

April 25, 1991Hearing Room "B" 3:00 p.m. Tapes 37 - 38

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

STAFF PRESENT: Gail Ryder, Senior Committee Administrator Jayne
Hamilton, Committee Assistant

MEASURES CONSIDERED: SB #1000 - Relating to
Redistricting, PH

VERBATIM TRANSCRIPTION

TAPE 37, SIDE A

003 CHAIR OTTO: Called the meeting to order at 3:10.

(TAPE 37, SIDE A)

PUBLIC HEARING

SB 1000 RELATING TO REDISTRICTING

Witnesses:Senator Tricia Smith, District # 17 Allan Harper, Sen. Jim
Hill's Office, District #16 Tim Markwell, Sen. Trow's Office, District
#18 Senator Scott Duff, District #29 Senator Mae Yih, District #19
Senator Paul Phillips, District #4 Senator Bob Kintigh, District #14
Andy Dorsch, Legislative Assistant to Representative Pickard, District
#54 Senator Lenn Hannon, District #26 Bob Goldstein, Citizen Senator Bob
Shoemaker, District #3

009 SENATOR TRICIA SMITH, DISTRICT #17: "My remarks today will be
extremely brief for me. I'm only here to tell you that the 4-25 (April
25th), amendments to SB 100 0, comply with the statutory criteria set
forth in ORS 188.010. I support those amendments."

016 BUNN: "Can someone enlighten us to the purpose of those
amendments?"

018 SMITH: "I will try Sen. Bunn. There have been so many amendments
that it is kind of foggy in my brain. I would ask that Ms. Ryder assist
me. I can tell you that we started with 5,000 people too many in my
Senate District. Then from there it was a process of reducing the
district as much as possible and still maintaining the urban quality of
the district, and as much as possible comply with the statutes by using
geographic and political boundaries, not dividing the communities of
common interest and connecting transportation links."

026 BUNN: "Are you referring to one specific amendment on the chart
that we have?"

029 SMITH: "I am at this point, referring to the entire process that
puts my district in the conformance that it is in now, including these
amendments."

030 OTTO: "Gail will you clarify the amendments?"

031 RYDER: (Away from microphone) "For the record Mr. Chair, you
requested that staff work with members to form a set of amendments for
this meeting that could be presented to the committee. The top four
pictures, Exhibit A, as well as the plot that you see back here,
Oversize Exhibit I, are the result of that. There are two changes on
this plot that appear in the upper left hand corner. There is a small
change here, an exchange between Rep. Gilmore's district and Rep.
Parkinson's district the line goes straight across, (UNINTELLIGIBLE),
and that means that this portion right here would be in Rep. Barnes'

district rather than this portion right here. Originally what you asked us to do was to put an amendment package together where it represented agreement from every single party where there was a line change. That wasn't quite possible. What the top four are, are areas where there is not significant disagreement, that came to our attention. That was the best we could do on that. The bottom three maps, Exhibit B, are separate proposals where there does seem to be disagreement among members. And those are separate proposals."

050 BUNN: "If I understand correctly Gail, you said the Chair asked you to work with members. Was that majority members or all members?"

052 RYDER: "All members that came to us."

053 BUNN: "Was there any notice provided to the caucuses that these revisions were going on, so that we could participate in them?"

054 RYDER: "I don't know."

055 OTTO: "I assume it would be the responsibility of you, and also the other Republican leaders to circulate the word."

056 BUNN: "How did I get the word to circulate?"

057 OTTO: "I think it was announced here in Committee. Maybe one of the times that you were gone, which was quite frequent."

059 BUNN: "It was announced in the Committee when we held the hearing on the legislative redistricting plan?"

061 OTTO: "I'm quite sure it was."

062 BUNN: "I don't recall being out of the room during that hearing."

063 OTTO: "I don't know if you were or not, you were out of the room quite a bit of the time. What else did you have, Sen. Smith?"

065 SMITH: (Away from microphone) "As Ms. Ryder explained, there are some changes east of my district and north of my district. The change in my district that came as part of that is to include an existing northern thumb in my district, if I may... (showed on the map, Exhibit A where the changes are in her district). To keep the district in conformance with the city of Keizer, this little knob right here. This exists in the district today and that's part of the city of Keizer which is in total in this portion of... (UNINTELLIGIBLE)."

075 SPRINGER: "Would you care to comment on the Minority Senate Plan, and any issues that it raises for your Senate District?"

079 SMITH: "I'd be happy to, thank you Sen. Springer. While no one has come to me and explained the Senate Minority Plan, I have briefly seen a map of that plan, and the effect on my district is to devastate it. I currently represent a completely urban district within the cities of Salem and Keizer. In the Minority Senate Plan I would virtually be eliminated from that district and would instead represent rural Oregon up to Mt. Hood, I understand, and virtually none of my existing district. I am very much opposed to that plan."

093 BUNN: "You said you would represent virtually none of your current district under the minority plan."

094 SMITH: "That is my understanding."

095 BUNN: "From looking at the map, I believe that most of Rep. Courtney's district is retained within that plan."

096 SMITH: "As I said, while no one has come to me and explained the plan to me, I was able to briefly look at the map while it was sitting outside of the Senate Minority Office. At that time when I glanced at the map, I did not see a lot of my existing district left in the plan."

