



League of Women Voters of Minnesota Records

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TO: State Office

LEAGUE OF WOMEN VOTERS OF MINNESOTA

15th and WASHINGTON AVES. S.E.

MINNEAPOLIS 14, MINNESOTA

FROM: Virginia Neumaier

SUBJECT Reapportionment Press Coverage DATE

February 16, 1960

Enclosed is a copy of the AP press release which the Fargo Forum ran on "Big Thursday." I received your press information just in time to catch the Forum's Minnesota reporter, and he was very pleasant and agreed to run the AP story.

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TO: Jimmy Neumaier LEAGUE OF WOMEN VOTERS OF MINNESOTA
FROM: Grace - really A Duff 15th and WASHINGTON AVES. S.E.
MINNEAPOLIS 14, MINNESOTA
SUBJECT: Reap. Cause DATE 2/10/60

Enclosure explains itself, I think. Jimmy -
A. suggests you take to Editor to get story in -

Board was thrilled w. response
both in # + in quality - none - even
those "for" amendment - liked amendment
itself - only were for it for expedient or
P.R. reasons -

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TO: Ann Duff (cc to State Office)

LEAGUE OF WOMEN VOTERS OF MINNESOTA

15th and WASHINGTON AVES. S.E.

FROM: Virginia Neumaier

MINNEAPOLIS 14, MINNESOTA

SUBJECT Amendment 2 Press Meeting

DATE

February 9, 1960

Received your special memo last night, but thought I would wait until today's mail before replying. I am most excited and curious about the news coverage on the League position on Amendment 2. I was not at the board meeting Thursday, and I can hardly wait to learn what the consensus was.

I wish I could cooperate with your plans; however, in order for me to be in Minneapolis in the morning I must either come the night before or ride the late train from 2:00 a.m. to 7:00 a.m. The former is impossible because I have a commitment for the early evening and then have planned to take my husband to the plane. Since he will be gone I hesitate to leave my children all alone in town—I could not be home until 11:00 p.m. at best.

If I knew about the board discussion and decision and thus could be a good addition to the panel I could possibly drive; however, from what I know right now about the consensus, it would be a mistake for me to try to be at a press conference.

*and copy of release
today. To be a
newspaper -
send 1st class -*

Minnesota Women's League Against Reapportionment

MINNEAPOLIS (AP) — The women's group said it is against the amendment because of:

Minnesota League of Women Voters today voiced active opposition to a proposed amendment for reapportioning the Legislature.

While reaffirming its support of the 1959 reapportionment act passed by the Legislature, the

"1. Vague, general, nonspecific language.

"2. Weak enforcement provisions.

"3. Lack of an executive veto.

"4. Multiple county districts (that will be) the rule in both houses, destroying one valid reason for a bicameral Legislature."

"5. Misleading wording on the ballot."

* * *

The reapportionment action by the 1959 Legislature climaxed a long battle by forces seeking a new formula for allotting seats in the lawmaking body.

Both the statute, which goes into effect in 1962, and the amendment, which would change the Constitution on reapportionment effective in 1970, provide for a combined system of population and area in determining makeup of the Legislature.

But the women voters said the overwhelming majority of their membership opposes the amendment as being unclear and not specific.

The league also objected to certain provisions of the amendment that calls for special legislative sessions in event the Legislature does not reapportion when it is supposed to under the Constitution. For example, it said it cannot accept a no-limit session or the provision which bars pay for the legislators during the special session.

CONSENSUS ON REAPPORTIONMENT AMENDMENT

League of Women Voters of Minnesota

The time for decision is here. By February 1, 1960, the State Board would like to receive from every unit of every League in Minnesota, and from as many members as are so inclined to answer individually, and from every local League Board, the answer to the question:

WHAT IS THE LEAGUE POSITION ON REAPPORTIONMENT?

In preparation for this consensus on reapportionment, we call attention to:

- 1) July-August Minnesota Voter, "Reapportionment Amendment - Solution or Dilemma?" (Sorry this issue is out of print, hope you can find it out of your files.)
- 2) September-October Minnesota Voter, "The President Has the Last Word"
- 3) 1957 publication, "Will an Area Amendment Settle Reapportionment?"
- 4) 1954 publication, "Democracy Denied"

Will you check the answer that represents your considered opinion?

- ☐ The League should actively support Amendment 2.
- ☐ The League should actively oppose Amendment 2.
- ☐ The League should take no position on Amendment 2.

And now, we urge you to write a full and detailed explanation of your choice to guide the State Board in its interpretation of your reply. Use the reverse side of this sheet to do so.

Signed: _____

(name)

(League)

Please check: This reply represents individual ☐, unit ☐, League board ☐ opinion.

WORDING OF AMENDMENT 2: "The legislature at its first session after the 1970 census and each decennial census thereafter made by the authority of the United States shall have the power to prescribe the bounds of congressional, senatorial, and representative districts, and to apportion anew the senators and representatives among the several districts. The number of members who compose the Senate shall not exceed 67 and the number of members who compose the House of Representatives shall not exceed 135. No representative district shall be divided in the formation of a senatorial district. The senators shall be chosen by single districts of convenient, contiguous territory and in the same manner as members of the House of Representatives are required to be chosen.

"Representation in the House of Representatives shall be apportioned throughout the state on the basis of equality according to the population. Representation in the Senate shall be apportioned in a manner which will give fair representation to all parts of the state. Provided, however, the five counties adjacent to and including the county containing the seat of government of the state having 35 percent or more of the total population of the state shall have 35 percent of the members of the Senate computed to the closest whole number.

"If the legislature does not reapportion in compliance with this section at its first regular session after a decennial census, it shall be in extraordinary session immediately after the end of that regular session for the purpose of such compliance only. Such extraordinary session will continue until its purpose is accomplished and the members shall not be allowed compensation or expense reimbursement for service therein.

"Representatives shall be elected for a term of two years and senators for a term of four years. When there is reapportionment of the legislature, pursuant to this section, it shall not be effective until the next election of senators.

QUOTATIONS FROM THE REAPPORTIONMENT CONSENSUS

From the St. Cloud League:

"... how can we in good faith endorse a work as obviously lacking in good principles? We have an obligation to the public to promote good government - this is not an example. And if this fails, there will surely be more groups joining us within 10 years. The work will not have been in vain. . ."

From two individuals in Brooklyn Center:

"I am only recently aware of the nationwide scope of this problem (Harpers, Nov. '59, The Next Election is Already Rigged) and am consequently more concerned than ever that we dig in our heels and insist upon a good and workable amendment." "This is one case where half a loaf is not better than none. At least our present mis-apportionment is unconstitutional."

From an individual in Cass Lake:

"... since this amendment does not fulfill our criteria we cannot support it and would be shirking our duty to stand idly by in a neutral position. There is time to continue education and lobbying, and to present new forms of reapportionment amendments that will more nearly satisfy our criteria. . ."

From a unit in Deerpaven:

"We've fought this long, let's hold out for a better amendment . . county representation plan which did pass the House was much closer to our standards."

From an individual in Rochester:

"... the limitation of the metropolitan area to 35% of the seats in the Senate regardless of the population in that area is a blatant insult to representative government . . ."

From a unit in St. Paul:

"We don't feel the League criteria have been too rigid . . ."

From the Virginia League:

"It is not strong enough. There is too much compromise. . (Let's) sit it out. . passage of this amendment may delay reapportionment indefinitely."

From the Wells League:

"Most of our members were against supporting Amendment 2. . . This is a first step - let's keep working for the best way."

From a unit in White Bear Lake:

"... The group feels strongly that once thoughtful criteria are set before the legislators and the public, major modifications of them cast doubt on the validity and usefulness of future League criteria. . ."

From an individual in Cass Lake:

"... The area round the Twin Cities is assured of adequate representation but should the Seaway cause the Duluth area to greatly expand there would be no such provision for them."

From a unit in Duluth:

"... If we support this one we stand little chance of being able to lobby effectively for another one. . ."

From a unit in Minnetonka:

"... the public would certainly expect a firm stand from the L.W.V. . this is too poor to support. . ."

From the Mound League:

"... We have lost faith with the legislature's ability to discipline itself. . We could work hard to pass this amendment and not really know what we are fighting for. . ."

From a unit in North St. Paul:

"... we are unable to take a 'no position' stand after working for so many years in this area. We are not for it, therefore we are against it. . ."

From an individual in Rochester:

"... area-population reapportionment in the Senate and population reapportionment in the House would require drastic redistricting. Multiple-county districts would then be the rule in both houses - destroying one valid reason for a bicameral legislature. . ."

From an individual in Brooklyn Center:

" . . we should not compromise further, particularly in view of the fact that we have five more legislative sessions to work toward our . . goal."

From the Granite Falls League:

" . . We feel that since there are several legislative sessions coming, a better solution may be found. . . Our League does not . . support Amendment 2 . ."

From a unit in Moorhead:

"The majority of members in this unit believed we should actively oppose this Amendment . . since we had a number of years to work for a better Amendment. . ."

From an individual in Moorhead:

"With the tremendous shifts in population which are to come in the next decade, perhaps it would be wise to wait before we compromise on our original principle. . ."

From a unit in Golden Valley:

" . . restriction of the governor's veto power is not in keeping with our balance of power in the three branches of government."

From an individual in Rochester:

" . . I cannot see why legislation dealing with reapportionment should remain outside of the 'checks and balances' protection so basic to our form of government. . ."

From the Afton-Lakeland League:

"The Legislature itself was not felt to be the adequate reapportioning body . . We fully realized, however, the reluctance of the Legislature to delegate this authority . ."

From the Falcon Heights League:

" . . Everyone quarreled with the section leaving reapportionment up to the Legislature. . ."

From a unit in Golden Valley:

" . . The wording of the Amendment would give complete control to the Senate with no real lever to make reapportionment mandatory."

From the Jackson League:

"The Jackson League board voted unanimously to voice an objection . . the wording seems to give the legislature unlimited powers to fix districts and apportion . . permanently and indefinitely. . it would give the heavily populated area . . what would amount to control of the state."

From a unit in Mahtomedi:

"If the new Amendment passed we would have enforced reapportionment every 10 years under a formula which guaranteed nothing because of the vague wording of 'fair representation to all parts of the state' and 'equality according to population'."

From a unit in Robbinsdale:

" . . Enforcement machinery would not guarantee fair apportionment. Those legislators who did not have mounting expenses could outwait those who could not commute daily to the Capitol. . ."

From an individual in Rochester:

" . . In instances when a special session to consider tax or appropriations measures might be of extreme urgency, a special session to reapportion would have the priority of a constitutional provision. . ."

From an individual in Rochester:

" . . Our legislators are poorly enough paid without serving extra duty for nothing. Withholding pay should not be used as a lever . . The ramifications of this practice could be serious, indeed, and very costly to the democratic process. . ."

From the Duluth League:

" . . Those in favor had a variety of comments . . 'I vote yes but hope it's defeated.' . . there was no real enthusiasm from anyone for the amendment itself. . ."

