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1983h

PUBLIC HEARING

before

SENATE STATE GOVERNMENT, FEDERAL AND INTERSTATE RELATIONS
AND VETERANS AFFAIRS COMMITTEE

on

SENATE, No. 3784

Held:
December 15, 1983
State House Annex
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Senator Wynona M. Lipman, Chairwoman
Senator Herman T. Costello, Vice Chairman
Senator James W. Bornheimer
Senator Gerald Cardinale
Senator H. James Saxton

ALSO PRESENT:

Joseph P. Capalbo, Research Associate
Office of Legislative Services
Aide, Senate State Government, Federal and Interstate Relations
and Veterans Affairs Committee

New Jersey State Library

ATTORNEY GENERAL'S LIBRARY

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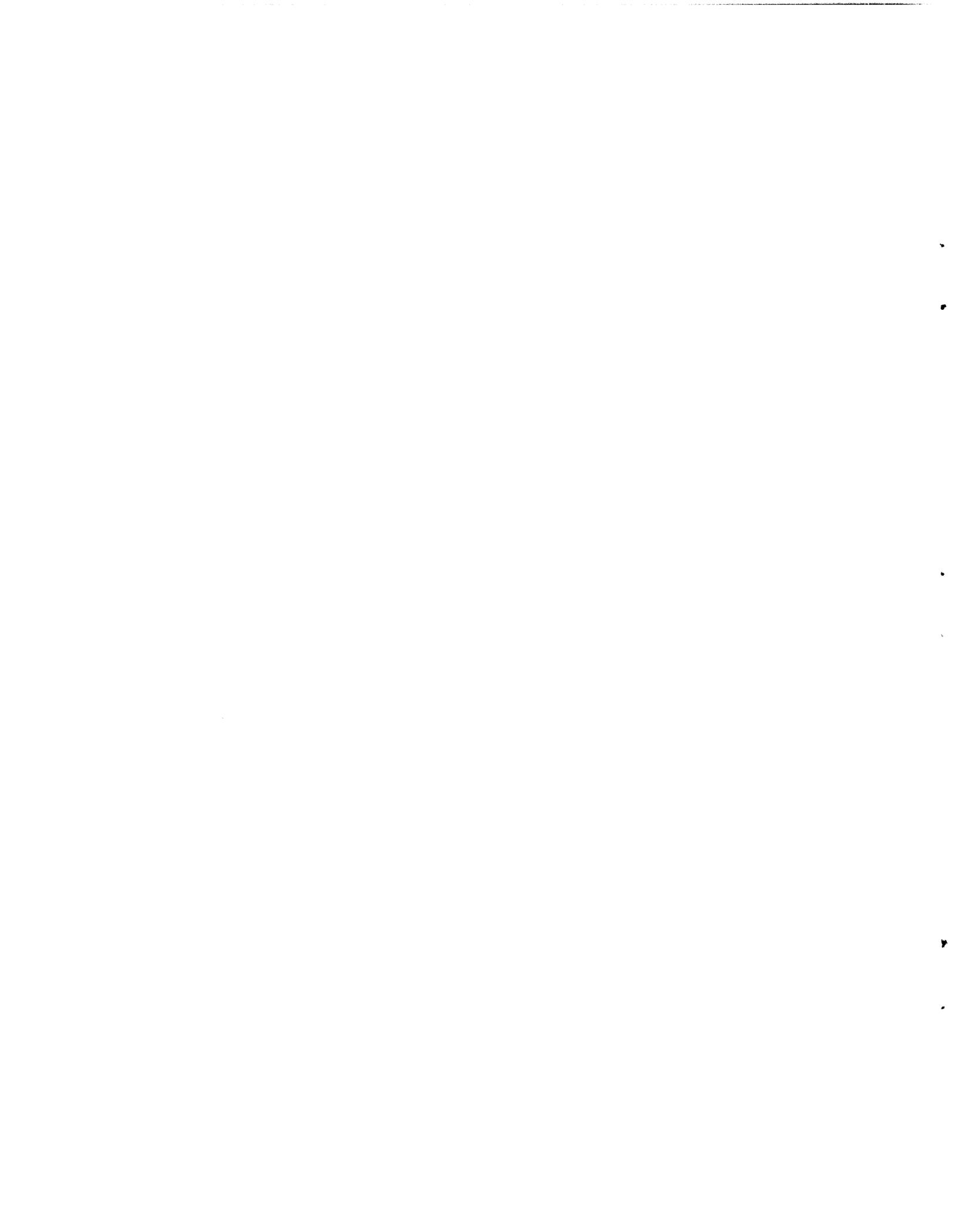
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I N D E X

	<u>Page</u>
Donald T. DiFrancesco New Jersey State Senate District 22	1

ALSO SUBMITTED:

Letter from Robert G. Torricelli Congress of the United States	1x
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JB:1-22



AN ACT creating districts for the election of members to the
House of Representatives of the United States of America,
and repealing sections 1 and 2 of P. L. 1982, c. 1.

BE IT ENACTED by the Senate and General Assembly of the
State of New Jersey:

1. For the purpose of electing members of the House of
Representatives of the United States of America from the State
of New Jersey, the State shall be divided into the following
14 single-member districts:

FIRST DISTRICT

Burlington County	
Maple Shade	Riverton
Palmyra	
Camden County	
Audubon Park	Laurel Springs
Barrington	Lawnside
Bellmawr	Lindenwold
Berlin boro	Magnolia
Berlin twp	Mount Ephraim
Brooklawn	Oaklyn
Camden	Pennsauken
Chesilhurst	Pine Hill
Clementon	Pine Valley
Collingswood	Runnemede
Gibbsboro	Somerdale
Gloucester City	Stratford
Gloucester twp	Tavistock
Haddon	Winslow
Hi-Nella	Woodlyne
Gloucester County	
Clayton	Swedesboro
Deptford	Washington
East Greenwich	Wenonah
Greenwich	West Deptford
Harrison	Westville
Logan	Woodbury
Monroe	Woodbury Heights
National Park	Woolwich
Paulsboro	

SECOND DISTRICT

All of Atlantic County

All of Cape May County

All of Cumberland County

Gloucester County

Elk
Franklin
Glassboro
Mantua

Newfield
Pitman
South Harrison

All of Salem County

THIRD DISTRICT

Monmouth County

Allenhurst
Asbury Park
Atlantic Highlands
Avon-by-the-Sea
Belmar
Bradley Beach
Brielle
Deal
Fair Haven
Farmingdale
Hazlet
Highlands
Howell
Interlaken
Keansburg
Keyport
Loch Arbour

Long Branch
Manasquan
Middletown
Monmouth Beach
Neptune city
Neptune twp
Ocean
Rumson
Sea Bright
Sea Girt
South Belmar
Spring Lake
Spring Lake Heights
Union Beach
Wall
West Long Branch

Ocean County

Bay Head
Brick
Dover
Lakewood
Lavallette

Mantoloking
Point Pleasant Beach
Point Pleasant
Seaside Heights
South Toms River

FOURTH DISTRICT

Burlington County

Bordentown city
Bordentown twp
Chesterfield
Eastampton
Fieldsboro
Florence

Mansfield
New Hanover
North Hanover
Springfield
Westampton

Mercer County

East Windsor
Hamilton
Hightstown

Trenton
Washington
West Windsor

Middlesex County

Cranbury
East Brunswick
Helmetta

Jamesburg
Monroe

Monmouth County

Aberdeen
Allentown
Colts Neck
Eatontown
Englishtown
Freehold boro
Freehold twp
Holmdel
Little Silver
Manalapan