100 BUNN: "When the plan was presented before the committee, it was pointed out that Salem was entitled to three representative districts

based upon population. Salem would have one full Senate District plus one half of a Senate District that would be tied to a rural district, which ever way you went around Salem to find that. But one of the three House Districts would be tied to a rural so basically it takes much of Rep. Courtney's district and ties it to a Marion/Clackamas County House District."

107 SMITH: "This statute has as one of it's criteria that the redistricting plan doesn't divide communities of common interest. I don't believe the residents of the City of Salem have much in common with the residents of Zigzag."

112 BUNN: "Do the residents of Salem have a great deal in common with the residents of Stayton?"

113 SMITH: "My district doesn't include Stayton."

114 BUNN: "No, but Sen. Hill's district does."

115 SMITH: "I would leave it to Sen. Hill to comment on that."

116 BUNN: "Thank you."

116 BRENNEMAN: "Mr. Chairman? A couple of things...my staff did go to Peter Toll in offering to have our plan presented to any of your caucus members, or to the Democrat caucus in whole for a meeting, if any one wished to take a look at the plan. That offer was made. The other thing, and I'll get back to it later, since you're on this subject I want to go back and talk about another item and I'll do that in a little while."

125 OTTO: "Do you have more for us, Sen. Smith?"

126 SMITH: "No, thank you, Mr. Chair."

127 BUNN: "Mr Chair, before you go on to another witness, can we deal with the question that we discussed earlier? I'd like to establish for the record, if I could, at least a disagreement with the idea that at our last hearing we gave notice inviting parties to give input as far as amendments to this plan."

131 OTTO: "You're adding something. At our last meeting we gave notice. You're saying that we gave notice, I don't know about that. We gave adequate notice, I think, to members of the Democratic Party and of the Republican Party that if they wanted to make amendments, amendments would be accepted."

136 BUNN: "Then it is my understanding from what Gail said, and you can correct me if I'm mistaken, that subsequent to the Democrat plan being presented at this committee, that a notice was given, or an invitation was made, for input and amendments. I am not aware of this committee having the opportunity to hear such notice, and if the notice was made as you have stated it was, I'd like to know when I missed the opportunity for our members to give input on these amendments that were represented in the top four, as being amendments that met everyone's support, and had no major opposition."

145 OTTO: "There is still time between now and Tuesday if you want to make additional amendments..."

147 BUNN: "My question is..."

148 OTTO: "I know what your question is. I heard it, and I will answer it. I'm also telling you that between now and Tuesday there is still time for amendments. I don't know the exact date, the time, or the seconds involved, but I'm sure that we made an announcement to this committee that they could submit amendments to the plan."

153 BUNN: "To the plan after it had been submitted to the committee?"

154 OTTO: "Yes."

155 BUNN: "So the only opportunity, as I understand, would have been

our last hearing, because that's when it was submitted."

156 OTTO: "Well if you want to nit-pick that is your option Sen. Bunn, and if you want to act as the little District Attorney you can do that too."

158 BUNN: "My concern Mr. Chair is, we had a plan with four amendments that were presented as if those amendments had no opposition, and that every member had opportunity to give input into those amendments. Maybe I misunderstood what Miss Ryder said earlier."

162 RYDER: "Maybe I should clarify for you Sen. Bunn. What the instructions were from the Chair to the staff, and I don't know whether this instruction directly to the staff was placed on the record or not, was to work with whoever came to us in wanting to work with amendments, and to strive as best as possible for as much agreement for internal line changes as possible. In some of those cases it was not possible to talk to every single party. It was fairly easy to tell whether there was a significant disagreement. We would usually hear if there was a large disagreement, so we did not place those things in this amendment."

171 BUNN: "So to identify if there was a large disagreement, are you aware of any one of the ten Republican Members who were invited to take part in that amendment process, who either took part, were invited, or were aware of that process?"

174 OTTO: "I can name one right now. Sen. Phillips."

176 RYDER: "The members who were impacted by the line changes. I'm afraid you are an exception to this rule because there is one line that does impact your district. It was changed this morning at the very last minute. That's why I changed what I said as far as everyone being in agreement, because I don't believe everyone is in total agreement. There were a number of them who are. These are only proposed amendments that we're suggesting."

184 BUNN: "Thank you, I was just trying to identify where the amendments came from, and if we had a working group to understand how a working group was created."

185 RYDER: "It came from a variety of sources. A lot of small changes that came in; people asking, can this be moved this way? Small adjustments. They're not large population adjustments. They're 100 people one way or the other."

189 BUNN: "Do we have the amendments, the top four, are they labeled in any way so as we talk about them we're number one, two, three, four, or A, B, C, D?"

190 RYDER: "There are four separate snap-shots over there and that's how we group them."

192 BUNN: "As we discuss them on the record if there's a question at a later date, how would we identify which of the four we're talking about?"