From a unit in Mahtomedi:

" . . take no action because legislators might take the attitude that we are so hard to please they might as well quit trying!.. "

From the New Ulm League:

" . . unsatisfactory because it was too vague, the enforcement clause discriminatory towards out-state legislators, increased the size of an already unwieldy legislature and might react against future attempts by the League to get a good reapportionment provision . . We do believe in an area factor . ."

From the Red Wing League:

" . . In both units there was a general feeling against the amendment, but the members felt that active opposition on our part might be misunderstood by the general public . . "

From an individual in Battle Lake:

"I feel the League should take no position . . it does not meet the standards the League set out to accomplish. . "

From a unit in Edina:

"Whether or not the publicity angle should have influenced us, - it did . . Our main concern is that whatever is done will not hurt the cause of reapportionment. . "

From a unit in Richfield:

" . . Since League has worked so long for such an amendment, it would certainly look bad for us now to oppose it. If League adheres to such rigid criteria we may deserve the label of being impossibly idealistic or unrealistic. . "

From a unit in Rochester:

" . . if this amendment is defeated the lawmakers will feel that the voters are not really interested in reapportionment . . "

From a unit in St. Paul:

" . . must actively support or lose a great deal of face . . "

From a unit in Bemidji:

"We feel that . . it is a start toward regular reapportionment . . at a later time work for better enforcement provisions. . "

From a unit in Edina:

" . . we should accept this as a step forward . . reform is accomplished gradually . . "

From two units in Fergus Falls:

" . . not all that we had hoped for, we should support it as a step in the right direction. . "

From a unit in Hibbing:

" . . more good than bad can come out of this amendment. . "

From the St. Anthony Village League:

" . . we should actively support Amendment 2. However we feel this is not the answer, but the best plan so far, and a step in the right direction."

has space & Betty
I'd be much appreciative if you'd keep your
eyes and pen Thursday & Friday & write down what
MEMO TO: Dorothy Anderson *was said when & by whom.*

FROM: Ann Duff

SUBJECT: Your Press Conference to announce League stand on Amendment # 2
Thursday, February 11th, 10 AM Campus Club, Minnesota Union
University of Minnesota

The mass media show much interest in this. It should be a lively and I hope not too confusing time. Miriam Seitzer is handling the physical arrangements with a gentleman named "Shep" (the maitre D? I guess) at the Campus Club. The problem will be to find a place for you, all the TV paraphanelia, radio mikes and recorders and still have a clear view of you by the press people. During the announcement, our League ladies will have to keep off to one side.

I'm not sure exactly who will be in attendance, but it looks like most of the following:

Ramsey County Review - Mr. T. R. Lillie Spring 7-2156
White Bear Press & Rose Tribune - Mr. Litman's news editor Ga 9-7781
Minneapolis Suburban Newspapers - legislative reporter Mrs. Cecil (Betty)

Wilson - probably not
Suburbanite - Bloomington - Scott Donaldson, publisher & editorial writer
St. Paul Pioneer Press - Gene Newall, legislative chairman (formerly of
Mpls. Star & Tribune) Ga 2-5011 Our Woman's Page contact has left
and not as yet been replaced but they expect to send someone

Minneapolis Star & Tribune - John McDonald, Tribune; Wallace Mitchell,
Star; Stephanie Brown, Woman's Page

U.P. - Clyde Donaldson Fe 8-7547

A.P. - George Moses Fe 5-6741 *neighbor of Betty Kane's - hopes to be there "if not we'll certainly give you coverage"*

KSTP - TV 5 - Mr. Leedford (sp.?) he's coming but didn't sound very
interested M1 5-2717

WCCO - TV 4 Mr. Bartelmay (sp.?) he's coming and is very interested;
covered legislature and seems much on the ball Fe 2-1201

WTCN - TV 11 Mr. Peterson Wa 7-8981 *sp. - he is Clerk McCuen*

I wrote personal letters to the following but haven't the vaguest idea
what they'll turn up:

Minneapolis Star & Tribune, editor of editorial pages Wilbur Elston

Minneapolis Suburban Newspapers Inc. Publisher & editorial writer for the
6 or is it 7 papers, John Tilton 1011 Excelsior Ave., Hopkins

Bloomington Sun, 9402 Lyndale Ave. S. Peter Donaghue, editorial writer

Red Wing Republican Eagle, editorial writer Philip Duff stressing local angle

WCCO - TV News editorial writer George Rice

KDAL Duluth, Mrs. Claude Roemer

Our friend Robert T. West of WBGY radio does not have the staff to cover
this but is much interested and wishes one in the mail.

Minnesota Newspaper Assn. weekly mailing deadline Thursday noon. I shall
drop off the press release there and ask for clipping service. This should
give us a good indication of where our support is and is not for the action
phase.

59-61
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League of Women Voters of Minnesota, 15 & Washington Aves.S.E., Minneapolis 14, Minn.
This is not going out on Duplicate President's Mailing February 11, 1960

Memo to: Local League Presidents
From: Mrs. O. H. Anderson, President
Re: Stand of the LWV of Minnesota on Reapportionment Amendment #2

We are sending you today a copy of the Press Release announcing the stand on the Reapportionment Amendment #2, which was taken by the League of Women Voters of Minnesota, and also a sheaf of "Quotations from the Reapportionment Consensus." The decision to oppose the amendment was a unanimous decision of the state Board, based on reports from over 90% of our members and local Leagues. The decision was announced at a press conference at 10 A.M. today.

The Press Release and the "Quotations...." were distributed to the representatives of the press, radio and TV who were present. The Press Release (but not the "Quotations") was sent today to all newspapers in the state through the regular mailing of the Minnesota Newspaper Association (formerly the Minnesota Editorial Association). We suggest that you talk with your editor, calling his attention to the Press Release. Use your own good judgment about sharing with him the "Quotations." These might be interesting fodder for your local League Bulletin.

League of Women Voters of Minnesota, 15th & Washington S.E., Minneapolis 14, Minn.
Mrs. O. H. Anderson, President
161 Juniper, Mahtomedi
GA 6-3707

Release: February 11, 1960
10:00 a.m. or
thereafter

League announces stand
on the reapportionment
amendment (No. 2)

The League of Women Voters of Minnesota will actively oppose the passage of the Reapportionment Amendment (No. 2). This was the unanimous decision of the state Board based on reports from over 90% of our members and local Leagues.

Our position is the culmination of seven years of study, intensive lobbying in three legislative sessions and a continuing program of citizen education on behalf of more equitable apportionment.

The overwhelming objections of our Leagues to the amendment are well-summarized in the words of a Rochester member:

"If such a basic change is to be adopted into the Constitution, the wording should be specific enough to insure fairness and enforceability, yet be flexible enough to meet at least a century of change."

Particular objections were to the following:

1. Vague, general, nonspecific language, which neither guarantees a population basis in the House, nor reveals how the area factor would work in the Senate.
2. Weak enforcement provisions. Members felt strongly that the legislature is too personally involved in reapportionment to do the most effective job; and that, as in other states, an impartial agency would be a better means of enforcement than a special session. Three of the special session provisions are particularly unacceptable:
(a) No limit is put on the session. (b) Members are not compensated, which puts legislators who are under financial or other pressure to go home and who live far from the capitol at a disadvantage.
(c) Should a special session be necessary to consider taxes, appropriations, etc., such a session would have to wait until reapportionment is settled.
3. Lack of executive veto. This, plus lack of a provision for judicial review, weakens our governmental system of checks and balances.

The League of Women Voters of Minnesota reaffirms its support of the reapportionment statute passed by the 1959 Legislature and will continue to work for a fair, precise amendment to the Constitution. We know that the legislative process is one of compromise and we are willing to compromise, within the limits of principles we have clearly and continually stated.

We laud efforts of legislators to write and to pass the needed Constitutional Amendment. The League anticipates that the Legislature will face reapportionment in the 1961 Session and will pass an amendment the people of Minnesota can support.

QUOTATIONS FROM THE REAPPORTIONMENT CONSENSUS

From the St. Cloud League:

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"We've fought this long, let's hold out for a better amendment . . county representation plan which did pass the House was much closer to our standards."

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Connecticut Voter

Bulletin Editor
Minn. LWV TSMc 115
Washington & 15th Ave. S. E.,
Minneapolis 14, Minn.

BLTN

PUBLISHED BY THE LEAGUE OF WOMEN VOTERS OF CONNECTICUT

VOL. 20

MAY, 1960

No. 7

"... a proper equality of population ..."

THE 1961 session of the Connecticut General Assembly — as the session next following the federal census — faces a formidable challenge. Article III Sec. 5 of the state Constitution says that the legislature "shall have power" to alter senatorial districts immediately after the census if found necessary to preserve a proper equality of population in each." For nearly 60 years the General Assembly has paid little attention to the obvious intent of this language. The smallest of the thirty-six districts now contains about 28,000 persons, the largest more than 160,000. Every district elects but one senator.

If senatorial redistricting were no more than an impersonal application of a mathematical formula, the next General Assembly could be expected to redraw district lines to form truly equal units. With an estimated state population of 2,400,000 each district would have some 66,000 people. The constitutional rules for redistricting, however, make real equality impossible: districts must be composed of contiguous territory; each county must have at least one senator; county lines may not be crossed in combining towns to form a district; and a town cannot be divided except for the purpose of creating districts wholly within its boundaries.

These mechanical problems do not present the basic challenge — the redistricting process itself beset with personal and partisan considerations. It is too early to know the political composition of the 1961 legislature, but it is not too early to know that unless both parties are willing to compromise the chances for redistricting will

be slight. The Democratic party, now favored under the existing district pattern, will naturally be opposed to changes upsetting its present advantage. Legislators from normally Republican districts are not likely to approve boundary shifts which could dilute their strength at the polls.

There will also be intra-party problems to be considered: existing political alliances within present boundaries must not be jeopardized nor dissident factions be redistricted into an improved position. Finally, there will be the paramount issue of reducing the total number of senators from a multi-district city. If there is to be a reasonable equality among districts within the various constitutional limits, New Haven with a population of under 170,000 would ideally, be given three instead of her present four senatorial districts.

The 1959 legislature, well aware of the hurdles to be surmounted, established a Bi-partisan Committee to Study the Problem of Redistricting the Senate. At its initial public hearing in March two proposals were made. The first, sponsored by Representative E. O. Smith and former Representative Frederick U. Conard, urged the Committee to recommend the introduction of a constitutional amendment providing for automatic reapportionment in accordance with a specific population quota within existing senatorial districts. This is the Conard plan studied by local leagues in 1958 but endorsed by too small a proportion of the membership for a support position to be reached. Under this plan senatorial districts would be allotted an additional senator after the decennial census for each

40,000 population above the first. The senate would be allowed to reach a total membership of 54; thereafter the population quota would be adjusted to keep the number of senators from exceeding this level. An amendment incorporating the Conard formula was passed by the House in 1957; it died in committee in the 1959 session.