Marlboro
Matawan
Millstone
Oceanport
Red Bank
Roosevelt
Shrewsbury boro
Shrewsbury twp
Tinton Falls
Upper Freehold

Ocean County

Jackson

FIFTH DISTRICT

Bergen County

Allendale
Elmwood Park
Fair Lawn
Franklin Lakes
Glen Rock
Hillsdale
Ho-Ho-Kus
Mahwah
Midland Park
Montvale
Oakland

Paramus
Park Ridge
Ramsey
Ridgewood
Saddle Brook
Saddle River
Upper Saddle River
Waldwick
Westwood
Woodcliff Lake
Wyckoff

Morris County

Mount Olive

Netcong

Passaic County

Bloomington
Haledon
Hawthorne
North Haledon

Prospect Park
Ringwood
Wanaque
West Milford

Sussex County

Branchville
Frankford
Franklin
Green
Hamburg
Hampton
Hardyston
Lafayette
Montague

Newton
Ogdensburg
Sandyston
Stanhope
Stillwater
Sussex
Vernon
Walpack
Wantage

Warren County

Allamuchy
Alpha
Belvidere
Blairstown
Franklin
Frellinghuysen
Hardwick
Harmony
Hope
Independence

Knowlton
Liberty
Lopatcong
Oxford
Pahaquarry
Phillipsburg
Pohatcong
Washington boro
Washington twp
White

SIXTH DISTRICT

Middlesex County	
Carteret	Perth Amboy
Edison	Piscataway
Highland Park	Sayreville
Metuchen	South Amboy
Milltown	South Brunswick
New Brunswick	South River
North Brunswick	Spotswood
Old Bridge	Woodbridge
Somerset County	
Franklin	Rocky Hill
Millstone	South Bound Brook

SEVENTH DISTRICT

Middlesex County	
Dunellen	South Plainfield
Morris County	
Passaic	
Union County	
Berkeley Heights	Plainfield
Clark	Rahway
Cranford	Roselle
Elizabeth	Roselle Park
Fanwood	Scotch Plains
Garwood	Springfield
Hillside	Summit
Kenilworth	Union
Linden	Westfield
Mountainside	Winfield

EIGHTH DISTRICT

Bergen County	
East Rutherford	North Arlington
Lyndhurst	Rutherford
Essex County	
Bloomfield	Glen Ridge
Cedar Grove	Nutley
Morris County	
Lincoln Park	
Passaic County	
Clifton	Pompton Lakes
Little Falls	Totowa
Passaic	Wayne
Paterson	West Paterson

NINTH DISTRICT

Bergen County

Alpine
Bergenfield
Bogota
Cliffside Park
Closter
Cresskill
Demarest
Dumont
Edgewater
Emerson
Englewood
Englewood Cliffs
Fort Lee
Garfield
Hackensack
Harrington Park
Hasbrouck Heights
Haworth
Leonia
Little Ferry

Lodi
Maywood
New Milford
Northvale
Norwood
Old Tappan
Oradell
Palisades Park
Ridgefield Park
River Edge
River Vale
Rochelle Park
Rockleigh
South Hackensack
Teaneck
Tenafly
Teterboro
Wallington
Washington

Hudson County

Guttenberg

North Bergen

TENTH DISTRICT

Essex County

Belleville
East Orange
Montclair

Newark
Orange

Hudson County

East Newark

Harrison

ELEVENTH DISTRICT

Essex County

Caldwell
Essex Fells
Fairfield
Irvington
Livingston
Maplewood
Millburn

North Caldwell
Roseland
South Orange Village
Verona
West Caldwell
West Orange

Morris County

Boonton town
Boonton twp
Butler
Chatham boro
Denville
Dover
East Hanover
Florham Park
Jefferson
Kinnelon

Montville
Mountain Lakes
Mount Arlington
Parsippany-Troy Hills
Pequannock
Riverdale
Rockaway boro
Rockaway twp
Roxbury
Wharton

Sussex County
Andover boro
Andover twp
Byram

Fredon
Hopatcong
Sparta

TWELFTH DISTRICT

All of Hunterdon County

Mercer County
Ewing
Hopewell boro
Hopewell twp
Lawrence

Pennington
Princeton boro
Princeton twp

Middlesex County
Middlesex

Plainsboro

Morris County
Chatham twp
Chester boro
Chester twp
Hanover
Harding
Madison
Mendham boro
Mendham twp

Mine Hill
Morris Plains
Morris
Morristown
Randolph
Victory Gardens
Washington

Somerset County
Bedminster
Bernards
Bernardsville
Bound Brook
Branchburg
Bridgewater
Far Hills
Green Brook
Hillsborough

Manville
Montgomery
North Plainfield
Peapack and Gladstone
Raritan
Somerville
Warren
Watchung

Union County
New Providence

Warren County
Greenwich
Hackettstown

Mansfield

THIRTEENTH DISTRICT

Burlington County
Bass River
Beverly
Burlington city
Burlington twp
Cinnaminson
Delanco
Delran
Edgewater Park
Evesham
Hainesport
Lumberton
Medford Lakes
Medford

Moorestown
Mount Holly
Mount Laurel
Pemberton boro
Pemberton twp
Riverside
Shamong
Southampton
Tabernacle
Washington
Willingboro
Woodland
Wrightstown

Carden County
Audubon
Cherry Hill
Haddonfield
Haddon Heights

Merchantville
Voorhees
Waterford

Ocean County
Barnegat
Barnegat Light
Beach Haven
Beachwood
Berkeley
Eagleswood
Harvey Cedars
Island Heights
Lacey
Lakehurst
Little Egg Harbor

Long Beach
Manchester
Ocean Gate
Ocean
Pine Beach
Plumsted
Seaside Park
Ship Bottom
Stafford
Surf City
Tuckerton

FOURTEENTH DISTRICT

Bergen County
Carlstadt
Fairview
Moonachie

Ridgefield
Wood-Ridge

Hudson County
Bayonne
Hoboken
Jersey City
Kearny

Secaucus
Union City
Weehawken
West New York

2. Sections 1 and 2 of P. L. 1982, c. 1 (C. 19:46-4
and 19:46-5) are repealed.

3. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to create 14 districts for the election of members of the House of Representatives of the United States of America from the State of New Jersey.

The summary statistics for the bill are the following:

	POPULATION 1980	ABSOLUTE POPULATION DEVIATION	RELATIVE POPULATION DEVIATION
CONG.DISTRICT 1	526069	-3	-.00057
CONG.DISTRICT 2	526070	-2	-.00038
CONG.DISTRICT 3	526065	-7	-.00133
CONG.DISTRICT 4	526082	10	0.00190
CONG.DISTRICT 5	526060	-12	-.00228
CONG.DISTRICT 6	526065	-7	-.00133
CONG.DISTRICT 7	526057	-15	-.00285
CONG.DISTRICT 8	526073	1	0.00019
CONG.DISTRICT 9	526073	1	0.00019
CONG.DISTRICT 10	526115	43	0.00817
CONG.DISTRICT 11	526055	-17	-.00323
CONG.DISTRICT 12	526063	-9	-.00171
CONG.DISTRICT 13	526102	30	0.00570
CONG.DISTRICT 14	526062	-10	-.00190
TOTAL	7365011		
IDEAL	526072		
HIGH	526115		
LOW	526055		
RANGE	60		
REL. OVERALL RANGE	0.01140		
ABS. MEAN DEV.	11.92		
REL. MEAN DEV.	0.00226		

SENATOR WYNONA M. LIPMAN (Chairwoman): Good afternoon. We have convened this meeting for the purpose of hearing Senator Hagedorn's redistricting bill, which is Senate Bill 3784.