193 RYDER: "Some of these are difficult because if you change a boundary in one district, it has an effect of rippling through a number of them. It's difficult to say each one as an individual one. We kept them regional, and we made all the changes to one small region appear on each snapshot. So perhaps you could limit it to one per each snapshot."

200 BUNN: "Can each snapshot be assigned some kind of a designated name?"

201 RYDER: "Absolutely, one, two, three, and four. It would be very easy. I can do that right now. (Exhibit A was labeled A-1, A-2, A-3, and A-4)."

203 YIH: "Or Mr. Chairman, or we can identify them by Senate District. I can see number 4 is Senate District 19 and 18. Am I correct Gail?"

205 RYDER: "I don't I...Which number 4 are you referring to?"

206 YIH: "On the bottom."

207 RYDER: "Oh, you're looking down. Let me clarify for you again Sen. Yih, I don't believe you were here. The top four were part of the amendments. The bottom three are separate plans, yours is the one at the very bottom, and that is a separate plan, it is not part of the amendments. That is a separate question."

211 YIH: "I'm proposing an amendment?"

211 RYDER: "That's right."

212 YIH: "So to answer Sen. Bunn's question, we can identify them by Senate District number. Like the bottom one has to do with Senate District number 18 and 19."

214 RYDER: "Yes that's true. Yours is, I believe, labeled the Yih Revision. The bottom three are labeled Barnes Revision, Pickard Revision, Yih Revision. The top four say amendments dated 4-24, but if you'd like them each labeled 1,2,3,and 4 I'd be happy to do that. Is that what you'd like?"

219 BUNN: "Yes, please."

219 BRENNEMAN: "Obviously this is a time in a process it can cause tempers to be frayed at times but, I don't recall being notified that this process was going on, but at any rate I think we've notified all the members of the Republican caucus that districts are affected and they'll have an opportunity to offer their input during this hearing today. I think I've got them all now in the room, and I think some of them want to make some input to put some matters on the record at some time. Thank you."

233 ALLAN HARPER, REPRESENTING SEN. JIM HILL'S OFFICE #16: "I'm here just to concur with committee amendments for 4-25, that we're in agreement with the way the lines are drawn now. I have worked with Sen. Smith and Rep. Courtney and Rep. Parkinson, as well as Gilmour's office in drawing this plan and Sen. Jim Hill and his office completely support what we have currently."

OTTO: "OK. Any questions?" (No answer) "Thank you."

249 TIM MARKWELL, SEN. TROW OFFICE DISTRICT #18: Reads written testimony, Exhibit C.

272 YIH: "The area above Highway 34 is not in the Corvallis School District, and many of them do not have Corvallis telephone number. They are represented by Albany School District, they shop in Albany, and I have represented them for fourteen years. I haven't seen them being close to Corvallis. They have Albany telephone, they have Albany School District, they are represented by Albany City Linn County Commissions. To say they have a closer relationship with Corvallis is not true. I've known them for fourteen years and I can say that very well."

287 MARKWELL: "These are Sen. Trow's comments. I can't defend them on that basis. This is just what he said."

290 YIH: "I just wanted to point out that, that's not true."

292 MARKWELL: "I'm not sure of that or not. These are Senator Trow's comments."

294 OTTO: "Any questions? Sen. Duff."

297 SENATOR SCOTT DUFF, DISTRICT #29: Read written testimony, Exhibit D.

324 OTTO: "Any questions of Sen. Duff?"

324 BUNN: "What is the deviation within your district under the proposal?"

327 DUFF: "Approximately 3%."

328 BUNN: "Do you recall any testimony that indicated there were court cases, I believe it was a New Jersey case, where one half of a percent was thrown out for being unreasonable?"

331 DUFF: "The committee provided me with a list of court cases, that you also received Sen. Bunn, that indicated to me that deviation of less than 10% had been accepted throughout the United States in many cases."

337 BUNN: "In fact, in Wyoming 89% was accepted, and in New Jersey one half of 1% was rejected."

340 DUFF: "I think that the significant issue here is preserving communities of interest. That is what in my reading indicated to me that this was and other factors were balanced against the one vote one person, and deviation."

345 BUNN: "Do you think that the community of interest is a stronger criteria than the one person one vote?"

347 DUFF: "I think the community of interest can moderate the one person one vote. That's what the court cases said, at least the way I read them."

350 BUNN: "If it were determined that to develop an ideal population district, your current district would have to take part of another county."

354 DUFF: "That's correct."

355 BUNN: "Would it be less offensive if it had to take part of another county for it to take one of the other two counties adjacent?"

357 DUFF: "No. They don't fit a basic community of interest. Take for example, there's a mountain pass that's between Baker County and Wallowa County or Union County, that would if you looked at the map cause a difficulty going south. Also Grant County doesn't really match community of interest. They're more closely connected with Wheeler and Harney County."

367 BUNN: "If the Legislature decided that zero population deviation was to be attained, would it be any more offensive to take part of Morrow County into your district than one of the others?"

371 DUFF: "As far as Morrow County is concerned, it would be very offensive. They have provided the committee with a county wide resolution objecting to splitting Morrow County in half."