The second proposal came from the League of Women Voters. In accordance with the position incorporated in CR V — Fair System of Representation in the General Assembly — the LWV urged (1) that the 1961 General Assembly translate the seemingly permissive redistricting provisions of the Constitution into a mandate for action, and (2) that the Committee recommend the launching of a constitutional amendment vesting responsibility for redistricting in an agency outside the legislature when that body fails to carry out this function. This agency should be subject to court order and its redistricting plan subject to court review. The League believes that enforcement provisions are necessary to ensure that in future decades a "proper equality of population" be preserved.

As for the coming year, League efforts will be dedicated to building up popular and legislative support for correcting the inequities which now give the voter from the smallest senatorial district nearly six times the power of the voter from the largest. If these efforts are to succeed, the membership must be fully informed concerning the problems and plans affecting the redrawing of senatorial district lines. Subsequent issues of the VOTER will carry additional material on the redistricting issue.

SUM AND SUBSTANCE

The annual reports of the local leagues are always informative. Here is a collection of outstanding ideas and activities carried out by the leagues in the past year. We know everyone will share in the satisfaction of a job well done.

REDDING — has set up an editorial committee to review press notices, circular letters, advertisements, and other material representing the League. The committee consists of the Bulletin editor and the publications and publicity chairman.

WESTPORT — is distributing League publications through (1) Welcome Wagon; (2) permanent League literature booth in railroad station; (3) schools — (9th grade civics class using "Parliamentary Procedure" and "Making Foreign Policy, U.S.A."; other materials in junior high reference library; local affairs handbook used to orient new teachers); (4) real estate board — (local handbook reprinted and distributed by agents to prospects and customers). Other projects: permanent League material displays; reference loaning library for League members.

SUFFIELD — is winding up an ambitious voters' service program: an adult education night course on Suffield town government. Town officials participated.

MILFORD — has sponsored the following activities in support of continuation of council-manager government: meetings to study both council-manager and mayor-alderman forms; television panel of supporters of both types of government; distribution of 30,000 fliers; formation of Milford Good Government League. (Backed by both major parties, the mayor-alderman bill succeeded, but the town manager, an independent, was elected by a write-in vote to be the first mayor.)

NEW CANAAN — stood firm behind a three-way plan to improve parking and traffic conditions in the central area of town. This and other plans were studied in a workshop and recommendations approved in a membership vote. Other action: 1,500 fliers distributed; informal street survey conducted to determine public's knowledge of referendum; meetings held with town officials; get-out-the-vote cards sent to membership. (League plans were defeated by a narrow margin. Undaunted, the League is now standing by for a speedy remedy of the problem and it plans to submit new proposals.)

WEST HARTFORD — has studied the organization of the Connecticut Regional Planning Agency (CRPA) and collected data on the future economic and social development of the town. Plans to continue study toward a consensus recommending promotion of orderly development of the capital region and West Hartford. Comprehensive Plan in relation to the region — will perhaps take action on the CRPA's proposal which seems beneficial to the area.

RIDGEFIELD — instituted a complete file of new residents and non-voters. Information was obtained from Welcome Wagon, school census, and realtors. File was used in a phone campaign to alert residents a few days before a voter making day. Result: 275 new voters. League is planning for fall a Mock Political Convention in the high school.

HOUSE HEARING ON WATER COMPACT

Report from Conn. LNW Chairman of Water Resources

It sounds like a sweet scheme on the part of New England to get more than it's share of federal funds," was a comment made by a member of the House Public Works Committee at the hearing on the Northeastern Water and Related Land Resources Compact in Washington, D.C. on March 30. I listened to this and other startling statements while testifying for the New England Leagues in support of H. R. 9999 and H. R. 10022.

The proposed Compact seems to me to give little reason for certain "states rights" congressmen to be suspicious of New England. The purpose of the Compact is to establish a commission of state and federal representatives to facilitate agreement on priorities, pooling of information, and provision for cooperation in planning, development and utilization of land and water resources in the area. The commission would not have the power to authorize money for projects. Each state and federal government could not contribute more than \$50,000 toward financing commission activities — certainly not an excessive amount, nor does it put the federal government in the position of "Santa Claus," as was suggested at the hearing by a Representative from Ohio.

It was interesting to me that although representatives in the states of the seven federal agencies involved in the Commission worked on and favored the Bill sponsored by the Northeastern Resources Committee, Washington representatives from the same seven agencies spoke against the Compact at the hearing. Spokesmen for the Health, Education and Welfare, Agriculture, Commerce, Interior, and Labor Departments, the Federal Power Commission, and the Army Engineers objected in varying degrees to the federal voting and financial participation section of the Compact. They argued that it is not desirable for a federal commission member to vote on decisions affecting state business, nor for a commission member representing a state to vote on decisions affecting federal business. They also questioned having any agency bound by commission recommendations. The fact is that the Compact does not bind any agency legally; it allows each agency and each state to look at the complex of resource needs and to tailor programs accordingly. For this reason the objection to the voting rights and recommendations of the commission seemed to be weak. The federal agencies were raising the old cry of "states rights" to suit their own purposes. Could it be that they do not want to give up agency prerogatives and cooperate with each other in a planned program?

Because so much national resource development depends on federal money and federal cooperation, it seems essential to those who sponsored H.R. 9999 and H.R. 10022 that the agencies should participate in early planning and in decisions on priorities. This cannot be done by having the federal agencies in an advisory capacity only.

Although the proponents of the Compact gave excellent testimony, the general feeling of hostility on the part of the federal agencies and the lack of understanding on the part of the congressmen of the philosophy behind the Compact may kill the bill in committee. The supporters of the bill hope that the Senate Public Works Committee will be more sympathetic if a Senate hearing is held.

Elizabeth K Roper

DARIEN — published a pamphlet after each election giving the names and addresses of all members of the RTM, chairmen of elected Boards and Commissions, Congressional candidates, members of State Legislature, and information about registering to vote. It is sent to all new voters, League members, town hall and real estate officers. The Chamber of Commerce, Council of School Parents, and Community Council asked for copies.

WEST HAVEN — is compiling articles on policy toward Latin America at the request of the town librarian.

WOODBIDGE — ran a series of lecture meetings in cooperation with the Friends of the Library, collected 18 books of reference material (for use in series), and sold "World Economic Development" at the lectures.

STAMFORD — is setting up a community Foreign Policy Action Committee. They are cooperating with the Stamford Forum for World Affairs in holding open meetings — and are in a position to take legislative action on foreign policy questions.

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HOW TO TELL YOUR COMMUNITY THAT

AMENDMENT NO. 2

IS NOT A GOOD REAPPORTIONMENT MEASURE

- Part I. Preparing the Audience - Background
- Part II. What kind of an Area Factor does Amendment No. 2
Provide for the Senate?
- Part III. Would Amendment No. 2 Put the House on a True Population Basis?
- Part IV. Would Amendment No. 2 Enforce Regular Reapportionment?
- Part V. League and Legislative Activities in Reapportionment
- Part VI. Some Frequently Asked Questions about Reapportionment

Official Language of Amendment

The legislature at its first session after the 1970 census and each decennial census thereafter made by the authority of the United States, shall have the power to prescribe the bounds of congressional, senatorial, and representative districts, and to apportion anew the senators and representatives among the several districts. The number of members who compose the Senate shall not exceed 67 and the number of members who compose the House of Representatives shall not exceed 135. No representative district shall be divided in the formation of a senatorial district. The senators shall be chosen by single districts of convenient, contiguous territory and in the same manner as members of the House of Representatives are required to be chosen.

Representation in the House of Representatives shall be apportioned throughout the state on the basis of equality according to population. Representation in the Senate shall be apportioned in a manner which will give fair representation to all parts of the state. Provided, however, the five counties adjacent to and including the county containing the seat of government of the state having 35% or more of the total population of the state shall have 35% of the members of the Senate computed to the closest whole number.

If the legislature does not reapportion in compliance with this section at its first regular session after a decennial census, it shall be in extraordinary session immediately after the end of the regular session for the purpose of such compliance only. Such extraordinary session will continue until its purpose is accomplished and the members shall not be allowed compensation or expense reimbursement for services therein.

Representatives shall be elected for a term of two years and senators for a term of four years. When there is reapportionment of the legislature, pursuant to this section, it shall not be effective until the next election of senators.

Language of Amendment as It Appears on Ballot

"Shall the Constitution of the State of Minnesota be amended by repealing Article IV, Sections 23 and 24 and amending Article IV, Section 2, pertaining to the reapportionment of representation in the Senate and House of Representatives, and providing for the calling of an extraordinary session for reapportionment upon failure to reapportion at any regular session, as provided by this Constitution?"

Persons who have been presenting the League position on Amendment No. 2 have encountered a great deal of understandable confusion on this complicated subject. Therefore, before analyzing the amendment, stress these background facts:

1. First and most important: the state is to be reapportioned in 1962 by statute. State and restate and reiterate that this statute (commonly known as the Bergerud Bill) goes into effect in 1962 regardless of what happens to the amendment. This statute is a drawing of district lines according to our present constitution. It does what should have been done by every legislature since the 1920 census. It goes into effect in 1962 rather than at the coming election because the 4-year Senate terms end at that later date. This bill will remain in effect until (1) another bill is passed under our present constitution; or (2) a constitutional amendment is passed and a bill is drawn to change district lines according to its terms. If Amendment No. 2 is passed, a new statute would not be drawn until after the 1970 census (probably any other amendment passed before then would likewise provide).

2. Amendment No. 2 changes our constitution in two ways: (a) by putting the Senate on area instead of basing both houses on population; (b) by adding enforcement machinery that would make reapportionment likely (if not sure) after each census. Although the amendment is to be voted on this year, it would not become effective until after the 1970 census.

3. Because of these two above facts (the lapse of almost a decade before the amendment becomes effective and the interim effectiveness of the Bergerud Bill), we are in a position to judge Amendment No. 2 entirely on its long-term merits.

4. It is true that, on the surface, Amendment No. 2 does all three things the League and other advocates of reapportionment have advocated: it puts area in one chamber; it puts population in the other; it sets up machinery for periodic reapportionment. What then, is wrong with it? Only when we look beneath the surface and analyze just how the amendment's provisions would work out do we begin to question its effectiveness.

II. What Kind of an Area Factor Does Amendment No. 2 Provide?

There are various ways of recognizing area in a legislative body (see Democracy Denied, p. 22). The most frequent is to allow each county at least one representative. In Minnesota this is not provided in the constitution, but almost all our 87 counties now have a resident legislator. To continue this practice, the area factor would have had to go to the lower, larger chamber (131-135 members). To accomodate the area factor to the 67-seat Senate, another method was devised -- a limit on the metropolitan center, plus an indefinite method of reapportioning the rest of the state, best described as "semi-frozen" districts.