Who is going to represent Senator Hagedorn?

GENTLEMAN FROM AUDIENCE: Senator DiFrancesco.

SENATOR CARDINALE: Senator DiFrancesco was here a moment ago. I'll see if I can find him.

SENATOR LIPMAN: Is Senator Hagedorn absent today?

SENATOR CARDINALE: No, he is here, but I think he is engaged on the floor.

SENATOR LIPMAN: Oh, okay.

SENATOR CARDINALE: The map is behind everyone, and it is in a position where everyone can see it. It does offer some very obvious advantages.

SENATOR LIPMAN: Some disadvantages?

SENATOR CARDINALE: Some obvious advantages.

SENATOR LIPMAN: And some disadvantages to my district.

SENATOR CARDINALE: Well, here is Senator DiFrancesco. I think we can let him speak for the sponsor.

SENATOR LIPMAN: Senator DiFrancesco, we were anxiously awaiting you. We would like to hear your testimony on behalf of Senator Hagedorn's redistricting bill.

SENATOR DONALD T. DiFRANCESCO: I'm here to speak for Senator Hagedorn's bill. From my standpoint, I am certainly in favor of this bill. It has a population deviation which meets the constitutional mandate as outlined by the United States Supreme Court. It is a fair and equitable map, and it certainly is not an example of gerrymandering by population deviation as we have seen with other maps. It is much more compact, when combined with the deviation, than any other map that has been proposed.

You can see, from District -- if I can show you on the board here --

(Senator DiFrancesco explains redistricting map)

I live in this district, District 7. The difference between the district that I live in now, which is a fishhook, and District 7 is substantially much more compact. Look at District 7, which is colored

in pink. That is where I am now. My congressman represents Elizabeth, as well as Marlboro and Princeton. I think that is just totally gerrymandering, and it is worse. I think our bill presents a much fairer map, not only to incumbents, but to people -- people who are represented by whoever wins these elections.

The range is in the area of sixty. The population deviation is much lower than the map which was passed by your Legislature last term and signed by Governor Byrne. It is even lower than any other map that has been proposed, particularly the one set forth by Senator Lynch, which has been posted for vote today in the Senate.

I don't know if I can answer every question you may have but, certainly, if you want to discuss it, I would be happy to comply.

SENATOR SAXTON: Are there any districts which have more than one incumbent Congress person now?

SENATOR DiFRANCESCO: I'm not aware of any districts that have more than one incumbent. In fact, I'm not aware of any political unfairness that exists as a result of this, if this map were to be signed into law.

This, I believe, is the Hughes district -- Florio -- this would be Forsythe, this would be Chris Smith -- Howard -- Dwyer -- Rinaldo -- Courter. Roukema, of course, has a much similar district to the one she is in right now -- Minish, District 11.

SENATOR LIPMAN: There is a substantial change in that district.

SENATOR DiFRANCESCO: Excuse me?

SENATOR LIPMAN: There is a substantial change in District 11.

SENATOR DiFRANCESCO: Yes, there is a substantial change in District 11. If you were to compare incumbents with what they have now, this would be the most affected district. You can see that the compactness is still fairly good; it still encompasses a large portion of Essex County where he lives -- West Orange, South Orange, Irvington, Livingston, and Millburn -- some pretty large communities.

This is the Rodino district -- Guarini; Torricelli is in a very compact district -- and Roe. Roe still has a substantial portion of Passaic County and some part of Essex and Bergen Counties.

I don't think it is politically unfair to anyone. I think you are suggesting that perhaps Minish will have a more difficult race.

SENATOR LIPMAN: Yes.

SENATOR DiFRANCESCO: But, out of fourteen--

SENATOR LIPMAN: Wait a minute now. You had the fishhook on yours, but this one transfers over 30% of the people of the present district and makes it another district. That is a great deviation.

SENATOR DiFRANCESCO: Yes, but the present district is unconstitutional.

SENATOR LIPMAN: Yes.

SENATOR DiFRANCESCO: But, it is not unfair when you are dealing with representation. It still has a large portion of Essex County in it without hurting this district, which is presumably a minority district.

SENATOR LIPMAN: It hurts it. Yes, it does. It would transfer some of the Blacks out of District 10.

SENATOR DiFRANCESCO: You've got Newark, East Orange, part of Monclair added--

SENATOR SAXTON: Are there any municipalities that are split?

SENATOR DiFRANCESCO: Municipalities that are split?

SENATOR BORNHEIMER: What happened in the Sixth District?

SENATOR COSTELLO: Did Congressman Dwyer get a little shock of his life?

SENATOR DiFRANCESCO: What do you mean?

SENATOR BORNHEIMER: What happened in his district?

SENATOR DiFRANCESCO: Do you mean as a result of this map?

SENATOR BORNHEIMER: Yes. What could he lose, and what does he get?

SENATOR DiFRANCESCO: What does he represent now? I don't know. I know he loses a portion of Union County.

SENATOR BORNHEIMER: What portion?

SENATOR DiFRANCESCO: Linden.

SENATOR COSTELLO: Which is predominantly White.

SENATOR DiFRANCESCO: Let's look at what it is now. He loses Linden and Rahway, and I guess he picks up more of Middlesex County, and maybe Franklin Township.

SENATOR BORNHEIMER: That is not Middlesex.

SENATOR DiFRANCESCO: I know, that is Somerset. I was just guessing. I have to look at the map. He picks up Franklin and Somerset, but he stays in Middlesex County. With that exception, it is a Middlesex County district.

SENATOR BORNHEIMER: What happened with Millstone, Rocky Hill, and South Bound Brook?

SENATOR CARDINALE: That goes into the Sixth District.

SENATOR BORNHEIMER: Was Old Bridge in the old district or was Old Bridge part of the southern district?

SENATOR DiFRANCESCO: Old Bridge was part of, I believe, the Howard district, wasn't it? Old Bridge is in the Howard district.

SENATOR BORNHEIMER: But, you're telling me that he is picking up Old Bridge.

SENATOR DiFRANCESCO: Who?

SENATOR BORNHEIMER: Congressman Dwyer.

SENATOR DiFRANCESCO: Oh, yes, he is picking up Old Bridge.

SENATOR BORNHEIMER: He's picking up Franklin, Millstone, Rocky Hill, South Bound Brook--

SENATOR DiFRANCESCO: Seventeen people. South Bound Brook -- 44,000 people.

SENATOR BORNHEIMER: He is giving up Rahway.

SENATOR DiFRANCESCO: Rahway and Linden.

SENATOR BORNHEIMER: Right.

SENATOR DiFRANCESCO: (continuing) -- which are in Union County.

SENATOR BORNHEIMER: I don't deny that they are in Union County. They have been in that district ever since they were in existence.

SENATOR DiFRANCESCO: Not Rahway, just Linden. The old district of Rahway was represented by Rinaldo.

SENATOR SAXTON: If you compare this map with other maps that have either been proposed or the one that is unconstitutional--

SENATOR BORNHEIMER: Let me finish.

SENATOR SAXTON: I'm sorry.

SENATOR BORNHEIMER: There is another town that seems to be missing from the Sixth District, which I am very much concerned with -- the one I live in.

SENATOR DiFRANCESCO: East Brunswick?

SENATOR BORNHEIMER: Right.