375 BUNN: "I understand as far as one community but when you're dealing with all of those, does Morrow County have less in common with your district than Grant or Baker County?"

379 DUFF: "Yes, it has more in common with my district."

380 BUNN: "So as far the community of interest Morrow County would be closer to the community of interest to your district than Grant or Baker?"

383 DUFF: "True."

384 BUNN: "So if we were dealing with the one person one vote, and then subsequently community of interest, it would be logical to take Morrow County based upon that."

389 DUFF: "I don't think we'll be in the situation of dealing with one person one vote in this particular case because of the history that I have read about this particular situation."

391 BUNN: "But if that were the criteria, and again a criteria I understand you don't believe that we should have to deal with. If we did have a decision, and we're coming down to a goal of equal population, then Morrow County would be the logical place for us to add on to your

district."

398 DUFF: "I think it would be more complex than that. We may have to consider adding the entire County of Morrow, which would set the entire map ajar. I think that before I could answer that we would have to do additional planning and contact the county court and citizens in that area."

415 SENATOR MAE YIH, DISTRICT #19: Read written testimony, Exhibit E. Made reference to the Yih plan included in her testimony.

TAPE 38, SIDE A

034 BUNN: "Sen. Yih, you've explained some of the major problems with the Democrat plan, have you had a chance to review the Minority Plan, and give any input or reaction to that plan?"

037 YIH: "I have looked at the District 19 plan under the minority plan, it would be too large of a change for the present district. I think it would be too disruptive. But the 1,300 population coming into taking away a pocket in Linn County is going to disrupt community of interest as I have explained. Under the committee plan I have the whole Linn County District. It just doesn't make sense to take a tiny piece away from it."

045 BUNN: "Under your proposed amendment, did you impact more than two districts with the changes you made?"

047 YIH: "Yes. It would impact the two House districts."

048 BUNN: "As far as the Senate districts, did you impact more than two Senate districts?"

049 YIH: "No, it would only impact Districts 18 and 19."

050 BUNN: "So you increased the population in one, corresponding decrease in the other, and when your done which of those has the greatest discrepancy from the ideal?"

053 YIH: "My plan will have the least discrepancy from ideal. The committee plan has the larger discrepancy."

055 BUNN: "Under your plan you have 1,000 people too many in your district, correct?"

056 YIH: "No, under the committee plan, it has 1,300 people in Linn County where I believe it should go to Benton County where the present state senator represents in Benton County. It comes into Linn County where it shouldn't come into."

062 BUNN: "Referred to Sen. Yih's testimony; is this map a map of your plan?"

063 Yih: "Yes. I labeled that in the lower right hand corner where it says Yih Plan, Committee plan, and the existing Senate District #19 plan."

066 BUNN: "So the 1,077 deviation is not for the senate district?"

067 YIH: "That's for District #36."

068 BUNN: "So that's one of your two House districts?"

069 YIH: "That's correct."

070 BUNN: "Do you know if the deviation of the other House district is?"

070 YIH: "For House District #34, the population deviation was 1,165. If we adopt my amendment the deviations would be 5."

075 BUNN: "Under your plan the population deviation would be under Oakley's district #36, 1,080 people, and Vanleeuwen's district #37,

1,172 people? Is that correct?"

080 YIH: "My amendment would make the deviation only 1,080 for Oakley where it was 1,132 deviation under the committee plan, so my plan would make the deviation less."

085 BUNN: "I understand that, but I'm trying to find out, when we're all done and if we adopt your plan, we're not at zero deviation? We have some deviation from the ideal. Is that correct?"

087 YIH: "In two House districts there would be zero deviation."

088 BUNN: "Isn't your Senate district made up of House Districts 36 and 37?"

089 YIH: "Yes, but it will affect three House districts."

090 BUNN: "I understand, but I'm trying to deal with the number in your district when we're all done, according to your plan, and if I read your chart correctly, under your plan, Oakley's District #36 would have 1,080 people too many and Vanleeuwen's District #37 would have 1,172 people too many."

097 YIH: "Right. But my plan does not affect Vanleeuwen; I really should even take her out."

098 BUNN: "What we have to look at is the totals when we're done. It appears to me that under your plan, if we adopted your district as you would like, would have 2,252 people too many."

101 YIH: "Right. It was 2,304, so it makes it a little bit better."

OTTO: "Any other questions of Sen. Yih? Thank you."