Metropolitan limitation. Looking ahead 10 to 20 years, statisticians forecast that half or more of the state's population will live in the 5 (possibly 7) counties around the Twin Cities. Amendment No. 2 provides that these 5 central counties have a Senate representation of 35%. This would make permanent the 23 senators allowed this region in the Bergerud Bill. Almost no one has suggested that this is too extreme a limitation (though a few rural papers have complained that it is too generous). The amendment is rather ambiguously worded; some urban legislators have already been heard to say that the 35% could be interpreted as a minimum, not maximum, though the latter was obviously the intent of the Conference Committee (the 5 Senators and 5 Representatives who drew the final amendment and statute).

Remainder of the state. "Representation shall be apportioned in a manner which will give fair representation to all parts of the state." This extremely vague provision was a compromise between those Senate conferees who wanted permanent or frozen districts and the House conferees who insisted that if the House had to be reapportioned every 10 years the Senate should not be exempt. The word "fair" has no legal standing and will allow the legislature of the reapportioning year to do exactly as it sees fit. Three interpretations of "fair" by three different members of the Conference Committee are: permanent Senate districts; spot reapportioning from time to time within certain regions which become too badly out of line; "fair" means "equal."

The rural members of our legislature want permanent districts because they fear that large subcenters of population (Duluth, St. Cloud, Austin, etc.) may grow greatly, become increasingly "urban-minded," and finally join the Twin City area on issues where there is a rural-urban difference.

What are the arguments against frozen districts? Many persons fear that an over-conservative, static, obstructionist Senate might result from perpetuating the district lines no matter how unrepresentative they became. Certainly it is true that the frozen district is the most inflexible of all area devices, and is responsible for many of the unsolved urban problems in the states which use it.

Statistical problems of an area Senate. Anyone who has tried to draw district lines for this state, with its large numbers of unevenly populated counties, comes to the same inevitable conclusions:

- The chamber which succeeds in getting the area factor will be able to retain its status quo; true population would mean widespread loss of seats.

- It is difficult to put an area factor into the Senate without using frozen districts.

- It is easy to put an area factor into the House; almost every county can have a representative and still leave a fair number for larger centers.

- It is easy to put the Senate on population without varying the districts more than 20% from the average or ideal (population \div number of representatives).

- It is very difficult to arrange representation by population in the House. Several unaccustomed things have to be done if districts are not to vary by more than 20%: (1) cut counties in two parts, attaching one part to one district, the other part to another district; (2) elect two representatives at large from two counties, in which case the larger county would probably elect both; (3) in several places, have two representatives run at large in three counties, or even three in four.

Most of those states which have one area, one population body, put area into the House, not the Senate, for the above practical reasons.

III. Would Amendment No. 2 Put the House on a True Population Basis?

Metropolitan citizens can hardly be expected to vote for Amendment No. 2 unless they believe it will give them full and equal representation in one of the two houses. After all, they are relinquishing a constitutional right of full representation in both houses.

The League of Women Voters and many legislators, including members of the conference committee, urged that "equality according to population" become more than mere words in an amended reapportionment article. Equality could have been assured in one of three ways: (1) by providing that the five-county area limited in the Senate be accorded its full share of legislators in the House; (2) by putting a limit on the allowable difference between districts, perhaps 20% in general and 15% within counties having more than one representative; (3) by giving the State Supreme Court power to review the fairness of any reapportionment statute, as is done in New York and Arkansas (in which latter state the court can, and has, substituted its own districting for an unfair apportionment).

Past action (or inaction) of the legislature leads us to believe that the word "population," uninterpreted and unguaranteed, will mean only an approach to equality. By 1970 or shortly thereafter the five metropolitan counties will probably have half the state's population. They should therefore have 67 of the state's 135 House members -- an increase of 21 members over their representation in 1962. (It took almost 50 years for these counties to go from 34 to 46, an increase of only 12 members.) Not only would 21 rural house members have to relinquish their seats to the urban area, but many more small counties would see their representatives go to counties with second- and third-class cities, which are even now under-represented. Two-county and three-county House districts would become the rule, not the exception.

It is doubtful whether those rural citizens and legislators who favor Amendment No. 2 realize what a complete overturn will be made necessary by the 1970 census if the House provisions are carried out. It is doubtful that urban legislators and citizens will accept this settlement if the intent is otherwise.

IV. Would Amendment No. 2 Enforce Regular Reapportionment?

There is almost universal agreement that reapportionment must be done regularly after this. Minnesota is not the only state to realize that the difficulties of reapportionment increase with every year it is put off. In fact, all states which have recently altered their reapportionment provisions have made sure that redistricting is done every 10 years. All these states, we believe, have found better ways to enforce reapportionment than provided by Amendment No. 2 (see table).

The theory behind Minnesota's suggested amendment is that reapportionment is by nature solely and completely a legislative function. The theory behind the enforcement provisions of other states is that the legislature should forfeit its right to reapportion if it does not assume the responsibility promptly -- or even that the reapportioning activity more properly belongs to a group not personally affected by it.

Amendment No. 2 specifies that if reapportionment is not done within the regular session after the census figures are available, a special session is to convene immediately, consider reapportionment only, stay in session until the job is done, and receive no pay.

Several questions immediately arise:

1. Is a special session an effective device for reapportioning? For one thing, it is not certain that the legislature would go into special session. The courts could not force an unwilling legislature into special session to reapportion any more than they can force an unwilling legislature to reapportion. (A commission such as used by several other states can be forced, or mandamus used into action by the courts.)

Second, if disagreement on reapportionment has characterized the regular session, would the conditions be more fortuitous in an immediate special session? We can only look to Florida for an example: there the governor has the constitutional power to call the legislature into special session to reapportion. This he did in 1956, with the result that the legislature met for three months without agreement, then recessed for nine months, and Florida is still not reapportioned.

2. Should a time limit be put on the special session, at the end of which time the power should be removed from the legislature? The amendment passed by the House in 1959 (County Representation Plan) gave a special session three months to act, then passed the power to a commission of district judges.

3. What would happen to the other important matters that have necessitated special sessions of varying lengths for many years? Presumably, taxes, welfare, appropriations, education, etc., would have to wait while reapportionment was being settled. A long reapportionment session could completely hamstring state operations. The County Representation Plan provided that the governor call a special session anytime before October 1, which would allow previous settlement of other business.

4. Is it wise economy not to pay legislators? This feature was obviously intended to appeal to the voters distressed by the money wasted in the long special session of 1959. However, the dangers of withholding salary and other expenses are great and should particularly impress rural constituencies. Legislators could hold out longest for settlement if they lived near the capitol; had no business demanding immediate attention; received a retainer or had other sources of income. Legislators would feel most pressed to settle if they lived at a distance from the capitol; were farmers with spring work or had small businesses; and received no outside income.

States in Which the Reapportioning Power Is Divorced from the Legislature

Alaska -- Governor plus an advisory board of nongovernmental, geographically distributed citizens

Arizona -- County Boards of Supervisors for the House

Arkansas -- Governor, Secretary of State, Attorney General for House.
Subject to Supreme Court review.

Maryland -- Governor for the House

Massachusetts -- County Commissioners for the House

Missouri -- Secretary of State and County Boards for House. Bipartisan commission for Senate; must act in 6 months or senators run at large.

Ohio -- Governor, Auditor, Secretary of State, or any two of them.

States in Which the Power Resides in the Legislature for a Limited Time, then Passes on.

State	Time Allowed for <u>Reapportionment</u>	Alternate Body	Comments
California	First session after census	Lt. Gov., Att'y Gen'l, Sec. of State, Controller, Supt. of Public Instr.	Both legislature and commission subject to referendum
Illinois	July 1 of session following census	10-man bipartisan comm. chosen by governor from lists submitted by state central committees of both parties.	If commission does not act in 4 months, all legislators elected at large
Michigan	Within 180 days of session following census	Board of Canvassers 4-member bipartisan committee, appointed by Gov. from lists submitted by state central committees, with consent of Senate	Board of Canvassers must act within 90 days
Oregon	July 1 of session following census	Secretary of State	
S. Dakota	First regular session after census	Gov., Supt of Public Instr., presiding judge of Supreme Court, Att'y Gen'l, Sec. of State	Commission must complete work in 30 days
Texas	First regular session	Lt. Gov., Speaker, Att'y Gen'l, Comptroller, Comm. of Public Lands, or any 3	Commission must meet within 90 days and act in 150 days

V. League and Legislative Activities in the Field of Reapportionment

- 1953 - Bergerud Bill (B.B.) amended beyond recognition on floor of House and sent back to Committee.
- 1953 - LWV chooses reapportionment as one of three areas of concentration in its study of constitutional revision.
- 1954 - LWV, in its first consensus on reapportionment, decides to support B.B. as a fair, workable, temporary solution; also to work for a constitutional amendment that would permanently solve the problem.
- 1955 - B.B. passed the House of Representatives by 2 votes. House also passed a constitutional amendment putting area into that body (LWV withheld support from this amendment because of inflexibility and insufficient enforcement). The Senate Elections and Reapportionment Committee, which had entirely neglected reapportionment, was now faced with two House bills in the closing days of the session. In a special meeting they voted not to let the B.B. out of committee, but reported out a constitutional amendment putting area into the Senate. This failed of action on the floor because of the late date. On the last evening of the session, a bill for an Interim Commission on Reapportionment was defeated by one vote in the House.
- 1957 - B.B. again passed the House, after a bitter battle, again by a margin of 2 votes, both of which could be specifically attributed to local League pressure on their representatives. Same amendment passed the House as in preceding session. Senate Committee passed a constitutional amendment putting area into the Senate; then the Bergerud Bill in a much-amended form; tied the two solutions together; and sent them to the House asking for a conference committee. There the motion for a conference committee was laid on the table, in a surprise parliamentary move which precluded debate.

Between 1957 and 1959, two very important events took place. A suit was brought in federal court, claiming that the citizens of Minnesota were being denied the equal protection of the laws by the long failure of the legislature to reapportion. In

the summer of 1958, the federal court ruled that it would not intervene, nor even rule on whether it had the power to intervene, until after the next session of the legislature -- thus giving that body one more chance to fulfill its constitutional duty. If it did not, the plaintiffs were invited to readdress the court for relief. This hint of court action acted as a powerful lever. A second event provided education and some amount of pressure, particularly on the Senate. A committee on reapportionment, appointed by the governor in 1958, and consisting of 9 laymen, 9 Representatives, and 9 Senators recommended a constitutional amendment that put the area factor into the House (County Representation Plan). Those Senators who were determined to have the area factor in that chamber were impelled to more serious action than they had yet taken by this committee's decision and the careful amendment it had drawn up. A third "event" making reapportionment quite likely in the 1959 session was the imminence of the 1960 census. If a statute were ever to be passed, the rural areas would find this their last best chance.

1959 - LMV, realizing that its membership had changed a great deal since its first consensus, asked for another. Results showed our members still in favor of two approaches to reapportionment: (1) a temporary statutory solution such as the B.B.; (2) a constitutional amendment recognizing area in one chamber in a fair, flexible, and specific manner; guaranteeing population in the other house, and providing effective enforcement machinery. The House of Representatives passed the County Representation Plan unamended, and the Bergerud Bill; then at the last minute tied them together. The Senate passed an amendment couched in very vague language giving it the area factor; and a greatly amended version of the Bergerud Bill. The conference committee was deadlocked on the district lines of the statute and the regular session ended without action. After several weeks of heated meetings during the special session, the conference committee agreed on a statute that added four members to the House; kept several but not all the changes made by the Senate in the B.B.; and was to become effective in 1962 without reference to the amendment. The amendment voted out is the one under discussion.