SENATOR DiFRANCESCO: But East Brunswick is then in a substantial portion of Middlesex, combined with Mercer and Monmouth Counties. That is a fairly compact district. We have to meet the population deviation as best we can, and that is without breaking up municipalities. I think that is pretty well drawn.

SENATOR BORNHEIMER: Are we talking about the absolute means of deviation, or are we talking about something else? What do the courts ask for -- the absolute means, or do they ask for deviations, etc.?

SENATOR SAXTON: Don, regarding previous maps, one of the criticisms has been that counties were severely fragmented. Was there an attempt on this map to avoid fragmenting counties?

SENATOR DiFRANCESCO: Yes. It is best evidenced by the Union County--

SENATOR LIPMAN: Excuse me, I don't think you answered the Senator's question.

SENATOR SAXTON: Oh, I'm sorry, I thought you were finished. Did I interrupt you, Jim?

SENATOR DiFRANCESCO: Say that again, Jim. Did the court want the population deviation as low as possible? Is that what you asked?

SENATOR BORNHEIMER: The question I asked was -- the absolute deviation, as compared with the average deviation, which is what the courts asked for--

SENATOR CARDINALE: What the court has really asked for is a measure of the most populous and the least populous district. In order to achieve that, it ought to be obvious to all of us that some changes are going to have to occur in the make-up of the districts. If we kept all of the districts exactly the same as they are, and we didn't change towns into or out of one or another district, we would end up with the same map that we have now, which has already been ruled unconstitutional.

We have to taken into consideration many, many factors when we do these changes. I think Senator Hagedorn has taken into consideration all of these factors.

If you look at the obvious advantages that this map entails, one of the objections that I noted at the last meeting was in District 5, where I was able to say to this Committee that on Senator Lynch's map, I who live in Demarest, would have Lawrence, which is a neighboring town to Trenton, in the same congressional district that I'm in. This map corrects that. I would now be in a very compact district. It is a district which, very frankly, would still be a district of the opposite party to my own. It would maintain probably the same degree of political reality, if you would call it that, and Congressman Torrecelli would probably have no problem in seeking reelection.

However, if you look at what happens to the balance of District 5, while it has been shortened from the borders of the Hudson River, it has also been shortened in the other direction. While it is a fairly large district in terms of total area and total distance, it is far shorter than it was, and yet, with all of the additions of compactness, the absolute deviation has been decreased materially from 10% or so from the map which we recently approved in this Committee.

We have eliminated much of the political gerrymandering in this map, which has been accused of being a part of prior maps. It very, very strictly adheres -- very strictly adheres -- to the Supreme Court guidelines, which they indicated we were going to have to countenance.

Minorities are considered very strongly here because the Tenth District will be maintained. I haven't got an exact percentage to give you, but it will--

SENATOR SAXTON: 54.33%.

SENATOR CARDINALE: 54.33%, okay. Someone just supplied that for me.

SENATOR BORNHEIMER: The average means differential is 11.50% in Lynch's bill, and it is 11.95% in Hagedorn's bill.

SENATOR CARDINALE: The difference in people is what I have, and I believe in Lynch's bill it is 65, and in this it is 60.

SENATOR BORNHEIMER: That is right.

GENTLEMAN FROM AUDIENCE: 67 in Lynch's and 60 in Hagedorn's.

SENATOR CARDINALE: Sixty-seven in Lynch's and sixty in this, so our mean deviation would have to be of a lower order of magnitude, although I don't have the fractional numbers in front of me. But, sixty is certainly a lower number. You know, it is a 10% or an 11% improvement over the deviation that was in Senator Lynch's bill, which we did approve.

SENATOR BORNHEIMER: Let me go back to the Sixth District, if I may. What is the population of Franklin, Millstone, Rocky Hill, and South Bound Brook?

SENATOR DiFRANCESCO: Combined?

SENATOR BORNHEIMER: Individually.

SENATOR CARDINALE: We have the numbers. Will you give us those towns again?

SENATOR BORNHEIMER: Franklin, Millstone--

SENATOR CARDINALE: Franklin is 31,358; Millstone is 530; Rocky Hill is 717; and, you wanted Bound Brook?

SENATOR BORNHEIMER: South Bound Brook.

SENATOR CARDINALE: South Bound Brook is 4331.

SENATOR BORNHEIMER: What is the population of East Brunswick?

SENATOR CARDINALE: Senator, which district is that in under this plan?

SENATOR BORNHEIMER: District 4.

SENATOR CARDINALE: 37,711.

SENATOR BORNHEIMER: 37,711, so I've got 31, 38-- So, in my estimation, we could put East Brunswick back in the district.

SENATOR CARDINALE: Except that you have a problem.

SENATOR BORNHEIMER: I don't have a problem.

SENATOR CARDINALE: If you made no other change than that, you would now have established a deviation which would be on the order of a magnitude of 30,000-plus -- almost 40,000.

SENATOR BORNHEIMER: How many people--

SENATOR CARDINALE: If you just did that, you have increased the deviation to a level which is well above the level which has already been declared unacceptable by the Supreme Court. You see, if

you just make that one change -- what you are suggesting is that you can transfer those, but you would still have, in rough calculations, a far greater deviation in population.

SENATOR BORNHEIMER: How many people live in Rahway?

SENATOR CARDINALE: We can get that number for you. I don't keep all of the municipalities in my head.

SENATOR BORNHEIMER: I know.

SENATOR COSTELLO: I think in all due respect to Senator Bornheimer, if we are going to discuss population of municipalities, we could be here forever.

I think I have--

SENATOR BORNHEIMER: I'm just trying to protect--

SENATOR COSTELLO: That is what I am trying to do, Jim. Frankly, when you go beyond just half of this yellow area, I'm at a loss. I find difficulty in knowing where I am at any given time, but let me say this. In looking at that presentation, it brings to mind a couple of comments, as I recall, that were made -- that are normally made when a proposal is made. There are several reasons for rejecting a proposal.

One of them is whether it be configuration or deviation -- speaking of deviation, I don't suspect there is that much difference between Senator Lynch's bill and Senator Hagedorn's bill, based on the figures that were presented here.

But, one of the things that also was mentioned was how, in massaging this, just how much of the population -- all of a sudden we are going to be confronted with a new congressman. You know, we have a hard time now. "Senator, I want you to meet Congressman Smith." And, he has been my congressman for the past four years, and all of a sudden, we're going to be told, "Okay, we have a long-standing congressman from the neighboring community." But, what you have done here is, you've massaged it -- the Fourth District, and I guess the old Thirteenth District, and my old legislative district. The Thirteenth one is now in three different counties -- Ocean, Camden, Burlington -- so I think it would be safe to say that that would be representative of an average dislocation of maybe 30% or 40% of the people.

SENATOR DiFRANCESCO: What do you mean by that?

SENATOR COSTELLO: Well, I'm saying that 30% of the people are now going to be represented by a different congressman.

SENATOR DiFRANCESCO: Than they are today?

SENATOR COSTELLO: Yes.

SENATOR DiFRANCESCO: Well, you voted for the map that created the fishhook and some of these other districts that caused this problem in the first place. So, we were just trying to go back to where we were based on fourteen people who lost the one congressman. If you want to look at my district, sure, Freehold will say, "What am I doing being represented by Matt Rinaldo? I live in Monmouth County. This guy lives in Union Township, which is not even his district." So, if you are going to talk about that, let's go back to who voted for what.

SENATOR COSTELLO: Don, my opening comments, if I may -- there are several reasons for rejecting the proposal. When I look at this map, if you'll forgive me -- I am parochial -- you argued about the fishhook. I'm not saying that I like or dislike the fishhook.