105 SENATOR PAUL PHILLIPS, DISTRICT #4: First and foremost, I'd like to thank Gail and John for their cooperation and communication in what must be a very difficult process, and you Mr. Chair and Sen. Springer have availed yourselves to my concerns many times, and sometimes not particularly in the most rational state of mind. Briefly, I would touch on these comments; I will examine the proposed changes very carefully and come with a formal statement next week at your next hearing. As I examine them, ever so briefly without looking at the deviations and other things like that, I don't think you've made any substantial changes to my district that divide communities of interest, or communities, or do anything more than move boundaries into more logical flows of streets. I would make one comment as it applies to the Garden Home area. The road may be very straight, the community overlaps Garden Home Road and it specifically divides a.. If you follow just the road, you divide the school where most of the residents on the other side of the road attend, and that divides them into two districts. Now that's a little different when I hear Sen. Duff talk about dividing counties. I've got a very dense district so when you divide roads, you're dividing communities of interest and what not. The major communities of interest being Beaverton, Tigard, Raleigh Hills, Metzger and King City areas are kept in a block. The only comment I would make, and I made this to Gail and John, is that when on the southern border as you look at the area of Tualatin which is a large community, the more south we go without using a natural border such as the river or something like that, you begin to overlap into the community of Tualatin, and thus dividing that community. The issue is borne out that I have to lose more than 20,000 people and thus major communities have to be divided. I will look specifically Senator, at the southern border, and the changes, and come back with a formal statement, but just examining it, it doesn't appear to divide either the Asian or Jewish populations, which are my two major minority groups in the community. Generally the major ones are kept together. I will give you a formal commentary on the southern border, and the other changes that Gail had the opportunity to explain to me as we were coming in here. That concludes my comments on the plan thus far."

148 SENATOR BOB KINTIGH, DISTRICT #14: Read written testimony, Exhibit F.

213 YIH: "I'd like to recommend that Sen. Kintigh go shopping in Albany sometime."

215 KINTIGH: "You got something in Albany I should come get?"

216 YIH: "Buy all your refrigerator and fertilizer from Albany."

218 OTTO: "I've been inviting Sen. Kintigh for quite a few years to spend a little money in Wood Village, Oregon, but he's always declined."

220 KINTIGH: "I'm not into dog racing. Thank you for giving me a chance to testify."

228 ANDY DORSCH, LEGISLATIVE ASSISTANT REPRESENTATIVE PICKARD: "I'm here today to show a certain amount of support for amendments made at Rep. Pickard's District. (Went to the amendment maps). Before the district was split up so that the town of LaPine was spit in half, at the time that Klamath Falls was not split in half, going along the lines of reasoning that the larger the city, the more likely it is to be split up...(UNINTELLIGIBLE)...Gail did a good job of leaving LaPine a cohesive unit ... Hopefully what we would like to see is the elimination of this bulge in Jackson County where we might have Rep. Parks in this part of Klamath Falls and this bulge in Jackson, Rep. Jones into the east half of Klamath ... and we would preserve this area of Deschutes County and this area around LaPine. That would be an ultimate plan for us ... we would like to say that this plan is at least better in that it does preserve LaPine as a cohesive unit and it does limit Deschutes County to...(UNINTELLIGIBLE)."

258 DUFF: "Is this within the three deviations that the other districts are within the eastern Oregon area?"

260 DORSCH: "Yes it is."

261 BUNN: "Does Rep. Pickard feel that it is more justifiable to divide Klamath County into three districts, than to divide Deschutes into three districts?"

266 DORSCH: "I think our first concern was whether or not you're going to divide cities, versus whether or not you're going to divide counties. His concern is that you're dividing the town of LaPine before Klamath Falls."

269 BUNN: "Ok, but leaving the question of the cities aside, you said that there was a desire to split Deschutes County two ways rather than three, but it appears that as a result it causes Klamath County to be split three ways."

274 DORSCH: "That is true, however it does preserve the cohesiveness of LaPine as a town, and I think the cohesiveness of a town is more important than the cohesiveness of a county. That's ... I think that would be a line reasoning behind that move."

279 OTTO: "Gail will you..."

280 RYDER: "Mr. Chair, just for clarification for Sen. Bunn, the original committee plan, split Klamath County and Deschutes County three ways each."

282 BUNN: "I understand that the Democrat Plan did split it three ways, but I also understand that minority plan did not split it three ways. That's why I was trying to understand the priority of the Rep."

286 DORSCH: "Again, the priority is to keep LaPine as a cohesive unit, being that it is a smaller town than Klamath Falls."

289 DUFF: "Does this still remain a predominantly rural eastern Oregon district, as the committee plan?"

290 DORSCH: "That would depend on your definition of rural."

293 DUFF: "It is within rural eastern Oregon and predominantly in natural resources based economy?"

295 DORSCH: "Bend is obviously oriented toward a tourist form of economy. My experience in growing up in central Oregon is that it is a rural based economy, in my opinion."

298 DUFF: "So this district matches that."

299 DORSCH: "I think so."

300 BUNN: "You stated that Bend has a tourist economy, do you see that district as having a fairly strong tourist economy as a whole?"

303 DORSCH: "Can you tell me what you're trying to get at?"

305 BUNN: "No."

307 DORSCH: "Well, then I won't tell you what I'm trying to get at either. You guys are smart, I gotta be careful. All I'm going to say is that it depends again on your definition of rural. It depends on your definition of tourism. I'll leave it at that."

311 BUNN: "As you have a district that deals with Bend, with a definite tourist economy, one of the things that I think most of us have recognized is that because of population shift, Jackson County would have to provide part of the population for the district in the future. I'm wondering why, with tourism that exists in Bend, was Ashland not included in the district with that tourism and the community of interest tie, rather than going into rural Northern Jackson County which has a very different base."

