to cram legislative districts inside them, it doesn't work very well. Let me also say that it works sometimes in the abstract, but not very well."

433 BUNN: "You had referred a number of times back to the 1981 effort. I believe in the 1981 effort, although I wasn't here working on it, I believe the legislature divided into five regions and drew districts within that. Couldn't we basically be having the same concept if we took your five congressional districts, or whatever congressional districts, and began drawing within that and then once we finished our legislative districts come up with our congressional, and thereby maintaining to the fullest extent possible, those communities?"

444 MASON: "The dividing of the state into five regions was done under the leadership of then Speaker Myers and, who's Senate President in

'81?".

449 GENERAL RESPONSE: "Boe."

450 MASON: "Sen. Boe, yeah it had to be. It was done under the leadership of Sen. Myers . . . it was a proposal put together by then Pat McCormick, and Pat McCormick was Speaker Myers' administrative assistant. He put the proposals together. Had very little, if anything, to do with existing or congressional districts. In fact, one of the areas that, and Sen. Otto remembers this, one of the areas that we put together was all of Multnomah County, which by implication already went over the congressional boundaries. And if my memory serves me well, and I was somewhat involved in '81, there was no relationship, if any at all, between congressional and the five districts. It's just incidental there happened to be five districts because we had not drawn a fifth district yet. So we did not know where the 5th district was. The 5th, and the eventual congressional plan was drawn out of Minority Report in the House, which the House adopted over the Majority Report in the House, I might add. And that was the genesis of the five congressional districts. It came over to the Senate and passed the Senate without, I don't think, a great amount of debate and not a great amount of controversy."

477 BUNN: "Finally, does the light rail enter at all into the 5th Congressional District, by your plan?"

480 MASON: "Not yet. And light rail is, we are now, and it's the topic of this session and it is the topic of . . . trying to extend light rail out to Beaverton, maybe to Hillsboro, maybe to Forest Grove. I have been told that you'd like to see light rail extend down through Milwaukie into the 5th, that might be a consideration, but I think that is farther in the future."

490 BUNN: "Thank you."

491 OTTO: "Any other questions."

492 BRENNEMAN: "Mr. Chairman?"

492 OTTO: "Yes."

493 BRENNEMAN: "Sen. Bunn went into delving in a little bit there to the District 1 connection with Washington County. Coming from the coast I'm quite fascinated with that connection, I guess, of the Washington County tourists and its connection with the coast. Outside of the visitors from Washington County through to the coast, do you see any other communities of interest that you can draw upon there, that lends that county to fall in with us over there?"

505 MASON: "Lends Washington County?"

506 BRENNEMAN: "Washington County."

506 MASON: "Well, let's probably put this in perspective. I do maintain there is a relationship between Washington County and the coast. However the, it's not so much a relationship between Washington County and the coast. It's the relationship between the coast and the river and the heart of the population. The heart of the population in the 1st Congressional District is Washington County, is strategically in the middle of the northwest Portland, pardon me, northwest Oregon peninsula. We don't call it a handle, it's the northwest Oregon peninsula, that's the heart of the population. The western side of that peninsula . . ."

522 BRENNEMAN: "Your talking about the Columbia River?"

TAPE 34, SIDE A

030 MASON: "No, the western side of the peninsula would be the, I'm calling it a peninsula, the western side would be the coast and then the northern side would be the Columbia River, as would the eastern side. The coast goes up, comes around, comes down."

032 BRENNEMAN: "Where's the connection of the Columbia River and Washington County?"

033 MASON: "That's, my point is that geographically this creates a peninsula and Washington County is in the middle of it. That's what the relationship is. But the real relationship of why you want to preserve the basic shape of the 1st Congressional District is the fact that there has been a strong existing and historic relationship between the river, the dredging of the river and, I think Mr. Whelan when he came in and testified for the Port of Portland he's also a resident of (unintelligible) I might add there has been a strong historic relationship with the river, the dredging of the river and the ports up and down the coast. The relationship has been around here (points at

place on map) literally around that shape, and Washington County is in the middle and is the population. You can't move that much population. That's the relationship."