SENATOR DiFRANCESCO: What do you dislike about this map?

SENATOR COSTELLO: The fact that now all of a sudden, you're talking Burlington -- the old district--

SENATOR DiFRANCESCO: Forget the old district; it is unconstitutional.

SENATOR COSTELLO: I know that right now, you're proposing that we be represented by three different counties that are in the district -- that all of this in my legislative district, as well, will be represented by a new congressman.

SENATOR DiFRANCESCO: Where are you now -- One, Thirteen, Four?

SENATOR COSTELLO: Four.

SENATOR DiFRANCESCO: Four, which goes like this, right?

SENATOR COSTELLO: Yes, I don't remember anybody ever complaining about that.

SENATOR SAXTON: Joe Merlino did.

COMMITTEE: (laughter)

SENATOR DiFRANCESCO: I understand what you are saying. Your point is that you are being displaced again.

SENATOR LIPMAN: Excuse me, Senator Bornheimer and Senator Costello, do the questions that you are leading up to have to do with the percentage of population shifted by this change to a different congressman? Are you asking, what is the percentage of population under this map in which congressmen would be transferred into another district?

SENATOR DiFRANCESCO: Versus those two individuals who are sitting at this table.

SENATOR LIPMAN: Well, they were both being parochial. I'm going to be parochial, too, when it gets to me.

SENATOR DiFRANCESCO: Well, I can understand that Senator Bornheimer lives in East Brunswick. You live in Newark. Newark is Newark is Newark, right.

SENATOR LIPMAN: Newark is Newark is Newark, but it also depends on how many votes are possible out of Newark. If you transfer a whole--

SENATOR DiFRANCESCO: Well, how many does he represent today -- Black votes?

SENATOR SAXTON: The same percentage, within 1%.

SENATOR DiFRANCESCO: So, we haven't done anything to Newark.

SENATOR LIPMAN: No, let's answer this question about what percentage of the population under this map is transferred to a different congressman.

SENATOR DiFRANCESCO: Why does that mean anything, since we are dealing with a map that has been thrown out?

SENATOR LIPMAN: Because, as the Senator keeps suggesting here, one of the reasons that the court gives is not transferring so many people out of the district -- what percentage of people are transferred?

SENATOR DiFRANCESCO: Are you comparing it as it exists today?

SENATOR LIPMAN: Yes.

SENATOR DiFRANCESCO: In unconstitutional districts?

SENATOR LIPMAN: Well, we are talking about--

SENATOR DiFRANCESCO: When you look at this map as a group, as a whole, which is the way you are supposed to look at it--

SENATOR LIPMAN: I'm talking about this map -- in the Hagedorn redistricting bill.

SENATOR DiFRANCESCO: Right, when you look at--

SENATOR LIPMAN: Just answer the question.

SENATOR DiFRANCESCO: Okay, what is the question?

SENATOR LIPMAN: What percentage of the State's population is transferred to a different congressman under this map?

SENATOR DiFRANCESCO: We have not heard any congressman--

SENATOR CARDINALE: One of the factors that the court really asked us to take a good look at -- you're correct -- you see, what the court was commenting on was, in District 9, for instance, -- I happen to be familiar with that. I'm not familiar with the entire complexion of the State, but in District 9 previously, and in District 9 in the plan that was passed two years ago, there was a shift to where that congressman ran with only 40% of the original district still within its boundaries -- 40% of the people still within the boundaries of that district.

Obviously, if we are going to reverse what was done two years ago, we're going to be going back to a number of these other conditions, and certainly, we can't maintain the present inequitable position without making some of these shifts -- the courts ruled -- I mean, we're not talking about speculation -- the courts have ruled that this is an unconstitutional map under which we are working.

SENATOR COSTELLO: For several reasons. Okay?

SENATOR CARDINALE: For a lot of reasons, and yet, we're trying to reverse the actions in many instances that were taken in the creation of this unconstitutional map -- the shapes, the great distances from one side to another, and the most important factor -- the most important factor -- the factor that the court centered on throughout its decision -- there was no justification for the creation of these odd shapes and the deviation that was there.

Here, we can say that there are many justifications for these. We still have a deviation of sixty people; it is not a deviation of one or zero. It is still a deviation of sixty, but it comes about in a honest attempt to try to create compactness, to eliminate gerrymandering, to have political fairness, and to try to

consider the fact that we're not going to displace even one Congress person from where that person now is representing.

SENATOR LIPMAN: May I just suggest that our figures show that 34.5% of the State's people are transferred by this map out of their congressional districts in which they now live. Under the proposal presented last week, that is, the Lynch redistricting, only 9.9% of the State's people were being thrown into another congressional district.

SENATOR DiFRANCESCO: It is because it is not a new map. It is the same old map, that is why.

SENATOR LIPMAN: It is not the same old map.

SENATOR DiFRANCESCO: It is the same old unconstitutional map, Wynona.

SENATOR LIPMAN: All right.

SENATOR DiFRANCESCO: That is exactly true.

SENATOR LIPMAN: You will admit that it reeks havoc in District 11.

SENATOR DiFRANCESCO: It does not reek havoc in District 11. Are you talking about this particular map?

SENATOR LIPMAN: Yes.

SENATOR DiFRANCESCO: Why? Why do you say that?

SENATOR LIPMAN: It realigns -- I think this is the greatest deviation.

SENATOR DiFRANCESCO: Why does that reek havoc with anyone? What does it do?

SENATOR LIPMAN: Well, the percentage of Essex that is left on that map is negligible for Congressman Minish, our present congressman.

While I'm on the subject, can I get parochial about--

SENATOR DiFRANCESCO: Congressman Minish already represents part of Morris County. Am I correct?

SENATOR LIPMAN: Yes.

SENATOR DiFRANCESCO: So, I'm not sure what percentage you are talking about. He already represents Parsippany, Troy Hills. But, I don't think it reeks havoc with anything, and I will agree that with

all of the fourteen -- if you are going to individually take one through fourteen -- he perhaps is most affected.

SENATOR LIPMAN: That is right.

SENATOR DiFRANCESCO: But, that is only one of fourteen, and he already has a substantial portion of his present district combined within this map. It continues, as I said. It does not fragment a lot of counties. We stay within a couple of counties, and I think its--

SENATOR LIPMAN: All right, I'm going to let that question-- I've got to get out--

SENATOR BORNHEIMER: Let me continue on with that question. I think one important factor has to be considered in any map, that is, the fact of seniority and Committee representation. Now, if you are going to take and play games with Minish's district, and tie in ranking, you're going to have a problem. You are liable to get a young dude in there, or a young fellow, whether he is Democrat or Republican--

SENATOR DiFRANCESCO: Senator, Congressman Minish can win this district. Who said that he is in jeopardy here? I don't understand that at all.

SENATOR CARDINALE: I would also like to add another factor. In Senator Lynch's map, Congressmen Rinaldo and Courter both ended up in the same district, which was District 12. If we are discussing political fairness and what is to happen to these individuals, even the map on which the Supreme Court ruled was unconstitutional, several people ended up being displaced very dramatically from the districts in which they had been previously located. We're not talking about someone having a few additions or subtractions in that case. We're talking about such a violence that was done to those individuals that they no longer lived in the district that they had previously represented.

This map has sought to maintain each person in the district that they now represent. Yes, there have been some changes, but that is really what drawing a new map is all about.

SENATOR LIPMAN: Can I ask my question now -- my parochial question?