VI. Some Frequently Asked Questions about Reapportionment

How can the LMV be for reapportionment and yet oppose this reapportionment amendment? The LMV has always supported only those reapportionment measures that met its standards of fairness and enforceability. We would rather continue our fight for a good amendment than settle easily now for something that will not fulfill the needs of the future. The fact that a reapportionment statute was passed by the legislature in 1959 and will go into effect in 1962 gives us time to work for a better amendment.

If this amendment is defeated, do you think the legislature will work to frame another amendment? It would seem logical, since the rural legislators want some constitutional protection and the metropolitan areas want some assurance of regular reapportionment. It may well be that the 1961 session will be so busy with congressional reapportionment that the state problem will get less attention. Some persons suggest that our first reapportioned legislature, that of 1963, would be "reapportionment-minded" and that we might therefore expect a thoughtful amendment to emerge from that session.

Will the legislature be likely to repeal the B.B. if Amendment No. 2 is defeated? Probably not, for more reasons than one. First, the governor would veto the repealer (both the Republican candidates and Gov. Freeman have given League members unhesitating assurance of this). Also, rural legislators recognize they came off fairly well in the B.B. A repeal would expose them to the constitutional duty of reapportioning under the 1960 census; preliminary figures show drastic changes. And, particularly in the Senate, great care was taken in the statute to protect the seats of powerful members of the majority caucus.

Isn't the LMV inconsistent in asking for specific reapportionment provisions in our constitution? Indeed, we have always said that a constitution should be basic and flexible in its provisions allowing opportunity for legislative discretion. However, reapportionment is a subject that touches personally everyone of the 200-odd members of our legislature. The temptation to conserve one's own seat, to help a

deskmate or a particular friend to save his, the pressure from the home county to hold out against all reduction in its representation, the reluctance to break up caucus leadership by exposing its members to possible defeat -- all these understandable motives of Homo politicans are not directed primarily toward fair districting to say the least. Unless legislators are confronted with standards they must follow in reapportionment, fairness of representation takes a back seat to more "practical" considerations. Although the courts will not interpret "equality" or "population" or "fairness" or such indefinite words, they will throw out a bill that disregards specific provisions. Two important remedies for malapportionment are being applied by states all over the nation; one is the constitutional prescription of exact criteria. The other is entrusting reapportionment to more objective bodies than the legislature (Part IV).

Has a constitutional amendment ever been submitted in Minnesota? Yes, in 1912 and 1914 voters rejected a "Seven Senators Amendment," which would have limited Hennepin County to that extent in the upper chamber.

Is Reapportionment a political issue? Although our gubernatorial candidates have ranged themselves on opposite sides of the amendment argument, reapportionment has not had a political flavor in this state; vote in the legislature cuts across caucus lines.

Just what does the statute that becomes effective in 1962 do? This bill is really an area-population compromise in both houses. It gives the metropolitan center about half the increase its population entitles it to. The badly under-represented suburban areas benefit the most and are evenly districted. Ramsey County lines are well done; but the city of Minneapolis retains some bad discrepancies (about 2 or 3 to 1). Outstate, the worst inequities, both of under- and over-representation, are rectified. Discrepancies are reduced from 14 to 1 for the House and 9 to 1 for the Senate to about 4 to 1 for the House and about 3 to 1 for the Senate. Most districts are now within fairly acceptable limits. (When 1960 census figures are available, the situation will, of course, seem less well corrected.)

House Changes Made by Bergerud BillGains

Olmsted 1
 Mower 1
 Dakota 1
 Minneapolis 2*
 Suburban Hennepin 6
 Ramsey 2*

Losses

Houston-Fillmore 1 at large
 Redwood-Brown 1 at large
 Crow Wing-Morrison 1 at large
 Goodhue 1
 Wright 1
 Ottertail 2

*In addition, Ramsey County districts have been well-equalized. Several in Hennepin have been justified. Duluth districts are greatly improved. This applies to both houses.

Recombinations Resulting in Net GainNow

Anoka and Isanti 1
 Chisago 1

Bergerud Bill

Anoka 2
 Isanti and Chisago 1

Recombinations Resulting in Net LossesNow

Stevens 1
 Grant 1

Bergerud Bill

Grant and Stevens 1

Traverse 1
 Big Stone 1

Traverse and Big Stone 1

Norman and Mahnomen 1

Norman 1

Clearwater, Pennington
 and Red Lake 2

Mahnomen and Clearwater 1

Pennington and Red Lake 1

Polk 2

Polk 1

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AMERICAN CIVIL LIBERTIES UNION
Minnesota Branch

RESOLUTION Adopted by the Board of Directors May 7, 1960

WHEREAS, the Minnesota Constitution requires both houses of the State Legislature to be apportioned at the first legislative session after each census equally on the basis of population, and

WHEREAS, in 1959, the Minnesota Legislature was reapportioned for the first time since 1913, and

WHEREAS, the constitutional amendment proposed by the 1959 session of the Legislature provides that after the 1970 census, the Legislature shall have the authority to reapportion the legislative districts of the State of Minnesota so that the Senate shall not exceed 67 members and the House of Representatives shall not exceed 135, and that further, the House shall be apportioned throughout the State on the basis of equality according to population, and that the Senate "shall be apportioned in a manner which will give fair representation to all parts of the State", and providing further, that "the five counties adjacent to and including the county containing the seat of government of the State, having 35 percent or more of the total population of the State, shall have 35 percent of the members of the Senate computed to the closest whole number",

THEREFORE, IT IS RESOLVED, That the Minnesota Branch of the American Civil Liberties Union opposes the proposed constitutional amendment on the following grounds:

It preserves the basic principle of equality of representation in the House only, while completely abandoning this standard in the Senate in favor of "fair" representation to all parts of the State, together with an absolute limit of 35% of the total membership of the Senate upon the five counties of Anoka, Dakota, Hennepin, Ramsey and Washington. If the principle of equality in either one or both houses of the State Legislature is departed from, then the principle of representation which is adopted should be specific, exact, and known to all.

AND IT IS FURTHER RESOLVED, That the next session of the Minnesota Legislature propose a further constitutional amendment which meets the following criteria:

1. That representation in both houses of the Legislature be equitable to all people in all areas of the State and that further, the standards governing such representation be specific and exact.
2. That both houses of the Legislature be reapportioned after each federal census pursuant to the standards provided in the Constitution, and that, in the event the Legislature does not comply with the Constitution, administrative machinery be provided to reapportion the Legislature; and that further, the whole subject be by specific provision subject to judicial review.

Members of the Senate
GROVER GEORGE
HAROLD KALINA
HERMAN J. KORDING
FRANKLIN P. KROEHLER
HAROLD J. O'LOUGHLIN
DONALD SINCLAIR
THOMAS D. VUKELICH
HARRY L. WAHLSTRAND
THOMAS P. WELCH

Fall - Reap - of Congress

State of Minnesota
Legislative Research Committee

State Capitol - St. Paul I, Minnesota

D. D. WOZNAK, Chairman THOMAS P. WELCH, Vice Chairman

LOUIS C. DORWEILER, JR., Director of Research

July 8, 1960

Members of the House
GEORGE L. ANGSTMAN
E. J. CHILGREN
EDMOND F. CONN
WALTER E. DAY
SAM FRANZ
GEORGE A. FRENCH
ALVIN O. HOFSTAD
LEO D. MOSIER
D. D. WOZNAK

JUL 11 1960

League of Women Voters of Minnesota
15th and Washington Avenue S.E.
Minneapolis 14, Minnesota

Ladies:

From the census reports it appears that Minnesota will have to redistrict its congressional districts, cutting the number of districts from nine to eight.

In order that the Legislature may deal more effectively with this problem, the Legislative Research Committee is devoting the afternoon of August 1 to discussing this problem. We would like to have a representative from the League present to give the committee your views on the subject.

Sincerely yours,

D. D. Wozniak
D. D. Wozniak, Chairman
Legislative Research Committee

ICD:cMc

Ask Betty - Yes

D. D. Wozniak, Chairman
Legislative Research Committee
State Capitol
St. Paul 1, Minnesota

Dear Mr. Wozniak:

We are very grateful to you for asking a representative from the League of Women Voters to attend the meeting of the Legislative Research Committee at which you will be discussing congressional redistricting.

Mrs. Stanley Kane is able to attend this meeting for us. Could you please let her know the time and place? Her address is 701 Parkview Terrace, Minneapolis 16.

Sincerely yours,

Mrs. E. C. Williams
Executive Secretary

W. H. Fugina
Minnesota
File

MURPHY, Justice (dissenting).

It is my view that *Winget v. Holm*, 187 Minn. 78, 244 N. W. 331, and the authorities discussed in it require a result contrary to the one reached by the majority. In that case we held that the provisions in a proposed amendment for the taxation of national banking institutions and the taxation of incomes are two related and dependent propositions germane to the purpose of widening the field of taxation. The proposal before us, however, may be clearly distinguished. It presents to the voter two unrelated subjects: (1) extending the terms of any session of the legislature for an additional 30 days; and (2) permitting legislators to serve as notaries public and seek election to other offices. These objectives are not germane to a common purpose. The proposal embraces two subjects having distinct and separate purposes.

While the object of both changes may be desirable, the fact remains that the voter is denied the right which article 14(1) gives him to vote on each separately. The wisdom and purpose of article 14(1) has not been impaired by time or conditions. It is as conducive to good government today as when it was originally adopted. As late as 1948 the voters of the state rejected a proposal to amend it which would have provided "two or more alterations or amendments to the Constitution may be submitted at one time without requiring that the voters shall vote for or against each separately." (c. 640, L. 1947.) The voter should not be placed in a position where to secure an amendment which he feels is necessary or expedient he will be required to accept one which he does not want. Nor should a desirable change in our Constitution fail because a voter will not accept it at the price of voting for one he deems unwise. If the legislature

desires to amend the Constitution piecemeal rather than attempt the more cumbersome method of complete revision the requirement of stating the subject of the alteration or amendment separately should be strictly followed.

Nor do I agree with the view of the majority that in determining the rational relationship of two or more propositions the court may weigh their relative importance. The procedure and requirements established for the amendment of the fundamental law are mandatory and must be strictly followed in order to effect a valid amendment. It is not for the court to consider the wisdom or expediency of changes in the fundamental law. The question for the court to decide is whether the legislature in proposing the amendment has observed constitutional requirements. For the foregoing reasons, I respectfully dissent.

No. Sp.

Supreme Court

Loevinger, J.
Took no part, Frank T.
Gallagher, J.
Concurring, Knutson, J.
Dissenting, Murphy, J.