043 BRENNEMAN: "You don't think it's more like a hole in a doughnut there then?"

043 MASON: "No, not at all, not at all."

045 BRADBURY: "Mr. Chair?"

045 OTTO: "Yes."

045 BRADBURY: "Question, how many people are moved from one congressional district to another under your proposed plan?"

048 MASON: "That is an interesting point. And one of the things we deliberately tried to do was not move too many people. Now to balance out all of these districts, all of the five existing districts, you would have to move somewhere around 60,000 people. That's the minimum you could move."

051 BRADBURY: "Just to balance?"

051 MASON: "Yeah, just to balance. Actually quite hard to do and not get some really artificial looking lines. We have moved, under our proposal, about 120,000 people, under our proposal. The majority report, the Walden plan, moves about 500,000 people. So I think that it's pretty obvious that there is a substantial population move here. Let me also speak of something, which I guess we can speak of, which should be put on the record, and that is any political implications of this. I'm going to speak political for a moment, hold your ears if you want. The registration change, under our proposal, from current registration is 0.1% in the 1st Congressional District. The registration change in the 1st Congressional District, under the Walden plan, there were Democrats dropped 2%. At first blush you might not think that's a lot, but let's be very candid about that district. The elections in that district have been won by the current Congress person, Congressman AuCoin, by at times in a few elections, by 1%. By 1%! And I think it is very obvious from the makeup of the proposed majority report, the Walden plan, that this is, has substantial partisan implications. I don't, would submit that our plan has few, if any, partisan implications. Our plan preserves the existing relationships, does not change any substantial way, shape or form any registrations, in fact 0.1%. So we were accused of a partisan plan, I think, I don't think the accusation sticks because we did not deliberately go out to get pockets of democratic voters and append them to democratic districts or exclude republicans."

075 BUNN: "Mr. Chair?"

075 OTTO: "Yes."

075 BUNN: "You talk about the partisan implications on the 1st District, what do you see as the partisan implications on the 5th?"

078 MASON: "Very little. Of the 5th's registration change, I couldn't even tell you what the change is. But I think that your question is the first time in this whole hearing process that partisan impact of the 5th has even been brought up. Under both plans I don't think . . ."

078 BUNN: "Well, okay, you can tell me under the majority plan that it changes at 2%."

081 MASON: "Yeah."

082 BUNN: "But you can't tell me the percentage on the . . ."

083 MASON: "On the 5th? No I cannot tell you the . . . I do know that the impact is on the 1st."

085 BUNN: "Doesn't there have to be a corresponding impact somewhere?"

086 MASON: "I am not sure."

091 BUNN: "You talk about moving 500,000 people."

091 MASON: "We won't need tents for . . ."

091 BUNN: "Yeah, I understand that. But as your scenario of moving people, I believe you have moved me. Is that a disadvantage?"

091 MASON: "I, you, only you can answer that question, Senator."

092 BUNN: "The question is, does it provide a disservice to an

individual to move them?"

093 MASON: "Well I see what your question, okay I'm sorry, I was focusing a little bit . . . I think it does, in the sense that people have a, I would maintain very strongly that at the congressional level, people do have a perception of who their congress person is. I think you could argue quite well that the east side of Portland, politically, I'm talking politics now, has a perception of itself as a congressional district, has a perception of itself as being represented by one particular congressman, has a perception of itself as having a congressman in that instance who represents certain vital interests, certain things the community is concerned with. And I do think the same thing occurs in the 1st Congressional District and to a certain extent the 5th and to a great, certain extent the 4th, and to a great extent the 2nd. That there is a perception of yourself as being a district and as having certain things at the heart of it. Like in the 4th, there is a perception down there of timber being important. Now in the sense that you not change people from those districts, I think that's good, and I think that answers your question."

108 BUNN: "Okay, so most the shift, most the difference between the two plans comes down to the 1st and 5th?"

109 MASON: "Yes, your absolutely right, Senator. Well, let me footnote one thing. The 3rd's involved too, on the west side."