SENATOR BORNHEIMER: It all depends on whose ox is being gored? That is it.

SENATOR DiFRANCESCO: Nobody's ox is being gored in this map.

SENATOR COSTELLO: Oh, come on.

SENATOR DiFRANCESCO: No incumbent's ox.

SENATOR LIPMAN: Senator, I have got to ask one question.

SENATOR DiFRANCESCO: Can I ask one question?

SENATOR LIPMAN: Yes.

SENATOR DiFRANCESCO: What congressman is jeopardized by that map?

SENATOR COSTELLO: I'm not talking about a congressman.

SENATOR DiFRANCESCO: Then who are we talking about?

SENATOR COSTELLO: I'm talking about the constituency.

SENATOR DiFRANCESCO: Well, you weren't worried about it two years ago.

SENATOR COSTELLO: Oh, I certainly was.

SENATOR DiFRANCESCO: You have got to be kidding.

SENATOR COSTELLO: I certainly was. I didn't vote for what I voted for because of what he did--

SENATOR DiFRANCESCO: Three congressmen moved into other districts.

SENATOR COSTELLO: I voted for what was done down here. I'm sorry, I must concern myself with that.

SENATOR DiFRANCESCO: You voted for that.

SENATOR COSTELLO: Not because of--

SENATOR DiFRANCESCO: Look at this. This is what you voted for.

SENATOR COSTELLO: Not because of all the--

SENATOR DiFRANCESCO: You were worried about this person here?

SENATOR COSTELLO: I'm worried because -- are these people up here worrying about this down here?

SENATOR DiFRANCESCO: No, that is not my point.

SENATOR COSTELLO: Well, that is my point. That is as simple as that, Don. When I go back home, they are going to say, "What the hell did you do?"

It took me two years to get to know Smith. It takes him that long to make the list.

SENATOR DiFRANCESCO: That is not his fault.

SENATOR LIPMAN: When you set aside the Tenth District, the Ten District has a special status, and the courts mention it -- that is where a Black majority can be (inaudible). That is a gift to the Black people, right?

SENATOR DiFRANCESCO: Right.

SENATOR LIPMAN: All right. When you set aside the Tenth District, what is the range of deviation among the remaining districts in your map?

SENATOR DiFRANCESCO: Setting aside the Tenth District?

SENATOR LIPMAN: When you set it aside, right.

SENATOR COSTELLO: Yes, extracting that from the proposal. Now who has the highest or the lowest deviation?

SENATOR CARDINALE: That population deviation is only 43 -- the absolute deviation in District 10.

SENATOR LIPMAN: Yes, and the Lynch map is only 26.

SENATOR CARDINALE: But, that is 43 people.

SENATOR LIPMAN: You moved 5,000 people out of the Tenth District.

SENATOR DiFRANCESCO: No, we didn't.

SENATOR LIPMAN: Yes you did. That is what it says on mine -- my tabulations -- 5,000 people -- Black and Hispanics.

SENATOR CARDINALE: No, in Lynch's map--

SENATOR BORNHEIMER: No, I believe what she is saying is that you didn't move that many people. You just changed their heritage.

SENATOR CARDINALE: No, we didn't. The Black percentage in Lynch's district is 54.68%.

SENATOR LIPMAN: Right.

SENATOR CARDINALE: In this map, which is on the docket here, it is 54.33%. That is really an infinitesimal change. It is less than a half of a percent differential.

SENATOR LIPMAN: Except this is a Black district, and what you do is, you take a big swatch--

SENATOR DiFRANCESCO: Is it represented by a Black person?

SENATOR LIPMAN: No. What you have done is to replace the Hispanic minority with White people, and it is supposed to be a constitutionally drawn district that is now becoming unconstitutional.

SENATOR CARDINALE: If your facts were correct, Senator -- I don't mean any disrespect, but the Hispanic population under this map is 13.30%. Under Lynch's map, it 13.78%. Again, that is less than a half of a percent differential in Hispanic population from one map to the other. There is no massive change here whatsoever. The district still remains a very heavy minority district.

SENATOR LIPMAN: Yes, but your slight percentage means 2,000 people, and that can mean a great deal of difference in the primary, Senator.

SENATOR CARDINALE: I really don't believe that once you have a percentage of a 60% or 70% minority that the deviation as to whether it is 69% or 70% is so significant in any kind of primary when you consider that naturally not every individual of that 60% or 70% is going to vote in the primary. The number of people who really do vote in primaries, we know, is a very small percentage of the total.

SENATOR COSTELLO: It has no bearing on who votes.

SENATOR LIPMAN: No bearing--

SENATOR CARDINALE: So, you are probably dealing with 100 votes in the primary.

SENATOR BORNHEIMER: However, what is happening right at the present time on a national level -- the registration drives that are being put on by minority groups -- is going to have a tremendous effect upon this district -- a tremendous effect -- not only this district, but also the districts in South Jersey, which are Burlington, Camden, and--

SENATOR DiFRANCESCO: Well, District 4--

SENATOR COSTELLO: While Don is trying to search out, Madam Chairman, let me--

SENATOR LIPMAN: Go ahead.

SENATOR COSTELLO: You know, Senator Cardinale, when you are trying to refute Senator Lipman's concern about the minority, the differential is infinitesimal. Yet, when we talk about the difference between Senator Lynch's proposal and Senator Hagedorn's proposal, the figures given to me were 11.5% versus 11.9%. To me, that is infinitesimal

SENATOR DiFRANCESCO: Yes, but look at the difference. That is not infinitesimal.

SENATOR COSTELLO: You're talking configuration now.

SENATOR DiFRANCESCO: That is a big factor.

SENATOR COSTELLO: There are a lot of reasons to throw something out -- configuration, deviation -- and certainly--

SENATOR DiFRANCESCO: You said that yourself.

SENATOR COSTELLO: Right, there are a lot of reasons, and I had to hang my hat on that which affected my district. You can ignore, in terms of prioritizing, I believe, by absolutely making certain that you don't play around -- tinker around -- with anything that would in any way dilute minority representation. I think that maybe, as I interpret the Senator's comments and concerns, that is what you are doing. Your gerrymandering may just--

SENATOR LIPMAN: You are gerrymandering the Black--

SENATOR COSTELLO: It is people who we are talking about -- Blacks versus Hispanics. Are we doing that? The figures that we have show that you are.

SENATOR CARDINALE: I don't believe so. Senator, I don't believe that the numbers justify that conclusion whatsoever.

SENATOR LIPMAN: (inaudible) -- the election of Black representatives by 2,000 votes.

SENATOR DiFRANCESCO: Are we going to go on long with this?

SENATOR LIPMAN: No.

SENATOR COSTELLO: No, we can stop right now if you want.

SENATOR SAXTON: They want to start the concensus.

SENATOR DiFRANCESCO: Well then, let's start it.

SENATOR LIPMAN: Senator DiFrancesco, will you conclude?

SENATOR DiFRANCESCO: Will I conclude? I'm finished.

SENATOR LIPMAN: Just make a concluding statement.

SENATOR DiFRANCESCO: I was just trying to answer questions. My concluding statement is, I just don't see how you can justify this map instead of this map, considering the State as a whole, when you know that the compactness is much better, that the fairness is still there -- fairness to your party, as well as fairness to incumbents in our party -- and that the deviation is better with this map than where

they are presently. I just don't see how you could justify opposing this map on those three points. Thank you.

SENATOR LIPMAN: Okay.

