

are not going to split counties at all, this is the way, this is the only way I think we can do it and still be relatively close and have at least a fighting chance in the courts. I offer that information, even though I have not decided for sure how I am going to vote on this issue.

SPEAKER MARVEL: Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I believe that I will have to oppose the Warner plan. I would like to ask Senator Warner a question if he will yield. Senator Warner, what is the population variance when you take these three counties and do a little shifting between them? What is the population variance?

SENATOR WARNER: I don't. . . . I do not have it right before me, Senator Hefner. As I recall it is less of a disparity than the existing boundaries are for the Congressional Districts, not less than your committee proposal. My point is that I think that we can improve the disparity between counties by retaining county lines with this shift. I agree that if you are going to go closer you are going to have to split but then you ought to split right down to within 50 or a 100 votes.

SENATOR HEFNER: Thank you. Thank you, Senator Warner. When I was visiting with the Attorney General's office he cautioned me and also the committee to try and get this population down as the population variance as close as we could. He called to my attention a Supreme Court ruling a one person one vote issue. Here we are coming with an amendment and the introducer of this amendment doesn't even know what the population variance would be. So, how can we vote on it when we do not know what the population variance would be. In playing with some of these figures I would say that it would probably be close to a plus two percent, or a two percent total variance. I just don't think that we can defend a population variance in the courts. So therefore I would urge you to reject this particular amendment. Just several other things, we will affect the people of three counties instead of just one and a third counties so I think that we need to consider that too. The committee received testimony at a hearing and its true any of the counties or parts of the counties that we want to move, the people will object. So, here we would have three full counties objecting to this when if you adopt the committee's amendment we will only be effecting about approximately one and a third counties. I just say this that I believe that the committee's plan is a simple plan. I believe that it does take us within this close population variance. It is less than a quarter of 1% and I feel that this is very close. So I would urge you to vote against the Warner amendment.