Peter Fugina,

Petitioner,

Endorsed
Filed September 9, 1960
Mae Sherman, Clerk
Minnesota Supreme Court

38222 vs.

Joseph Donovan, as Secretary of
State, State of Minnesota,

Respondent.

S Y L L A B U S

1. The constitution requires the separate submission of proposed amendments having different objects and distinct purposes not dependent upon or connected with each other.

2. Propositions that might be submitted separately may be submitted in a single proposal if they are rationally related to a single purpose, plan, or subject.

3. The objectives of the requirement for separate submission are to prevent imposition upon or deceit of the public, and to afford voters freedom of choice and prevent "logrolling."

4. In determining the relationship between two or more propositions, the court must weigh their relative importance.

5. The courts owe great deference to the judgment of the legislature.

6. The proposal contained in Ex. Sess. L. 1959, c. 89, is held not multifarious under applicable principles, despite some doubts, in view of the deference due the legislative judgment.

The order to show cause is discharged and the proceeding dismissed.

OPINION

LOEVINGER, Justice.

This is an original proceeding in this court by a taxpayer to prevent the Secretary of State from submitting to the voters a constitutional amendment proposed by Ex. Sess. L. 1959, c. 89, on the ground it is multifarious in contravention of Minn. Const. art. 14, § 1.

Chapter 89 proposes to amend § 1 of art. 4 and § 9 of art. 4.¹ The amendment to § 1 would have the effect of permitting the legislature to extend the term of any session for not more than 30 days beyond 90 legislative days. The amendment to § 9 would have the effect of permitting legislators to serve as notaries and to seek election to other offices. The present prohibition in § 9 against a legislator holding any office which has been created or the emoluments of which have been increased during his legislative service until one year after the expiration of his term would be repealed.

Minn. Const. art. 14, § 1 provides that "If two or more alterations or amendments" to the constitution are submitted at one time, votes shall be permitted for or against each separately. It is contended that c. 89 provides for the submission of two constitutional amendments in a single proposal. If so the proposal violates art. 14, § 1, and the submission should be prohibited by the court in this proceeding.² The problem presented involves solely questions of law and is appropriate for determination at this time. Indeed, the case must be decided quickly if it is to affect the ballot at the next election.

¹ The text of Ex. Sess. L. 1959, c. 89 is set forth as an appendix to this opinion.

² Winget v. Holm, 187 Minn. 78, 244 N. W. 331.

It should be noted that c. 89 was approved July 2, 1959, but that the present action was not filed until August 24, 1960, when preparations were being made for the election. If purely private interests were involved, we would hold this delay to constitute laches, barring plaintiff from relief. However, a constitutional principle is invoked here in the public interest. The doctrine of laches is not properly applicable in this situation.³

A number of states have constitutional requirements that where more than one proposed amendment is submitted, each must be presented so it may be voted upon separately.⁴ The first case considering such a provision is *State ex rel. Hudd v. Timme*, 54 Wis. 318, 11 N. W. 785. It was there said that such a provision requires the separate submission of proposed amendments which have different objects and distinct purposes not dependent upon or connected with each other. There have been numerous later cases virtually all of which have repeated substantially the same language.⁵

However, while the cases use substantially the same language, it seems impossible to reconcile the results reached. In *Winget v. Holm*, 187 Minn. 78, 244 N. W. 331, this court held that a proposed constitutional amendment relating to the taxation of national banks and also authorizing income taxes was not objectionable as multifarious. On the other hand, *Kerby v. Luhrs*, 44 Ariz. 208, 36 P. (2d) 549, holds that a proposed amendment relating to the taxation of copper mines, the taxation of public utilities, and establishing a tax commission is "a most glaring violation" of a similar constitutional provision.

³ Cf. *Pugnier v. Ramharter*, 275 Wis. 70, 81 N. W. (2d) 38, 71 A. L. R. (2d) 522 and Annotation.

⁴ *Dodd, The Revision and Amendment of State Constitutions*, (1910) 178, et seq.

⁵ *Winget v. Holm*, 187 Minn. 78, 244 N. W. 331; *Kerby v. Luhrs*, 44 Ariz. 208, 36 P. (2d) 549, 94 A. L. R. 1502; Annotation, 94 A. L. R. 1510.

There seem to be two basically different attitudes exemplified by these decisions. The latter case takes a narrow and strict view of those propositions which may be joined in a single proposed amendment. In effect this requires that propositions which may be submitted separately without being incomplete shall be submitted separately. The broader and more liberal view, adopted by this court in *Winget v. Holm*, supra, is that propositions that might be submitted separately may be submitted in a single proposal if they are rationally related to a single purpose, plan, or subject.

These differing attitudes appear to arise from differences in emphasis of the objectives sought. The constitutional mandate that multifarious amendments shall be submitted separately has two great objectives. The first is to prevent imposition upon or deceit of the public by the presentation of a proposal which is misleading or the effect of which is concealed or not readily understandable. The second is to afford the voters freedom of choice and prevent "logrolling," or the combining of unrelated proposals in order to secure approval by appealing to different groups which will support the entire proposal in order to secure some part of it although per-⁶haps disapproving of other parts.

Examination of the two parts of the proposal involved here shows clearly that they might easily and properly have been presented as separate amendments to the constitution. We are inclined to believe it would have been preferable to present them as separate proposals. However, this belief cannot be made the basis for a ruling that the propositions must be separately submitted.

Both parts of the proposed amendment have to do with a single article of the constitution and with the legislative department.

⁶
Kerby v. Luhrs, 44 Ariz. 208, 36 P. (2d) 549, 94 A. L. R. 1502 and Annotation.

While not necessarily related, they may be rationally related since both have to do with the burdens of being a legislator. It may have been thought that if legislators might be required to serve an additional 30 days, which is an additional burden for a part-time legislator, there should be some relaxation of the restrictions imposed upon legislators seeking other offices in order that the office of legislator should not become so unattractive that an undue number be discouraged from seeking it.

In determining whether there is a rational relationship in purpose, plan, or subject of two or more propositions, we can, and indeed must, weigh the relative importance of the propositions. Most sections of the constitution contain a number of provisions, some of greater and some of less importance. It would obviously be unreasonable, even by the most strict and narrow view, to require that every alteration or amendment of any phrase, clause, or provision of the constitution be submitted for a popular vote as a separate proposition. Whether particular proposals can be combined, therefore, necessarily requires a judgment both as to the relationship between them and as to their relative importance.

For example, permitting legislators to serve as notaries, as is now proposed, hardly involves any significant change in our structure of government. On the other hand, it may be a great convenience to many members of the legislature. Accordingly, it can reasonably be included as a subordinate provision in an amendment which may require 30 days' additional service at each session. This does not necessarily imply that it would be proper to present as a single proposed amendment a provision for extending the term of the legislature and a provision establishing the basis of representation. We intimate no opinion as to whether or not these propositions might properly be joined, but use this merely as an illustration of propositions whose significance might require separate submission to the voters even though the present proposal is held proper.

Giving due weight to all of these considerations, there is serious doubt as to whether or not the apparently unrelated propositions of c. 89 may properly be proposed as a single amendment. However, we must also bear in mind that the courts owe great deference to the judgment of the legislature as to matters properly within its purview. It does not appear that permitting the propositions of c. 89 to be presented as a single proposal will frustrate the objectives of art. 14, § 1. The proposal is simple and clear enough to be understandable to an ordinary citizen and is not misleading. While the logical relationship between the propositions involved is somewhat remote, and perhaps as remote as is permissible, yet it exists; and the relative importance of the propositions makes it not unreasonable that they be joined. In these circumstances, the controlling consideration is the deference due the legislative judgment that this is a proper proposal to amend the constitution. Accordingly, despite the doubts expressed herein, we hold that the specific proposal to amend the constitution made by c. 89 does not contravene Minn. Const. art. 14, § 1.

The order to show cause is discharged and the proceeding dismissed.

MR. JUSTICE FRANK T. GALLAGHER took no part in the consideration or decision of this case.

MR. JUSTICE MURPHY dissents and reserves the right to file an opinion later.

A P P E N D I X

(The appendix comprising the text Ex. Sess. L. 1959, c. 89, is omitted from this copy of the opinion in order to expedite its issuance. It will appear in the official text as filed and printed.)

KNUTSON, Justice (concurring specially).

In deference to the opinions of a majority of my colleagues I reluctantly concur in the result. I can see no rational relationship between the two sections that would be amended by the adoption of this proposal. Obviously the people should have a right to express their opinions on each separately. I fear that what we are doing is to nullify art.14, § 1 of our constitution.¹ However, amendments of whole articles of our constitution have gone unchallenged in the past and rather than jeopardize what the people have heretofore approved it seems the lesser of two evils to uphold what is here proposed.

¹ See, for instance, amendment of art. 6 proposed by L. 1955, c. 881, and adopted on November 6, 1956 which deals with the judiciary.

1/16/59

A BILL

FOR AN ACT PROPOSING A CONVENTION TO
REVISE THE CONSTITUTION OF THE STATE
OF MINNESOTA; PROVIDING FOR A
REFERENDUM THEREON.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. There shall be submitted to the electors at the general election to be held in November, 1960, the question:

"Shall there be a convention to revise the constitution of the state of Minnesota?"

Sec. 2. The electors may vote by ballot for or against a convention. The election shall be conducted and the returns thereof made, canvassed, and certified in the manner provided by law for general elections. The question on the ballot shall be:

"Shall there be a convention to revise the constitution of the state of Minnesota?"

Yes _____

No _____

If the majority of the voters voting at the election shall have voted for a convention, the legislature shall, at its next succeeding session, provide for calling such a convention.

then
SEP 30 1960

Miss Mary Jane Leonard
Lakeland, Minnesota

September 28, 1960

Dear Miss Leonard:

Jean Stewart of the Methodist Woman's Society in Hudson, Wisconsin has asked me to give you whatever help I can concerning your upcoming speech "along the lines of Citizenship and Religion." You have some good help available right in your neighborhood in the form of the St. Croix Valley League of Women Voters. Let me give you the name of their President:

Mrs. Eugene Becker
Route 5
Stillwater, Minn.

There are a couple of publications which would be helpful for you:

Is Politics Your Job? a publication of the national LNW
Choosing the President, USA and
The Role of Political Parties, USA put out by the Carrie
Chapman Catt Fund.

There is not enough time for me to order these for you from the east but perhaps the St. Croix Valley League could let you peek at them.

Congratulations and good luck to you in this important job of encouraging active citizenship.

Sincerely,

Mrs. M. E. Duff, Public Relations chairman
League of Women Voters of Minnesota

cc: Jean Stewart, Mrs. Becker and Mrs. Van Futs, PR chairman for Wisconsin
League of Women Voters

*Given - Chase sticks in
D. A.'s folder.*

SEP 30 1960

Dr. Nancy Kanaak, Dean of Women
Wisconsin State College
River Falls, Wisconsin

September 28, 1960

Dear Dr. Kanaak:

Mrs. Eugene Becker, President of the St. Croix Valley League of Women Voters has written me of your wishes for a convocation speaker October 15th. Her suggestion of Mrs. Alf Gunderson, formerly of our national Board, is a splendid idea. She is a superb speaker and a nationally known authority. I do hope you have been successful in contacting her.