110 BUNN: "But to a much lesser extent?"

111 MASON: "Yeah, yeah, yeah."

111 BUNN: "Well as you look at those shifts, is the type of a district . . . Washington and Clackamas County come down to the main changes within those districts too. Does the type of, which district your in, if your in Washington County versus Clackamas County? I don't understand the significant difference there. I understand if I move, I move from the 1st to the 5th, but I'm not sure that that makes a huge difference which individual is representing those for Clackamas and Washington County."

119 MASON: "I'm not quite sure I understand your question."

119 BUNN: "You've got two counties that share some common interests. They both have very large rural areas, natural resources oriented areas, they both have fairly suburban areas, they are very similar counties and I'm not sure that I understand why the 500 ,000 shift is a deterrent to the people in those counties?"

124 MASON: "Well you'd have to understand that Clackamas County does not share the same, again, orientation towards the coast or the river, which Washington County does."

126 BUNN: "Geographic orientation or economic orientation?"

127 MASON: "Both, both. We had substantial testimony as to stronger ties between Washington County and west Portland than ties between Washington County and Clackamas County. And I'm just following the testimony that was submitted in the record."

134 BUNN: "Okay, thank you. Well I better ask a few more questions. No actually that concluded my questions. I was just trying to understand because, you know I read the 100 ,000 people moving, 500,000 people moving. When it comes down to it, if you end up with a metropolitan or a Tri-Met district, you've got a Multnomah County district and then a remainder of Metro. It seems that those people would have much more in common, and would be having a representative who shares their views, than tying somebody on the coast to somebody in Beaverton."

141 MASON: "I have to demur on that."

141 BRENNEMAN: "Mr. Chairman?"

142 OTTO: "Yes."

142 BRENNEMAN: "You stated the political implications of Congressman AuCoin's races at times being within 2%. Isn't that true that the last time he ran it was over 10% difference?"

146 MASON: "I think Mr. Molander made a respectable run against Congressman AuCoin. I don't know what the percentage was."

148 BRENNEMAN: "And the, well the, let's take then one part of that, when Treasurer Meeker ran against him that was greater than 5%, as I recall, probably closer to about 8."

151 MASON: "I do not know, I mean I don't remember, I cannot submit testimony as to that."

153 OTTO: "Any more questions."

153 BRENNEMAN: "A comment, Mr. Chairman. Since Minority Reports are new, I'll allow you to visit with office staff on the third floor Senate side. And we have forms already to go and filled out up there. We'll loan you the master copy so you'll get use to it."