321 DORSCH: "I think it depends on your priorities as a community. I would say growing up in the area, that Bend is a much different community than Ashland, and I would say that the priority of most people living in the Bend area is to maintain an agriculture atmosphere, not a tourist atmosphere, not an urban atmosphere. I think that's a philosophy of community that's much different than what we're experiencing in Ashland. I think the communities are two very different communities."

328 BUNN: "Do you believe the community of Ashland is closer or further apart, as far as a community of interest compared to Bend and... excuse me, is northern Jackson County closer to Bend as far as a community than Ashland would be, as far as the economy and community as a whole?"

336 DORSCH: "Northern Jackson County as in...?"

337 BUNN: "As in the area that under your proposal would be included in Rep. Pickard's district."

338 DORSCH: "So the area north of Ashland?"

340 BUNN: "Northeastern Jackson County, as I see the map, under your plan is included in the Representative's district."

342 DORSCH: "I think that Ashland is further away from the community of interest from Bend than other areas of the district."

344 BUNN: "Do you mean by miles or type of district?"

345 DORSCH: "Type of community. I think from my perspective, Ashland is the least likely to be related to the community of Bend than the outlying areas of Deschutes County, and other areas of Jackson."

349 BUNN: "Thank you."

350 OTTO: "Any other questions?"

358 SENATOR LENN HANNON, DISTRICT #26: "Just having the great pleasure of seeing these photographs for the first time about 20 minutes ago, I'd like to withhold making a formal comment. However I would point out that I think that Ashland and Bend certainly does have a great deal of common interest. They both are destination areas, tourist oriented, and I would point out that they might be geographically miles apart the

composite population are similar in nature. Both, central Oregon has a community college. We have a state system of higher education institution in Ashland. Both are ski resorts. Both are tourist oriented and both have a great deal of population centers that have retired individuals. So I would point out that both communities do in fact share a great deal of similarities. I have not had an experience to look at this map in its entirety, but I would point out that our delegation, Rep. Barnes, Rep. Watt, Johnson and myself, Sen. Grensky have all met and I think the basic proposal that was recommended through Sen. Bunn to the committee was our original recommendation. If that is not acceptable to the committee, certainly we would be willing to sit down and work with you. We appreciate the patience of Job that you and the committee have had to endure through this whole procedure and want you to know that of our willingness to work with you and try to bring about an agreeable conclusion to this."

397 RYDER: "Mr. Chair can I clarify? The reason we have two proposals that are not included in this is that one is the Pickard proposal, the other is the Barnes proposal and that is the one you are referring to is the third row down second one over (referring to exhibit B)."

402 BUNN: "Just for the record I'd like to say the Barnes proposal is not the proposal that Sen. referred to earlier as the one that I presented to this committee."

405 HANNON: "Yeah originally I think it was smaller in geographic and it looks like that one has expanded. Mr Chairman it may be because of numbers that it's been expanded in definition."

409 BUNN: "The minority plan did not go into northern Jackson County and it also had zero percent deviation."

417 OTTO: "Further questions? Thank you. Anyone else care to testify?"

419 BOB GOLDSTEIN, CITIZEN OF PORTLAND: "The comment that I wish to address right here is the division of cities when they do not have an adequate population for a complete state representative district. Ten years ago Forest Grove was intended to be divided. Grants Pass was intended to be divided. There was great consternation from the people of those communities. Any time a city is to be divided, then obviously you are splitting the community of interest. If it could be justified in one place then I would imagine for consistency purposes it could be justified in other places. On the state legislative level we have 47,000 some odd people who would be the ideal and any city that would have 10,000- 30,000 to be divided would give that city two voices when it didn't even have enough for one. So the argument could then be made that no city should be divided unless it has more than the absolute number that would make it a State Representative district. Certainly as far as the Senate is concerned, any city that would be 94-95,000, would certainly be entitled to have one complete Senate district, and then the two State Representatives and the Senator might sit down as a trio and decide within their own city if there be 95,000 people where to draw that line and that would be a much more reasonable way to adopt House districts within an incorporated area. The same thing would apply to the city of Portland. When you weight the population, and I believe every county should be weighted, and figure out the incorporated areas to be a nucleus if the area is so large, as the city of Portland is and you weight it down with 430,000, (that would be something like 8 or 9 districts you could break it down specifically) and would be weighted that way. Gresham, of course has grown tremendously in Multnomah County. Certainly has now, through the annexation process, obtained at least two voices or at least parts of two voices, and should have one that's entirely encapsulated and the people of Gresham would be strictly represented by a person who cares about that jurisdiction. Whether it be divided in half then both of those would be the majority in that particular House district."

