

May 21, 1991Hearing Room "B" 3:00 p.m. Tapes 50

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 Julie  
Muñiz, Committee Assistant

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

VERBATIM TRANSCRIPTION

TAPE 50, SIDE A

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

(TAPE 50, SIDE A)

WORK SESSION

SB 1000 RELATING TO REDISTRICTING

003 CHAIR OTTO: "Will you please come to order? Gail, what have you  
got for us?"

007 RYDER: "Mr. Chair, you asked that this bill come back to committee  
so that a number of things could happen officially for the record.  
There are new amendments that have been prepared. You don't have a copy  
of those new amendments in front of you because they are 114 pages of  
block lists, and I think they'd be a little bit meaningless to look at  
them, but they're here if you'd like to look at them. Sen. Bunn,  
certainly! What we've done since the committee met the last time was an  
enormous amount of clean-up, which means, moving literally hundreds of  
very small census blocks from underneath county boundaries, or little  
teeny census blocks that are surrounded by another district that were  
the wrong district, and putting them in the correct district. There  
were hundreds of blocks that were moved, but in that actually only 41  
people were moved. So I don't believe there's been any conceptual  
change to what the committee adopted at the last meeting. The sheet you  
see in front of you that says 'Renumbering of districts and other  
changes,' the last column on that says 'Changes from final' and you can  
see as you look down where those people were moved from and to. So if  
you have an interest in where the changes occurred... The second  
element of this was that we were requested to do a renumbering of the  
house districts so that they would be in fact chronological with the  
Senate districts. The way this was done, and this page also explains  
that to you; the first column is the old district number, the second  
column identifies the new district number, and the third column shows  
the pairing of the Senate district with the House district. The way  
that this was done to make them chronological was that we looked at the  
districts each one, and the west got the first number and the east got  
the second number, or the north got the first number and the south got  
the second number, so it was completely generic, there wasn't any  
favoritism given on any level. As you can see there are 28 districts  
where the numbers actually stayed the same. The third thing that needs  
to happen is Legislative Counsel just brought to our attention is that  
we need to officially designate those Senators that are mid-term  
Senators as having a specific district, so that as of 1993 when that  
election happens they are officially appointed to a district. So, we  
have an amendment that will in fact do that, it is a fill-in-the-blank  
amendment, but it would apply to the Senate hearings. There are no  
changes in Senate district numbers. All Senators would, in fact,  
represent the same district number that they do now, according to this.  
And finally, one additional thing that needs to be done, and that is,  
for any mid-term Senator this committee needs to make a decision whether  
the people in the old district or the people in the new district would  
be given the power to recall, or fill a vacancy of a mid-term Senate  
seat. So that is a policy question you need to address."

047 BUNN: "Mr. Chair?"

047 OTTO: "Sen. Bunn."

047 BUNN: "Gail, what happens if we're silent?"

050 RYDER: "I don't know."

050 BUNN: "OK, the other question..."

051 RYDER: "Counsel is advising that you make a decision one way or the other."

051 BUNN: "In '81 the legislature tied the term re-elect to the redistricting bill. When the redistricting bill was declared unconstitutional it also, as I understand, took down that other provision. Is there any reason not to designate the recall information in another vehicle so that if the courts determine that this is unconstitutional it does not jeopardize other things attached to it."

057 RYDER: "I don't believe there's any reason why you couldn't do it that way; I don't know that we have another vehicle to do that. We have only one other bill in committee, and that relates to congressional redistricting. You could send the bill through with the Rules committee to do that. Or you could..."

061 BUNN: "OK, any bill relating to elections would work, wouldn't it?"

062 RYDER: "Perhaps, perhaps. We could have Counsel look at that. Would you like to have Counsel present to discuss this?"

063 BUNN: "To me it's not a major issue; I just brought it up because it was pointed out to me that in 1981 there was a similar type of thing where because the redistricting was not held in its entirety to be constitutional, anything attached to it also had the cloud over it."

065 RYDER: "It's possible you might want to do it in two places. You could do it here and also cover yourself by putting it in another vehicle as well."

068 OTTO: "Just so the decision is the same."

068 RYDER: "Right; that would be helpful. Also, what you have in front of you is a staff measure summary, or a staff redistricting summary as this particular one is, that reflects all of the statistical changes as a result of the committee action at the last meeting with the few changes that I mentioned before with the changing of 41 people. And some description of the boundaries in each district with a few comments, and that would be what would go to the floor when the bill passes out of committee."