158 General laughter.

158 MASON: "Thank you very much Mr. Chair."

159 OTTO: "Anyone else care to testify? This is a public hearing portion. Any comments from the audience?"

160 BOB GOLDSTEIN, CITIZEN: "Sir?"

161 OTTO: "Okay, get up here."

165 GOLDSTEIN: "Good afternoon Senators, it's a pleasure to be with you today, on a very important matter I believe. And I would like to identify myself as Bob Goldstein, who resides in State Representative Mason's District. But my concern is statewide and it is not political, or partisan I should say. And I have been involved in this matter since 1979, as well as Mr. Mason having begun at that time too. I have a completely different concept, and I am the only citizen in this state who has submitted a plan in opposition to the Majority and the Majority plans that were identified in the House. I do not have a Minority Report to speak for me. I do not have a Majority Report to speak for me. But I believe I have validity, and as the only citizen who has suggested that there be another way, I believe that your entitled to know that which is in my mind. Now I would ask those who would live on the coast, I would ask those who would live in eastern Oregon if they would like to have greater representation in the Congress? I believe that's the bottom line, in that our representation should be improved in that body of 435 where we have 5. Our 5 totals 1.1% of the Congress, 1.15% of the Congress and each Congressman is 0.23 of 1%, less than a quarter of one percent. The plan that I came up with, I came up with actually in 1981, and it was so published in the HillSB oro Argus, as I was a writer at that time on a weekly basis, column, and it went on for about a year. And I have continued thinking that that is the best method that was available and because of my lack of experience and my lack of involvement back in 1981 I was diverted from looking at congressional seats to looking at the House and the Senate seats, and I was quite upset with the way things were progressing at that time. So, if I had known better, I would have taken the congressional plan to court in the federal courts. So there was an objection that I, but I was diverted. I will not be diverted this time and would advise you that regardless of which plan goes before this body, and the body being both the House and the Senate, and if you can find concurrence, any deviation in regard to slicing county lines where they don't have to be, slicing cities where they don't have to be, or any incorporated area for that matter, I would find, as a citizen, objectional. Both plans, as presented, are an improvement on 1981, but certainly are not the epitome. I have a completely different thought. My thought would be expressed by asking an eastern Oregon Congressman if he would like to know that three voices in Congress could represent all of eastern Oregon? And those who live on the coast, three voices in Congress could represent all those who live on the coast. Currently there are only two voices in Congress for the coast and only one for eastern Oregon. And obviously if you have no options, I would ask you would you rather have three or would you rather have one option? And I come to that in a very very simple manner. And I would like you to divert from the current congressional plan, which has been in existence and is going out of existence and think that there is a much much better way. And it is a quantum step, I don't choose to call it a leap, and I would like to, if I may, show you the concept. Maybe you can adapt to it, maybe you can't, I would hope you could. Years ago Clay Myers, who was the Secretary of State and who I have high regard for and am in communication with, at times, said that you would do the reapportionment from the four corners. And I took issue with him at that time and said there were other options that you could employ to do reapportionment or redistricting. So I chose one which seemed to make extremely good sense to me. Maybe Albert Einstein would have agreed with me even though everyone else wouldn't. And I said to myself, okay I will start from the only true corner of this state, which is the southeast corner in Malheur County, therefore I would address first, not Multnomah County or Clackamas or Washington and proceed as the sun proceeds from east to west. And so Malheur County would be in Congressional District 1, County 1, and proceeding to the east again, as the sun goes, Harney County and then if you were to stay on the southern border as a stripe, as a tier if you would, go all the way to the coast and not stop short, not include Curry County. That state representative who is currently serving does not have anything to do with the wet lands, does not have anything to do with the Coast Guard or foreign port, import or export,

which Coos Bay would provide. Because when I drew my original plan Malheur, Harney, Lake, Klamath, Jackson, Josephine and Curry, there were not enough people in that congressional district, so I had to go somewhat north and by adding Crook County on the east side and Deschutes County on the east side there were six counties on the east side, and there would be five, Jackson, Josephine, Curry, Coos and Douglas, as a "J" stroke, if you would. And I would do that in every congressional district starting from the Idaho border and going to the coast."

268 SPRINGER: "Mr. Chair?"

268 OTTO: "Yes."

269 SPRINGER: "May I interrupt with a question?"

270 GOLDSTEIN: "Yes you may."

271 SPRINGER: "Bob, did you get a chance to discuss this option before the House committee?"

274 GOLDSTEIN: "Yes, I made a presentation at the very end and presented a map, which was the combination. I didn't think it would be appropriate for me to start out with the full map with the Senate committee. I wanted first to give you an idea of how you might orient, at least to accept my testimony and the maps that I have compiled."

277 SPRINGER: "Did you have anything in writing for us today?"

280 GOLDSTEIN: "I have something, I have the maps (Exhibit C) and of course you have in your computer all of the information that I have done. But I do not have the benefit of having one of these, (refers to Minority and Majority House Reports) either as a Majority or a Minority Report. And I believe that if you do not find concurrence between the House and the Senate that my plan might be the only alternative that might make sense, if you would give me consideration. Now I would like to, if I may, show you the beginning, then develop this a little bit and I intend not to finish today. I believe you will have further hearings sir, is that correct?"

290 OTTO: Acknowledgement.

291 GOLDSTEIN: "Therefore I will not belabor the point. (Moves away from microphone). But I would like to at least present the first two congressional districts and then possibly the 3rd, but not 4 and 5.