I am sending a copy of this letter to the Public Relations chairman of the Wisconsin LWV:

Mrs. Donald Van Putz
Pleasant View Road
Middleton, Wisc.

Perhaps she can be of further help to you.

Thank you for contacting our organization. We are delighted to see you planning a program for our future voters on "Women's Role in Politics." Needless to say it is near and dear to our hearts. Good luck to you.

Cordially,

Mrs. M. E. Duff, Public Relations chairman
League of Women Voters of Minnesota

P.S. The office of the Wisconsin League of Women Voters is located at:

119 E. Washington Ave.
Madison 5, Wisc.

cc: Mrs. Becker and Mrs. Van Putz

If Amendment No. 2 is rejected in November, can another amendment be framed before needed?

Since no reapportionment is to be done until after 1970 anyway, there are 5 more legislative sessions at which another amendment can be decided on. Even many members of the Conference Committee which worked so long and hard on this amendment felt it could be improved.

Has a really satisfactory reapportionment amendment ever passed either house?

Yes, the House passed a measure in 1959, suggested by a Citizen-Legislator Committee, which put the House on a fair, specific, flexible area basis; guaranteed a population basis in the Senate; and enforced reapportionment by a limited special session, then by a commission of district judges. Since the Senate insisted on the area factor, this bill gave way to the Senate version in conference.

Isn't it traditional for the upper chamber to be based on area?

Only in the U.S. Congress. Of states which base one house on population, one on area, most put the area factor into the House. This is especially true in states which, like Minnesota, have a large number of counties. Only by putting area into the lower, larger body can most counties have a resident legislator.

Practically and statistically speaking:

- It is easy to guarantee area in the House (by using county units). It is difficult to put an effective area factor in the Senate except by inflexible frozen districts.
- Conversely, the Senate divides easily into 67 districts of equal population. But to make 135 equal House districts means cutting county lines and/or making representatives cut at large in 2, 3, or 4 counties.
- With an area Senate and population House arrangement, Minnesota would have multiple-county districts in both chambers, thus destroying one of the valid arguments for a bicameral legislature.

Just and prompt reapportionment is the very cornerstone of representative government. The power to reapportion its legislative bodies lies originally with the people, who in the constitution have described the manner, the time, and the agency of reapportionment.

Generally speaking, constitutional provisions should be broad and flexible, allowing for legislative discretion. However, in the field of reapportionment, such discretion has led to gross misrepresentation in state legislative bodies—due to inaction and to the play of power politics. The prevailing pattern in other states is, therefore, to revise reapportionment articles to provide an exact, specific manner of districting, and to designate another agency should the legislature fail to act within a specified time.

Amendment No. 2 retains too much of the ambiguous, permissive character that has made our present constitutional provisions ineffective:

- The area factor in the Senate is completely open to political maneuvering.
- The provisions for a "population" House do not assure the urban dweller of equality in that chamber.
- The enforcement provisions are not effective, since (1) the power to reapportion never leaves the hands of the legislature; (2) no time limit is provided; (3) all matters undecided in regular session must wait settlement of reapportionment; and (4) legislators who could afford to hold out the longest, for whatever reason, would have the final power to reapportion.

The League will continue to work for an amendment that:

- Limits the size of the legislature
- Guarantees population in one chamber
- Puts a fair, specific, flexible area factor into the other chamber
- Provides effective enforcement machinery

File Copy

**Vote NO Nov. 8 on
AMENDMENT NO. 2**

**Neither urban nor rural voters will
find this an adequate permanent
REAPPORTIONMENT solution**

BACKGROUND

In 1959, the State Legislature passed two reapportionment measures:

1. A statute reapportioning legislative districts as provided in our present constitution, to take effect in 1962. This measure is to some extent a population-area compromise; more populous regions are given only part of the increase to which they are entitled.
2. A constitutional amendment (No. 2) which changes the basis on which legislative districts would be apportioned after 1970. This is to be approved or rejected by the voters in November, 1960.

The statute takes effect whether or not the amendment is accepted.

Before approving a constitutional amendment, voters want to know:

- What does the present constitution say?
- Are these provisions inadequate or impractical?
- What changes would correct these defects?
- Does the amendment make these changes?

Your vote on November 8 will answer the final question: Is Amendment No. 2 good enough for Minnesota? Here are some facts that may help you to a decision.

What does our constitution now say about reapportionment?

That districts in both Senate and House be changed after each census, by the legislators themselves, to reflect population changes.

Have these constitutional provisions worked?

No; until 1959 they were ignored for almost 4 decades. Reasons for this neglect were: (1) fear that apportioning both bodies by population would mean metropolitan domination of our legislature; and (2) lack of enforcement provisions.

Is fear of a big-city legislature well founded?

According to population estimates, a majority of the state's population will eventually live in the 5 to 7 counties surrounding Minneapolis and St. Paul.

How can urban domination of our legislature be prevented?

By using an "area" factor in reapportioning. Area doesn't mean square miles. It means cutting down the number of representatives from urban centers and increasing those from less populous counties. Urban dwellers have been quite willing to accept under-representation in one house if they can be assured of (1) equality in the other and (2) regular reapportionment.

What is meant by saying that our present constitution has no enforcement provisions?

Simply that there is no way of forcing an unwilling legislature to reapportion. Many states have now found such a way (see page 4).

Are other parts of our present reapportionment provisions ineffective?

Yes, the provision that senators be elected for staggered terms, half running every two years, is ignored. If citizens decide such continuity of experience is desirable, an amendment should contain effective language. U.S. Senators have staggered terms, as do senators in about half the states.

Doesn't Amendment No. 2 do what most citizens have asked—provide population in one house, area in the other, and enforcement machinery?

On the surface. However, when carefully analyzed, the provisions are found to be both vague and permissive. Neither rural nor urban areas can be sure of what will happen in future reapportionments. Nor is periodic redistricting sufficiently guaranteed.

What area factor does Amendment No. 2 provide?

The 5 counties including and surrounding Hennepin and Ramsey "having 35% or more of the population of the state" are to have 35% of the representation in the Senate. (No provisions are made for redistricting within these metropolitan counties.) The rest of the state is to have "fair" representation in the Senate.

What is the meaning of "fair" Senate districts?

Even members of the Conference Committee (the 5 senators and 5 representatives who arrived at the final settlement) gave these varying interpretations: (1) No reapportionment would ever again be done in the Senate. (2) Spot reapportioning, within various areas, would occur from time to time. (3) "Fair" means equal. In other words, the Senate provisions can be interpreted exactly as the legislature of the reapportioning year sees fit. There would be no judicial remedy against any kind of legislative manipulation of Senate districts.

How would the House of Representatives be reapportioned?

By equality of population, but without guarantees or standards. Reapportionment students think that, to be equal, districts should not vary by more than 15% from the average.

The word "population" in Amendment No. 2 will probably mean only what it does in our present constitution—adjustment toward equality. In 1970, the metropolitan area would, according to estimates, deserve about 21 more House members; so 21 small counties would have to give up their separate representatives. Judging by legislative action in the past, this wholesale shift, involving 42 incumbents, will not be accomplished without some guarantees.

How does Amendment No. 2 enforce reapportionment?

By special session, to convene immediately after the regular session, consider only reapportionment, and not adjourn till reapportionment is done. Possibly, even probably, reapportionment would be done every 10 years, but with some hidden dangers for the best conduct of legislative business.

Have other states had success with special session enforcement?

No other state uses this device. In Florida, where the governor may call a special session for reapportionment, the legislature met for three months in 1956, recessed for 9 months, and never reapportioned. Some lawyers point out there is no way to force Minnesota's legislature into special session if unwilling to do so.

What about taxes, appropriations, and other important matters usually left to a special session?

They would simply have to wait for settlement of reapportionment.

What about the expense of a special session?

Legislators would not be paid. However, this "economy" would put at a disadvantage those who live far from the capitol; those who have farms or businesses requiring attention; and those who have no retainer fees or other outside income.

How do other states force action?

All states which have recently revised their reapportionment provisions have taken the job away from the legislature at some point. All these states reapportioned promptly after the 1950 census.

Seven states lay down specific directions for reapportionment and give the job of redistricting one or both houses to an independent agency (e.g., Missouri to Secretary of State for the House). Six other states give the legislature so many days to reapportion after the federal census, then pass the power to another agency (e.g., Michigan to Secretary of State, Treasurer, Superintendent of Public Instruction; Illinois to a bipartisan committee).

M
E
M
O

TO: Peg Spoo
FROM: Grace Wilson
SUBJECT: Reap. Brochure

LEAGUE OF WOMEN VOTERS OF MINNESOTA

15th and WASHINGTON AVES. S.E.

MINNEAPOLIS 14, MINNESOTA

sent copy W. Anderson

DATE

8/30/60

File

you see how excited the st. office gets
when such a letter as yours reaches
our door — you're so nice I write
Betty the complimentary things you
are thinking — I with such a chuckle
to boot — I expect you'll be hearing from
someone — — —

Grace made copies for DA - J. Cole - A. Wreiff - M. Miller
office (2) before sending D B. Kane

508 - 15th Ave. SW
Rochester, Minn.
August 27, 1960

League of Women Voters of Minn.
15th and Washington Ave. SE
Minneapolis, 14, Minn.

AUG 29 1960

Dear Sir:

This is a letter of praise to an unknown adversary - the authoress (Mrs. Kane?) of the flyer on Amend. 2 - "Vote No Nov. 8 on Amend. 2". This flyer is a little jewel of succinct, precise, but complete information on the subject. I should know - I have wrestled, thrashed, suffered, written, re-written, tossed out and started again a brochure of my own to present to our League workshop on the subject.

Being Irish and/or ornery, I am never able to use someone else's material until I have torn it apart and shed my own blood in the process. The smoke is finally clearing from my digestion of the material in my hands - last summer's Minnesota Voter on the subject, "How To Tell Your Community..." and the flyer. I have written my own - honed and polished ruthlessly to the limitation of time and understanding which will control its effective use. And now I shall throw it out - because I have proved to myself that I cannot improve on this flyer. For the workshop people I will add additional background material on the bases of legislative representation and the enforcement provisions, not because it is not in the flyer, but in order to say the same thing in another way on the principle that repetition will make it stick better. Also on the principle that they will speak to their units with more confidence if they know something more than just what is in front of them.

I bow my head in humble admiration.

Sincerely,

Peg Spoo

Mrs. George L. Spoo, Legis. Chm.
Rochester League of Women Voters

[Sept 1960]

REAPPORTIONMENT - Continuing Responsibility

What We Studied: When constitutional revision went on the League program in 1948, it took the seeds of reapportionment with it. As a part of constitutional revision, it has stayed with the League ever since. In 1955 reapportionment by statute went on the Current Agenda; it became a CR in 1957 and remains so.