077 OTTO: "I'm thinking for the benefit of the committee members; my thinking was that we would pass it out today, staff would work tonight and tomorrow get it printed; get it to the floor tomorrow for assignment, and it could be on the floor as early as Thursday, is that correct?"

081 RYDER: "Right. We can get this to the floor by 5:00 tonight if you take action today."

083 BRADBURY: "Mr. Chair? I don't know what the right motions to make are, but I'm ready to make them."

084 RYDER: "Perhaps the first motion would be to adopt the new amendments that change the blocks to take care of the widows and orphans and move 41 people as reflected in this..."

086 BRADBURY: "Do you have a Dash number or anything?"

087 RYDER: "Well, or you could simply adopt the information on the renumbering of districts and other changes; that reflects the changes and it also reflects the numbering of the districts and the pairing with the Senate seats."

089 BRADBURY: "So moved, Mr. Chair."

090 MOTION: SEN. BRADBURY MOVES ADOPTION OF SB 1000 REGARDING RENUMBERING AND PAIRING OF DISTRICTS AND OTHER CHANGES.

091 OTTO: "Sen. Bradbury moves the amendments to SB 1000, and that involved renumbering of districts. The information on this sheet coordinating the House districts with the Senate districts in

chronological order. Any discussion? Call the roll, please."

098 VOTE: MOTION CARRIED 7-0.

101 OTTO: "Motion carried."

102 RYDER: "Mr. Chairman, I believe your second motion would be to officially designate all mid-term Senators that are in their existing district number to that number again for the second half of their mid-term assignment. So it means if you are a mid-term Senator you retain your number."

106 OTTO: "Alright."

107 BRADBURY: "Mr. Chair, I would so move."

108 OTTO: "Sen. Bradbury moves that Senators that will not be up for reelection during the next election for Senators retain their same number which they have now. Discussion?"

114 BUNN: "Mr. Chair."

114 OTTO: "Yes."

114 BUNN: "The Democrat Redistricting Plan has put two incumbent Senators who are not up for reelection into the same district, and that doesn't seem to give fair consideration to both of those individuals. I won't support the motion."

117 OTTO: "Who are the Senators?"

119 BUNN: "That would be Sen. Kintigh and Sen. Larry Hill, I believe are the only members that are put into the same district, and this apparently would force Sen. Kintigh to represent a district that he did not reside in, as I understand it."

122 RYDER: "That's correct."

123 BRADBURY: "Mr. Chair, just to clarify..."

124 OTTO: "Sen. Bradbury."

124 BRADBURY: "Sen. Kintigh would, based on this, be assigned to a district in southern Clackamas county?"

125 RYDER: "Yes, that is the same number that he now holds, and that is the number that has been assigned to that district."

127 OTTO: "Any further discussion?"

128 YIH: "Mr. Chairman. Sen. Kintigh will retain the same number he has, and Sen. Larry Hill will retain the same number he has."

129 RYDER: "That's correct."

130 YIH: "That's not going to work."

131 OTTO: "The same numbers will."

131 RYDER: "The same number but not the same district. The new district for Sen. Kintigh is the two districts that were the new district that was formed, and Rep. Shiprack's district; former House District #23, make up the new Senate district."

134 YIH: "So what's his present district number?"

135 BRADBURY: "14."

135 RYDER: "Is it 14? Senate District 14."

137 YIH: "And he'll still have 14."

137 RYDER: "Yes. And he will represent the new district and the House district that Rep. Shiprack now is in."

139 YIH: "Wouldn't that be pretty confusing for people in the district? And Larry Hill would be which district?"

143 RYDER: "Is it 15?"

144 BUNN: "No, I'm sorry, I'm 15."

144 General laughter.

145 UNKNOWN: "Well, it was a good number."

147 RYDER: "...21 or 22. I think it's 21."

148 OTTO: "You have the same situation..."

148 YIH: "So they each will still have the same number? But the new district will have a different number."

150 BUNN: "Mr. Chair?"

151 OTTO: "Do you have more, Sen. Yih?"

152 YIH: "Well, that's my question. If they still have 14 and 21, then the new district would have a different number."

153 RYDER: "The new district is Senate District 14."

154 YIH: "Then Larry Hill still represents Senate District 21?"

155 RYDER: "Yes."

156 YIH: "But 21 will be 14?"

156 RYDER: "No."

158 BUNN: "Mr. Chair. I might be able to help explain. Sen. Yih, the Constitution require that a Senator who is in the middle of their term be assigned to a district, whether or not they live in that district. So under the motion Sen. Kintigh who would live in Senate District 21 would represent Senate District 14, so that he would not even live in the county that he was representing, but because he's mid-term he must be assigned to a district."