293 OTTO: "Very briefly Bob, because we have members who are going have to leave."

292 GOLDSTEIN: "Yes sir, you have others. Okay sir. If you would, there is no, I am not in possession of one of the large ones. But if you would maybe pass this, if you would, after looking at it sir, (Exhibit C), that would be Congressional 1 running from east to west as the sun goes, or the moon too, I guess. And it comes out without taking it to any county line, there would be 11 county lines and the total deviation is something like 1,000 some odd people. And I don't look whether they are black, white, Hispanic, or anything else. Congress 2, if you would, (unintelligible), there are nine counties there, that would account for 20 counties before you even begin, out of the 36. And the 3rd Congressional District, which is green, is shy, if you would, and the only place that you can get the people to bring that up to a reasonable amount to match the other districts would be to take the unincorporated, truly rural areas of Multnomah, Clackamas and Washington County and add them to the green 3rd District. I've been working in the computer. As you know the computer is not of the epitome, again, of working with that machine or that program. I've asked it questions, it does not respond. It is not prepared, maybe ten years from now it will. I would ask that you people think that there would be three voices in Congress for eastern Oregon, potential, but maybe only two, maybe one would not go along. But is it better to have three voices or one? On the coast or in the east primarily. And I'm not favoring Multnomah or Washington or Clackamas County, and I know the arguments because I attended every subcommittee hearing that there was until the Republican Plan, Mr. Walden's Plan was presented. I believe that if you are willing to look into the 21st century, you will find that the adequacy of the current plans and the one that is currently in existence and is working, is not good enough for the 21st century and we will not take advantage of an improvement that really could help us all. I do believe, and I would like to make this statement before departing Mr. Chairman, that coterminous district, in each congressional district, that it is not at all under my plan difficult to arrive at state representative districts or senate districts. And I believe that no finger would then be pointed at any legislator saying he is looking to cover his own butt. I know that is a normal and not an unnatural thing to try to remain in your regular district, as close as possible, because you've been successful in the election process and you know your people.

I do believe it is time for change and if you can't recognize time for change than I have to somehow or other be a citizen antagonist to the legislative process, if it doesn't serve me and mine best and anyone else who is here. As individuals, we all are mortal, we all make mistakes and I believe you have an opportunity to hear, if you do go to a conference committee, you have the option to not let it go to the Secretary of State or through the courts wasting time, wasting money. The effort is just not necessary. I would hope that when I return I would have further definition of the plan, but Congressional 1 as I presented to you, Congressional 2 would be no changes and Congressional 3 would only have the additions of those out of fringes of Multnomah, Clackamas and Washington Counties to justify equalization of the congressional districts in population. If there are any questions at this point, okay, if not I would wait for those questions at a future . . ."

371 OTTO: "Okay, any questions of Bob?"

371 GOLDSTEIN: "Is there any question, no? I would look forward to that in the future and I thank you for the courtesy of hearing me."

375 RYDER: "Mr. Chairman, I would like to officially enter for the record a letter and an accompanying packet from Rep. Greg Walden, (Exhibit A) the House Committee on Legislative Rules and Reapportionment."

379 OTTO: "Is that the one we have . . .?"

379 RYDER: "That is the packet of information that was supplied to you."

380 OTTO: "Okay, any objection to entering onto the record the letter of Rep. Walden? Hearing none, it's approved."

383 BUNN: "Mr. Chair, I'd like to make a presentation on an alternative to the House majority plan."

386 OTTO: "Could you keep it fairly brief?"

387 BUNN: "Very short."

387 OTTO: "Okay."

388 JIM BUNN, OREGON STATE SENATOR, DISTRICT 15: "Because the, I think most of you are familiar with the House Republican Plan, or excuse me, the plan passed by the House of Representatives, I will just simply deal with those changes to that plan. You have the written testimony supporting the plan itself, but the changes that I'm proposing are that in the 1st Congressional District, in the yellow. Columbia County would be switched into the 5th Congressional District. This gives a tie to Clatsop, Tillamook, Lincoln, more of a natural resources orientation, (coughing makes speaker unintelligible) river and coastal connection. And the portions of Clackamas County that were outside of the 1st would be placed in the 1st Congressional District in the more suburban areas. So this provides a metropolitan type district with similar interests. Your dealing with primarily the Tri-County area and the 5th then is, other than the rural portions of Clackamas County, maintained by areas that are all natural resources oriented. That's the only change that we made, all of the boundaries remain the same."