TAPE 37, SIDE B

026 GOLDSTEIN: It's obvious that some area would have to be unincorporated or to include as many of the small cities, such as Troutdale or Wood Village, anything up in that area, so that it would be

primarily.. I guess you might say Gresham might be considered urban or suburban. When you get to cities like Forest Grove, as was done last time, there was a very tremendous human cry in the newspaper out there in the Hillsboro Argus, which I used to write for, and eventually it was rectified that the city should not be split. Nor should Hillsboro, which I don't think has 47,000 people in it yet, although Beaverton is otherwise.... In regard to splitting of counties, or splitting of cities, I believe you have to observe those political boundaries as they stood on April 1st of last year. What is going to be, and what has been in the past I think should not even be addressed because we have a time specific there that you deal with... I believe that should take into account non-splitting of counties in congressional matters specifically, which we are not addressing today, and of course counties should be combined as closely as possible to reach a weighted equality, regardless of partisanship, regardless of ethnicity, or of what some people call community of interest, which I find something that can be twisted anyway you wish. I will refrain now because I do believe that which is more important...state legislative districts are not being currently addressed in combination. Seeing the rub-off effect on congressional, which I believe should be priority one. I would hope that the Chair would entertain another hearing in regard to congressional. I think a matter of such importance should not be closed down and immediately go into work session on the bill that came over from the House, and further work on it by the citizenry and others who would testify in that matter should be continued and that there be no work session assigned until there be at least one more committee hearing on congressional matters. The House gave considerable time to it and I believe the Senate is not following in that path and I don't believe that's in my best interest or any other individual in the State of Oregon. Giving them the opportunity to present their view points is appropriate. And now I would like to ask the Chair if he would take back the hearing into his own hands and I thank you for the opportunity to speak. If there are any questions I would be fully happy to respond. Seeing none I thank you."

075 OTTO: "Anyone else in the audience care to present testimony?
Gail.."

077 RYDER: "For the record... What I distributed to the committee members was a statistical breakdown of the impact on the different districts, with the amendments that were referred to in the top four photographs up there, Exhibit G. You asked me to, for the record, explain the process as you explained it to me. Cut off for amendments would be at 12:00 on Monday, and that the committee is hoping to take final action on both the legislative and congressional plan at Tuesday's meeting which is the 30th."

086 OTTO: "Any Questions?"

087 BUNN: "Gail have you entered this information in the record yet?"

088 RYDER: "Yes, just now."

088 BUNN: "As I look at the proposal, for example just looking at my own district, under the house plans you've got district 28 and 29, Parkinson with 1,156 too many people, Bunn with 925 too many people, and then when I compare that to the Senate District 15 you've got Bunn with 2,000 too few people. A discrepancy of about 4,000."

094 RYDER: "I think there is a minus there that should not appear there. We'll double check that. Yes that's what it is. There's a minus that shouldn't be there."

096 BUNN: "Okay, I haven't added any of the others up, but as I understand the discrepancy in the Senate there would be a high in district 19 of 2.4%. A low in district 29 of 3.15%. So a variation of 5.58%."

100 RYDER: "Could you repeat that?"

100 BUNN: "Senate District 19 is high by 2.43% and District 29 low by 3.15%."

102 RYDER: "Yes, that would be the variation."

103 BUNN: "So you would have a designated variation of 5.58%. And in the House that variation is 5.81%?"

105 RYDER: "I'm sure it's close to that. I haven't looked at that as of this set of amendments."

106 BUNN: "Okay. Do you know the population difference on the Senate high and low?"

107 RYDER: "No I don't at this time, but I can certainly check that for you though."

108 BUNN: "I can see quickly that we've got about 3,000 too few people in Sen. Duff's district and 2,300 too many so we've got a difference of about 5,300 people."

110 RYDER: "Uh huh."

111 OTTO: "We'll have the people move to an eastern Oregon or into eastern Oregon. Would that be satisfactory Sen. Duff?"

112 DUFF: "That would be."

113 OTTO: "Any other comments to bring before the committee?"

114 RYDER: "Sen. Shoemaker is here."

115 OTTO: "I didn't notice you out there. We didn't sign you up."

117 SENATOR BOB SHOEMAKER, DISTRICT #3: Read written testimony, Exhibit H.

214 BRADBURY: "Just a comment. I think that was an excellent presentation in terms of the statistical relationship that exists in what I agree is a very strong community of interest."

217 OTTO: "You focus Bob, on Washington County. You can drive out 99E. They use to call it the super highway when I was a kid. You can't tell when you left Portland."

221 SHOEMAKER: "You certainly can't. Nor when you drive out McLoughlin. Is that the 99E you were referring to?"

223 OTTO: "Yes."

224 SHOEMAKER: "It's becoming a metropolitan area with great common interest. I appreciate your attention and Thank you for..."

227 OTTO: "We appreciate your comments. Any other questions for Bob?"

228 BUNN: "Not a question for Sen. Shoemaker, but I would like to ask a question about the amendments and the ability to deal with those. Gail, at what point will you have the minority population information?"

231 RYDER: "We're planning to work over the weekend to...based on these statistics and this drawing to give you the ethnic densities of each of the districts."

233 BUNN: "And when do you think we might actually have those in hand?"

234 RYDER: "Hopefully sometime on Monday. That's what we're hoping for."

236 BUNN: "Do you think we'll have them by noon on Monday?"

237 RYDER: "I'll try."

237 BUNN: "Part of my concern.. the reason for asking the question; we're told to have all the amendments submitted by noon on Monday and the minority party plan went to a great length to try to accommodate minority population voting strength, and in fact when we submitted our

plan we submitted numbers with that and have had available with our maps a print out on all 30 districts so that anyone could use that and in reacting we're offering suggestions. We need that information in order to protect minority population voting strength. Do I understand correctly that of the 90 districts proposed, two have minority populations determined for them. Is that correct?"