162 YIH: "That he currently represents?"

162 BUNN: "Whether or not he currently represents it is not a factor, it's just that he must be assigned to a district, and District 14 as drawn has no Senate member living in it, and so he is assigned to that district, which happens to be basically Washington and Clackamas counties."

167 OTTO: "Any further discussion? Alright, Sen. Bradbury has made a motion that...what was your motion?"

169 BRADBURY: "The motion was to assign mid-term Senators to the district that is numbered the same as their current district."

172 MOTION: SEN. BRADBURY MOVES TO ASSIGN MID-TERM SENATORS TO A DISTRICT THAT IS NUMBERED THE SAME AS THEIR CURRENT DISTRICT.

172 OTTO: "OK, you've heard the motion, any further discussion? Call the roll please."

174 VOTE: MOTION CARRIED 5-2. (VOTING NO: SEN. BRENNEMAN, SEN. BUNN).

178 OTTO: "Motion carried."

180 RYDER: "Mr. Chair, the final decision you need to make would be regarding which districts, the old or the new, would be responsible for recall or filling in the vacancy of a mid-term Senator; and whether you want it in this bill, or in another bill, or in both bills."

180 OTTO: "What's the feeling of the committee?"

181 BUNN: "Mr. Chair, I don't know that it matters, but I would prefer to use just another bill so that we don't cloud it at all. Either way we go, I think it should be the old district."

182 MOTION: SEN. BUNN MOVES TO USE THE OLD DISTRICT FOR PURPOSES OF RECALL AND ANY ELECTION ACTIVITY BEFORE A GENERAL ELECTION.

184 OTTO: "The old district, and let's have two bills. Sen. Bunn moves to use the old district for purposes of recall, and we'll try and find

another vehicle so that we can have two bills; this bill on redistricting, and another bill so we can separate it. Any discussion?"

187 BRADBURY: "Mr. Chair, just to clarify, is recall and special election correct, I mean it's not just recall, it's any election activity before next general election..."

193 RYDER: "Yes, or for purposes of the filling of the vacancy."

193 OTTO: "That was the motion too, right? OK..."

197 BUNN: "Just for the record, to explain then; if, for example, Sen. Kintigh would vacate, the people in Linn County would have a say in selecting the Senator for Washington and Clackamas. But..."

198 RYDER: "That is correct."

198 OTTO: "OK, call the roll please."

203 VOTE: MOTION CARRIED 7-0.

209 BRADBURY: "Mr. Chair. The appropriate motion now is to send SB 1000 as amended to the floor with a do pass recommendation." 211 OTTO: "Sen. Bradbury made a motion to send SB 1000 as amended to the floor with a do pass recommendation. Discussion?"

212 BUNN: "Mr. Chair?"

212 OTTO: "Sen. Bunn."

213 BUNN: "Just briefly we've all spent a lot of time debating the issues, but for reasons particularly dealing with population and equity and minority lack of representation I'll be voting no on this one."

217 OTTO: "OK. Any further comments?"

217 YIH: "Mr. Chairman."

218 OTTO: "Sen. Yih."

220 YIH: "I'm going to support the motion, but I want to express reservation that in my district, especially, I feel that the existing proposal interrupts community of interest, and it does not distribute population as equally as another alternative, and then I feel that it does not follow the historical or geographical political boundaries that I believe it should, so I'm going to support the main motion, but I wanted to say I support it with a great deal of reservation."

235 OTTO: "Further discussion? Call the roll please."

236 VOTE: MOTION CARRIED 5-2. (VOTING NO: SEN. BRENNEMAN, SEN. BUNN)

238 BUNN: Gives notice of a minority report.

242 OTTO: "Motion carried. Any more?"

243 RYDER: "I don't believe so."

244 OTTO: "Does the committee have anything else to bring to the committee? If not, we're adjourned."

245 Meeting adjourned at 3:29 p.m.

Verbatim transcription by:

Linda K. Waters  
Assistant  
Administrator

Reviewed By:

Gail Ryder  
Senior

EXHIBIT LOG

A - SB 1000-3 amendments, Staff, 114 pgs. B - Oversize Exhibit, Staff, 5 maps "Sen. Comm. Congressional Plan"; "Sen. Comm. Leg. Plan - Eugene Area"; "Sen. Comm. Leg. Plan - Mid Valley"; "Sen. Comm. Leg. Plan - Tri County"; and "Sen. Comm. Leg. Plan - Statewide".