417 OTTO: "That's the only change?"

419 BUNN: "That's the only change. Just portions within Columbia and Clackamas County, no other line changed."

421 BRADBURY: "Mr. Chair, just a question, have you done the runs in terms of deviation and that kind of stuff?"

422 BUNN: "We've got zero percent deviation and I think that we're within ten people. By the time we actually have the bill presented we intend it to be within ten, but we are at zero percent deviation. If there are no questions, that's the only change . . ."

428 OTTO: "Okay. Questions of Sen. Bunn? Apparently not."

431 BRADBURY: "Mr. Chair?"

432 BUNN: "I will distribute maps to the members of what the congressional plan would be under our proposal, (Exhibit B)."

436 OTTO: "Okay."

454 BRADBURY: "Mr. Chair?"

455 OTTO: "Sen. Bradbury."

WORK SESSION

456 BRADBURY: "I would like to make a motion to amend HB 2001 with the proposal that came to the floor of the House identified as the Minority Report, Committee Minority Report to HB 200 1. I'd like to make that motion to amend HB 2001 in that way."

456 MOTION: SEN. BRADBURY MOVED TO AMEND HB 2001 TO THE LANGUAGE IN THE HOUSE MINORITY REPORT VERSION.

465 OTTO: "Okay, you've heard the motion. The motion is to amend the Majority Report, which we received from the House and amend the Minority Report into that Majority Report, so that when it leaves here it will be the Majority Report, is that correct?"

474 BRADBURY: "It would become our Committee Majority Report."

474 OTTO: "Yes, okay."

478 YIH: "Do we have a map, Mr. Chairman?"

479 OTTO: "I think there's a map . . ."

481 BRADBURY: "Mr. Chair, we just spent quite awhile having a presentation from Rep. Mason explaining that proposal."

482 YIH: "We don't have a map . . .?"

483 Response from several of "no."

483 BRADBURY: "No, I'm sorry you don't, it was just on the board."

485 OTTO: "What it essentially does, it takes the Minority Report filed in the House by the Majority, by the Democrats and now is transferred over here, and it becomes, if we adopt Sen. Bradbury's motion, it becomes the Majority Report. Is there any discussion?"

TAPE 33, SIDE B

029 BRADBURY: "Mr. Chair, I just, I really do feel that it is a less disruptive plan. Basically, it really isn't a particularly partisan plan and it does maintain essentially the districts we have in the state now, without a lot of switching of where people are. And I think it meets the tests in terms of minimal deviation and it meets the tests in terms of minority representation. So I think it is an excellent proposal with minimal disruption."

036 OTTO: "Okay, any further discussion?"

037 BUNN: "Mr. Chair? I oppose the motion. I think that the plan passed by the House of Representatives, with the minor changes that were suggested, does a much better job of reflecting true communities of interest. I think that it's very clear with the Tri-County area that they are entitled to two full seats representing them and that logically those two seats should come from the Tri-County area, meaning Multnomah, Washington and Clackamas Counties. Our plan does that, and does not split Washington and Clackamas into separate districts for the metropolitan areas. I also think it is important that the rural, natural resources economy be recognized in the 5th and we do that by including Columbia, Clatsop, Tillamook, Lincoln and bringing those over with Yamhill, Marion and Clackamas, I think basically that is where the differences come down. And it's important to have, not only a Multnomah County, but also a Metro seat. And so I would not support the amendment."

050 OTTO: "Any further comment? Will you call the roll please?"

052 VOTE: MOTION CARRIED, 5-2. VOTING NO: SEN. BRENNEMAN, SEN. BUNN.

055 OTTO: "Is there anything else to bring before the Committee today? If not we're adjourned."

056 Meeting adjourned at 4:15 p.m.

Verbatim Transcription By:

Reviewed By:

Joan Green
Assistant
Administrator

Gail Ryder
Senior

EXHIBIT LOG

A - Written testimony, Walden, 17 pgs. B - Map, Bunn, 1 pg. C - Maps, Goldstein, 3 maps D - Oversize exhibit, House Minority Report,

"Congressional Boundaries March 26", 1 map E - Oversize exhibit, House
Majority Report, "Walden Final Congress", 1 map