SENATOR CARDINALE: May I make a motion, and then we can--

SENATOR LIPMAN: No, no, just for the record, let me put this in. We have a letter here which was sent to the Committee by Congressman Torricelli, a representative of Bergen County, and he says that under the Hagedorn redistricting, thousands of citizens -- 35% of New Jersey residents -- will face displacement in the district that he represents. I just wanted to enter that for the record.

All right, your motion?

SENATOR CARDINALE: I would just like to comment briefly on that statement, since it hasn't been made before. I would like to say that consistency in our statements that we all make, from two years ago until now, would certainly be in order.

Congressman Torricelli benefitted very dramatically from a 60% shift -- it was not a 35% shift, it was a 60% shift -- in people, and he won a district, running against an incumbent who had previously represented only 40% of the new district. I think it is rather late for him to be looking at that. He chose to accept it when it was beneficial.

But, that is beside the point really, because I don't think that we should be looking at any one district. I think we should be looking at an overall result for all of this State. While we have all made remarks that could be considered parochial, I think we do have a responsibility to look at the overall. Because of that -- because this map by Senator Hagedorn that is embodied in this bill -- embodies all of the criteria, at least as I have viewed them, that the Supreme Court gave in its decision -- it embodies a real fairness to the people who live in those districts to the extent that it seems possible within the guidelines that we have. We have a better community of interest for these people because all will live closer together. If nothing else, that creates a--

SENATOR LIPMAN: Senator, excuse me, Senator DiFrancesco, thank you.

SENATOR CARDINALE: I would move the map.

SENATOR LIPMAN: You are going to move, thanks. He has summed up. You would move?

SENATOR CARDINALE: I would move that we release from Committee today S-3784 for all of the reasons that I have suggested and that Senator DiFrancesco has suggested.

SENATOR SAXTON: Madam Chairman, I would like to say also that I certainly favor Senator Cardinale's motion, and I would just like to make a couple of comments relative to at least one or possibly two points that have been brought up here today.

One of the concerns that seems to be foremost in your mind, Madam Chairman, and perhaps the other members of your party, has to do with a population displacement, if you will, or the displacement of people from the current unconstitutional district to the district that has been proposed by this bill. I would like to suggest to you that inasmuch as the courts have ruled that this present plan is an unconstitutional one or a bad one, a more fair comparison could be drawn by comparing this proposed map to the one that existed prior to the time that Governor Byrne signed this one, a few hours or an hour or so before the time that his term expired. I think that would be a very fair comparison to make, and as I look at this map, without having one of the older maps to compare it with, it does look quite similar. It looks very similar in the south. That is the area that, of course, I am most familiar with -- Trenton and below and out along the seacoast. So, I think that your comparison is an unfair one, and I'm not so sure that it is one that is good for us to even talk about in comparison with this.

Courts have asked us to make substantial changes to this map for many reasons, and I think this map does it.

I also think that the suggestion that this proposal does violence to the status of minority in this State is not a valid argument either. The figures show that our proposal -- the proposal of Senator Hagedorn -- is within a few percentage points of -- not even one percentage point -- a few hundreds of a percentage point -- to the current map. Great care has been taken to assure that minority representation is very much the same as it is now. The configuration of this map is excellent.

The courts asked that we keep in mind the community of interest of various types of people, of various geographic areas, and that has been done.

Perhaps most important of all, as Senator Costello pointed out, it takes people awhile to get used to the names and personalities of the people who represent them. On this map, also great care was taken not to put two incumbents in the same district -- not for the sake of the incumbents so much, although I'm sure that doesn't bother them -- to not have to share a proposed district with someone else -- but for the sake of the constituents who recognize the name of Matt Rinaldo or Congressman Torricelli or Congressman Smith or Congressman Forsythe. We think that is very, very important. So, there is no district with two congressmen in it under this proposal.

Finally, I think it is incumbent upon us to look at the map as a whole. As we sat and discussed District 11, as we sat and discussed District 10, as we sat and discussed District 13, I couldn't help but think that those parochial arguments have to wait for another day. They don't really have a place in a discussion like this one. We need to look at the criteria that the court set out, and we need to decide whether or not this map meets that criteria. I think we should vote accordingly.

With that, I will second Senator Cardinale's motion.

SENATOR LIPMAN: All right. Do you have a concluding statement, Senator Bornheimer?

SENATOR BORNHEIMER: Yes, I do. I think the movement on the map displaces too many people and causes them to be represented by an inconsistent nature. An example of this is one district that I am very close to.

The distortion of moving these people from Linden, Rahway, etc. into another district, which they are not familiar with, causes havoc with the person who represents them, not only in this district, but in all the other districts. I think the consistency of the map that we have by Senator Lynch -- the deviations and meeting the criteria of the courts -- is better presented on Senator Lynch's map than with the present map by Senator Hagedorn.

SENATOR LIPMAN: Senator Costello?

SENATOR COSTELLO: Yes, I have a brief comment. I looked at the map again, and it dawned on me that there are three communities that are being moved out of the old Fourth District back into where they were prior to the realignment that was acceptable. Now they are right back in the same situation that they were when they were screaming, "For God's sake, we can't even relate to the problems that exist in the bulk of the First District now." They can't relate to them, so, therefore, very seldom would they see their congressman.

I looked at the map as a whole in response to Senator Saxton, and while I may be impressed with his comments, and I might even be inclined at times to agree with them, I still can't ignore the fact that when it was altered and they were sitting here, the argument was that we can't dislocate that many people.

Remember, as I said, it all depends on whose ox is being gored, and who would make the statement, "We are just shuffling around and relocating too many people." When you talk in terms of 30% or 40% of the people who are now going to be represented by a different congressman, I can't ignore that. It is one of the reasons for anyone to throw out a redistricting plan. That is my principal concern.

SENATOR LIPMAN: Well, if you want me to, I will make a brief comment. This bill has been of some concern to me because I think it proposes district lines with two very serious consequences in my own area in the State.

It tips the voting strength in the Tenth District, and it is tipped by 2,000 voters. If there were a minority representative running, it might have some drastic consequences.

In the suburban area, the map here is clearly designed to defeat one of our senior congressmen, Congressman Minish, and I can't support that.

Finally, I share everyone's concern about the transfer of population in the districts. Last year we passed and the Governor signed a law creating a set of districts which followed the population shift. The law was enacted, and we should think seriously before contemplating changes in a drastic departure from this law.

So, I think it is bad for the people, and I think it is bad for our institutions to depart so drastically in this redistricting.

If you will bear with me, I will ask Joe to call the role.

MR. CAPALBO: This on a motion to release S-3784 favorably.

Senator Lipman?

SENATOR LIPMAN: No.

MR. CAPALBO: Senator Costello?

SENATOR COSTELLO: No.

MR. CAPALBO: Senator Bornheimer?

SENATOR BORNHEIMER: No.

MR. CAPALBO: Senator Cardinale?

SENATOR CARDINALE: Yes.

MR. CAPALBO: Senator Saxton?

SENATOR SAXTON: Yes.

SENATOR LIPMAN: All right--

SENATOR CARDINALE: Having that motion fail--

SENATOR LIPMAN: Wait, wait, wait.

SENATOR BORNHEIMER: Let him comment. Go ahead.

SENATOR LIPMAN: Go ahead. You say what you were going to say. I was going to make another suggestion.

SENATOR CARDINALE: Well, if you have another suggestion, Madam Chairman--

SENATOR LIPMAN: Go ahead.