248 RYDER: "We have not done the statistical breakdown on any of the 90. As I understand it from our computer people it takes 20 to 25 minutes to do this kind of statistical break-down on every district, and to do 90 at one time we needed a large amount of time which we plan to do over the weekend to provide that for you."

253 BUNN: "So on the plan that was submitted on the 18th, and that we're still dealing with, with some modifications, at no point have minority populations statistics been used to develop that."

256 RYDER: "No that is not what I said. We used the layer process. When you're drawing a district, one of the accouterments of the system is that you can pull down the exact numbers of different ethnic populations. We had targeted certain areas of the state and we did do a double check on those. It's just that we don't have the tally of exact numbers. That's what I'm referring to that takes more time."

264 BUNN: "Have we had available that information on those that you did pull down the information on?"

266 RYDER: "That's something that's done while you are drawing the line Sen. Bunn. You have to look at the screen. You form census blocks and then the numbers appear in the census blocks, so it's easy to round them up in a polygon. That isn't something that can be translated other than going through the ethnic report process, and that's what we're going to do this weekend."

271 BUNN: "At least the committee hasn't had the benefit of any of that information through the process."

272 RYDER: "Not at this point they haven't."

273 BUNN: "And when the..."

274 DUFF: "In my particular district I did look at minority population...drawing, so that it is incorrect to say that the information was not available. Each one of us had the opportunity to look at minority population within our district because of the computer system."

278 BUNN: "The concern that I've got with 90 districts, and dealing with amendments and trying to responsibly come forward with constructive amendments; it's very important that not just in one or two districts but state wide we be able to evaluate that criteria and also to evaluate as a committee if in fact we've drawn the strongest districts for minorities as possible. And we have I think lacked as a committee as a whole individual and individual districts may have had that benefit. I think I've heard one minority population count. Is that correct?"

287 RYDER: "Which one are you referring to?"

288 BUNN: "I believe you stated that the African-American district, or there was a district with a high African- American population."

291 RYDER: "I did refer to six different districts in my original testimony, that you have a copy of, and we did refer to Rep. Carter's district. and Sen. McCoy's district as well as the four districts that have over 10% Hispanic population. I referred to that in my initial testimony. We'll give you more definitive information. We'll try very hard to get that done by 8:00 Monday morning so you'll have all day Monday and half of a day on Tuesday. It depends on the computer technology and their ability to teach me to do this."

302 BUNN: "All day Monday and half the day Tuesday, or from 8:00 a.m. until 12:00 on Monday. I thought by noon on Monday the Chair wanted the information back from us for our proposals."

306 OTTO: "For amendments, right?"

306 RYDER: "Well that was the hope. We were hoping to be able to do that. The reason for noon on Monday, and I'm sure we can have some flexibility, with good reason, is because we need to get plots printed for final, and you have to do that by about 3:30 in the afternoon or at the very latest about 8:00 at night."

312 BUNN: "I understand the difficulty with the plots. I was just concerned because it is my understanding that the number one criteria that the courts look at is population equity and the second, and a very close second, is protecting minority voting strengths. I'm concerned about our ability to do that effectively without those reports."

317 RYDER: "Perhaps what I can do is target those six district first and try to get you that information by Friday night. That perhaps will help at least..so that you see the districts that we know have over 10% and then give you the rest of the break down on Monday morning."

322 BUNN: "Okay that would be helpful, but I also think it's important to get the information on all 90. For example, some of the districts, as drawn, might be under 10%, but by changing the drawing they could become above the 10% and..."

326 RYDER: "We'll try to target the areas around those general densities and we'll get them out to you as soon as we possibly can."

329 BUNN: "I had asked for the information over a week ago, not from you but from the staff upstairs. I believe I asked Chris for that, and I think our office had conveyed the request a couple of days ago. I understand how long it takes, but I'll just again state that we're anxious to get that because it's critical to doing the job right."

334 RYDER: "Maybe I can also clarify that those kinds of requests, because they take so much time, they also tie up the machines, and when members are coming into the office and asking for walk-in time generally a member in the office takes priority over a report request. We're doing the best we can within the existing facilities that we have."

341 OTTO: "Anything else to bring before the Committee. We're adjourned."

341 Meeting adjourned at 5:05.

Verbatim transcription by:

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EXHIBIT LOG

A - Proposed amendments labeled A-1, A-2, A-3, and A-4, Staff, 4 pages
B - Proposed amendments, Staff, 3 pages
C - Written testimony, Tim Markwell, 1 page
D - Written testimony, Sen. Duff, 1 page
E - Written testimony, Sen. Yih, 6 pages
F - Written testimony, Sen. Kintigh, 3 pages
G - Proposal chart, Staff, 6 pages
H - Written testimony, Sen. Shoemaker, 4 pages
I - Oversize Exhibit, Staff, 1 page