

May 12, 1981

LB 523

that they be given a chance to react to this. Now shortly after the DeCamp suggestion that, in fact, we not adopt this policy amendment but drop it off by not approving the committee amendments, suddenly that important factor was deleted and that we are ready to go back to the back room. And I support the statement of Senator Newell. This is a position, this is a problem that should have public debate and interaction. I felt there was a commendable suggestion that we allow the public to react to this new policy choice. Now it does not mean that we have to stop the bill dead in its tracks on General File. Adopt the committee amendments, send it onto Select File and let the Miscellaneous Subjects Committee hold an open, above board public hearing on that amendment and we can all trust them to give us a fair accounting of the testimony taken. We can make the appropriate adjustment if there is to be one at the Select File stage, but I think either we were kidding ourselves and that we were posturing for the cameras with this concern about the Pierce County residents and others if we so quickly adopt the idea that this should, in fact, get worked out in somebody's back room on a limited guest list basis. Or we really mean it, and if we really mean it then we then mean that we don't want to kill 523 by just simply languishing it in committee, but instead moving it on with this policy choice and yet at the same time proceed with the public hearing which is exactly what we have done in the Business and Labor Committee. I support the adoption of the Committee amendments.

SPEAKER MARVEL: Senator Hefner, do you want to speak to the committee amendments?

SENATOR HEFNER: Mr. President, members of the body, I have a few figures here that I would like to give you. They disagree a little bit with Senator Warner's. If this proposal is accepted the First District will have a plus .45. The Second District would have a minus .69 and the Third District a plus .18% or the total variance would be 1% like I stated before but I have the figures now to prove it. The total variance would be 1.14 so it would be over 1% and of course the Supreme Court in some cases has ruled that these figures are not acceptable. The Supreme Court has also ruled that you can cross county lines if it needs to be to get your population variance in line and so, therefore, I would say that if you approve this amendment more than likely it would be subject to a court challenge and in the end we would be letting the courts redistrict or reapportion our Congressional Districts and I think this is wrong. The Constitution says that the Legislature shall do this and we should do it to the best of our ability and I certainly do not think that