SENATOR CARDINALE: It would seem to me that we have already released one bill that represents a viewpoint. Perhaps it might appeal to some on the Committee to release this other bill for consideration without a recommendation from the Committee, because I can understand that we have a political difference. One is sponsored by a member of one party, and the other is sponsored by a member of the other party.

SENATOR LIPMAN: I was going to suggest that.

SENATOR CARDINALE: If we could release this bill, perhaps without any specific recommendation, to the rest of the Senate, so that it could be considered by all of the members, I think that might serve a useful purpose.

SENATOR LIPMAN: Do you want to make that motion?

SENATOR CARDINALE: I will make that motion.

SENATOR LIPMAN: Do I hear a second?

SENATOR SAXTON: I will second it.

SENATOR LIPMAN: Okay. Call the role please.

MR. CAPALBO: Senator Lipman?

SENATOR LIPMAN: Yes.

MR. CAPALBO: Senator Costello.

SENATOR COSTELLO: No.

MR. CAPALBO: Senator Bornheimer?

SENATOR BORNHEIMER: No.

MR. CAPALBO: Senator Cardinale?

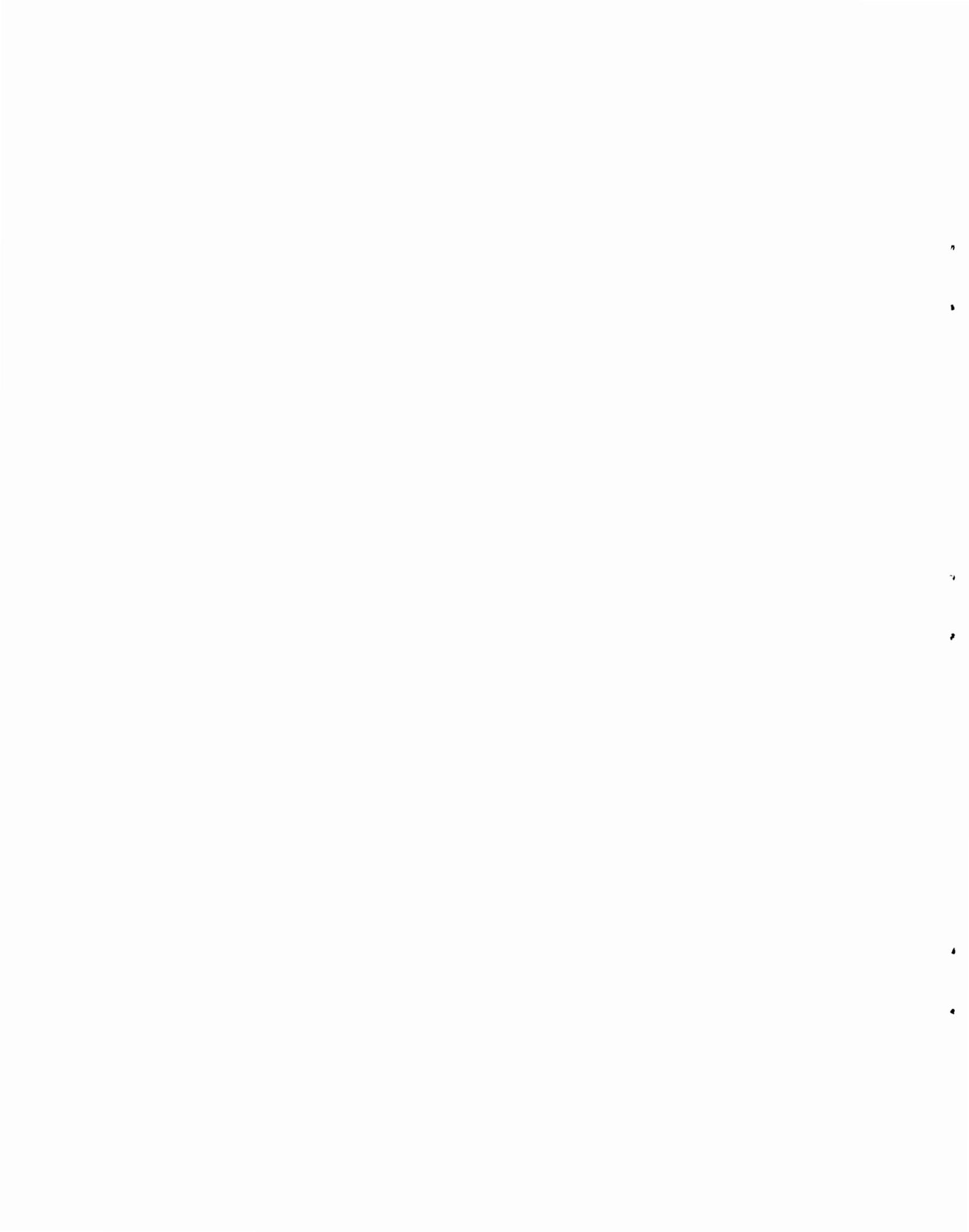
SENATOR CARDINALE: Yes.

MR. CAPALBO: Senator Saxton?

SENATOR SAXTON: Yes.

SENATOR LIPMAN: Okay, the bill is released without
recommendation.

(Meeting concluded)



ROBERT G. TORRICELLI
5TH DISTRICT, NEW JERSEY

COMMITTEES:
FOREIGN AFFAIRS
SCIENCE AND TECHNOLOGY



WASHINGTON OFFICE:
317 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20545
202-724-5001
DISTRICT OFFICE:
27 WEAVER STREET
SUITE 201
BRICKERSACK, NEW JERSEY 07601
908-646-1111

Congress of the United States
House of Representatives
Washington, D.C. 20515

December 15, 1983

Senator Wynona M. Lipman
State House
Trenton, NJ 08625

Dear Senator Lipman:

The mandate of the United States Supreme Court for the New Jersey Legislature to comply with its decision in Karcher vs Daggett et al presents a great responsibility. The Legislature can seek dramatic reductions in population deviation that protect the equality of voting power or can use this process as an excuse to redraw the political face of New Jersey.

As a Congressman, I have no formal role in congressional redistricting. I want, however, to sound a note of warning before we are engulfed in a tide of confusion.

My warnings are best illustrated by noting that the most common letter to be mailed from my congressional office is not on a particular issue. It is a letter to a constituent who sought assistance or desired to express an opinion that I am not their Congressman. Because of electoral changes and redistricting, a majority of the people of Bergen County have been represented by four Congressman in the last four years. Under the dictates of S 3784 (Hagedorn, D-Bergen) thousands of these citizens and nearly 35% of all New Jersey residents will face the same situation again.

It is more than a question of confusing voters and disrupting services to constituents and communities. We are disenfranchising the people of New Jersey. We are creating a dilemma that only you can address.

I urge you to meet your responsibilities by adopting S 3564 (Lynch, D-Middlesex). This legislation maintains minority strength, assures an equality of population and secures a partisan balance while dislocating only 1.0% of

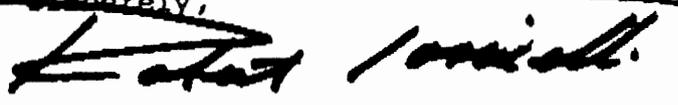
December 15, 1983
Senator Lipman
page two

New Jersey voters. With a population deviation of sixty-seven people, within one one-hundreth, it provides the most accurate division of a state's population in American history.

It is critical that the Legislature not be tempted to use this process to further disenfranchise our population. I urge a bi-partisan rejection of that temptation with an unfavorable vote on S 3484.

My thanks for your consideration.

Best regards,

Sincerely,


ROBERT G. TORRICELLI
Member of Congress

RGT:raa