League Position: It wasn't much of a struggle for Leaguers to agree that proper legislative apportionment is vital to democratic government. Since our Constitution clearly states the rules for reapportioning, it was easy to agree that statutory reapportionment was needed. In February 1959 after much soul searching, we reached consensus on our requirements for a constitutional amendment changing the basis of apportionment and providing for enforcement.

Legislative Action: The 1955 House passed the first reapportionment measure in 42 years. Again in 1957 the House passed a similar measure. Finally in 1959 the Senate joined and Minnesota will be reapportioned in 1962 under the present Constitution. An amendment, changing the base, had tougher going; but it, too, made the grade in 1959. Regrettably for the League, it did not measure up to our already widely stretched standards and we were forced to oppose it.

What Next? Amendment of the Constitution to change the base and to provide enforcement is still a goal we intend to pursue.

What It's About and the Arguments. The Minnesota Constitution says that our state legislature should be apportioned equally on the basis of population. It also says that the legislature has the responsibility (or duty, as interpreted by the State Supreme Court) to reapportion itself every 10 years. This

League of Women Voters of Minnesota, 15th & Washington S.E.
Minneapolis 14, Minnesota
September 1960

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provision was carried out regularly from 1860 until 1913, when the legislature reached its present size. Since then, our legislators have been caught in a constitutional dilemma: to add to a legislature already too large; or to rectify serious inequities by redistricting and reapportioning the entire state. Instead of doing either, they simply disregarded the constitutional provision until 1959. During the 1959 session a law was passed, to take effect in 1962. Although passed under the Constitution, it represents a moderate population-area compromise.

Since the 1910 census, basis of the last reapportionment, there has been tremendous growth and shift in population. This has resulted in grossly unfair representation for many citizens. Over 50% of our legislators are now chosen by less than 35% of our population; this means that a third of the voters can impose their will on the entire state.

The President's Commission on Inter-Governmental Relations voiced the nation-wide concern about state legislative reapportionment. It emphasized one serious result of state neglect of the problem: urban governments have bypassed the states and made direct cooperative arrangements with the national government in such fields as housing, urban development, and air and defense facilities. This weakens the state's proper control over its own political subdivisions. The report concludes that the states could help "to minimize the pressure for greater centralization of greater Federal participation in state and local affairs, by making sure that representation in their legislature is on a fair and equitable basis."

The question is not "whether to" but "how to" - how to protect the democratic principle of the equal vote and assure all sections of the state an adequate voice in the government.

There are three roads to reapportionment.

1. A constitutional convention could rewrite the reapportionment article. However, at the State Council in 1954, the League decided it could not wait and that immediate action was needed.
2. A constitutional amendment could be submitted to the people, which would (a) change the present basis to give some consideration to area, and (b) include provisions which would guarantee future reapportionment. (The League opposed the amendment passed in 1959 because it was vague, it was open to political maneuvering, and the enforcement provisions were not effective.)
3. A statute under the present Constitution was passed in 1959, supported by the League. This should be done after each census, but probably won't be until enforcement provisions are put into the Constitution.

The League will continue to work for an amendment that:

1. Limits the size of the legislature.
2. Guarantees population in one chamber.
3. Puts a fair, specific, flexible area factor into the other chamber.
4. Provides effective enforcement machinery.

THE LEAGUE IN ACTION ON AMENDMENT # 2, THE POOR REAPPORTIONMENT AMENDMENT

Please give this to your Public Relations Chairman,
your Legislative Chairman, and/or
your State Agenda Chairman.

A few snatches of the many ideas overheard from local League participants at the September and October Legislative Effectiveness Workshops:

ALEXANDRIA

Radio station KXRA asked for tape on Amendment #2 for frequent reruns between now and November 8th. KCMT-TV doing a panel discussion of this amendment. A League float is planned -- parade down main street to stop at a central corner and pass out Amendment #2 brochures. Theme of the float: "Are you snowed by Election Issues?" -- gals in snow suits on sound truck.

ST. CLOUD

League President spoke to Chamber of Commerce legislative committee on Amendment #2. They were most delighted to see she had copies of the amendment as not a one of them knew what it said! Her entire presentation was put into the Chamber of Commerce minutes and circulated to all members. Stearns County Home Agent asked St. Cloud League to conduct meetings for 38 groups of Homemakers (who in turn teach 500 women in rural area) on women in politics, voters service etc. The amendments of course were covered on a pro and con basis.

MINNEAPOLIS AND ST. PAUL

These Leagues have planned an excellent series of radio and TV programs on the amendments, particularly #2, with such star performers as Mrs. O. H. Anderson, Mrs. Stanley Kane, Frank Farrell, Senator Bergerud and Dr. Backstrom of the University of Minnesota. The fine statewide reapportionment maps, available from the Minneapolis League, are excellent to remind your community that we already have reapportionment -- the Bergerud statute. What concerns us now is the amendment dealing with an area factor in one chamber and enforcement provisions for future reapportionment.

ST. PAUL

This League revitalized its speakers bureau (letter sent to large number of other organizations) which has resulted in a flood of requests for speakers. They also are planning a telethon the week-end before election -- each Leaguer to call 5 non-Leaguers to VOTE NO on AMENDMENT # 2, the poor reapportionment amendment.

BROOKLYN CENTER

Will blossom forth with lawn signs, VOTE NO ON # 2.

MOORHEAD

League speakers bureau is being well received with 5 minute talks on #2.

ROSEVILLE

Campaign includes paid advertisements in the local papers explaining what's wrong with Amendment #2.

JAN 26 1961



LEAGUE OF WOMEN VOTERS
OF THE UNITED STATES

1026 SEVENTEENTH STREET, N.W., WASHINGTON 6, D.C. NA 8-3684

Mrs. Robert J. Phillips, President

January 24, 1961

Mrs. O. H. Anderson, President
League of Women Voters of Minnesota
15th and Washington Avenues S.E.
Minneapolis 14, Minnesota

Dear Mrs. Anderson:

There is only one part of your letter of January 19 re action on congressional redistricting which is easy to answer so I shall start there!

Odd as it always sounds, we do not act on our Principles. The Principles are authorization for the adoption of program at all levels and state and local Leagues may not take action which does not conform to the Principles. This latter provision is stated affirmatively in Article II, Section 2 of state and local standard Bylaws. Since the Principles are, generally speaking, such broad statements that they somewhat resemble being "against sin" it might seem that stating them broadly before a hearing or in public could not possibly do any harm. Action of any kind, however, stems from League program and the discipline of the program process insures control by the members of the League's activities, so, though it may seem a little frustrating at times, we must stick with it.

Next question is harder. Can the criteria for districting in the Minnesota legislature agreed upon by the Minnesota members be applied to congressional districting? On a strict interpretation of program procedures in the League, I think the answer should be no - this was not in the scope of the item as adopted by the members, or am I wrong? Urging that the legislature consider certain principles in deciding upon district lines may not be the same as supporting or opposing a particular proposal, but it seems to me that it is action and subject to the same rules as any other action.

It is not our intent to look for ways to keep Leagues from taking action but rather to help them be effective and their members to have the pleasures of satisfactory action. You may feel that we are being legalistic in our approach so let us assume for a moment that the members would be happy to have the state Board take some leadership in this important business by expressing the League standards for proper redistricting. I find League criteria reported in the Minnesota Voter of July-August 1959. Unless additional yardsticks have been developed since then or there are earlier ones my quick research

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President, LWW Minnesota

- 2 -

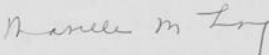
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did not disclose, I do not find those given of much help. Have you a yardstick for the composition of the districts in that House which is based on population, such standards as that the districts should be compact, contiguous, and not varied more than so many percent from the ratio of representation to population? Such a yardstick could be applied to congressional districts and by suggesting to the legislature the use of these specifics in districting the state the League could make a contribution to the fight against malapportionment.

It is most difficult for our friends in government to understand why we take action in some fields and not in others, particularly if the others are closely allied. We seem to have to go over and over the story of how Leagues select items, study, consensus, etc., etc., etc. After all, it's not their organization so how we run our affairs is of little matter to them and perhaps we sound a little stuffy at times. But, they do respect our careful work and admit our effectiveness. They may not see the connection between our procedures and the results, but we do.

Have I left you slightly up in the air in my remarks on that second question? This is my purpose, for you in Minnesota know much better than I what actions your members would find appropriate and which ones would surprise them.

Sincerely yours,



(Mrs.) Mabelle M. Long
Organization Secretary

MML:etw

JAN 30 1963

League of Women Voters of the U. S.
1026 17th Street, N. W.
Washington 6, D. C.

January 28, 1963

TO: All concerned with the State Government Conference

FROM: National Office

RE: Free evening

On the second page of our January 24 Memo, next to the last paragraph, we announce a free evening on Thursday. Of course this will be a free evening because the Conference will be over. The free evening we meant to announce was Wednesday the 20th. The Conference will close on Thursday at noon as announced. We are sorry if we confused you.

File

Registration for Conference on Apportionment and State Government to be held in
Chicago at office of D.V. of Illinois and Chicago, 67 E. Madison St., Chicago,
on March 19, 20-21. 1963

MINNESOTA

Mrs. O. H. Anderson

161 Hamper

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15

Minn.

State President

Another person to be selected.

Minn

LEAGUE OF WOMEN VOTERS
OF THE UNITED STATES

1025 17TH STREET, N. W., WASHINGTON 6, D. C.

March 6, 1963

Mrs. O. H. Anderson, President
League of Women Voters of Minnesota

Ruth Heatwole

In an earlier communication you had indicated that another person was to be selected to attend the State Government Conference in Chicago.

If you are sending another delegate, will you please send us her name and portfolio so that it can be included in our Delegates List which goes to press on Tuesday, March 12th.

Looking forward with much pleasure to seeing you in Chicago.

JAN 25 1963

League of Women Voters
of the United States

Memorandum

1026 17th Street, N. W. - Washington 6, D. C.

January 24, 1963

TO: State Presidents and Delegates in States Invited to the Conference on Apportionment and State Government. (A copy is being sent directly to each delegate who has registered as well as to the State President.)

FROM: Mrs. Robert Stuart, Chairman, State and Local Government Committee

RE: Conference Arrangements

May I take this opportunity to thank you for your cooperation in compiling the revised edition of the Inventory on Reapportionment. Because you have all done so much work in the field and because this edition will be unusually full in order to provide delegates to the Conference with background on all the states, we have been delayed in going to press. We now firmly promise that you will have the new Inventory no later than February 15 and at that time also the detailed agenda and work assignments. This will still leave you a month to do your homework!

We have had an excellent response to our invitation but to further whet your appetite for the Conference we are very pleased to be able to announce our two speakers. Gordon E. Baker will speak on reapportionment at the opening of the Conference. Mr. Baker's name is a household word wherever reapportionment is studied. He is the author of the classic "Rural Versus Urban Political Power" as well as pamphlet "Reapportionment" in the National Municipal Leagues' State Constitutional Studies Project. On Wednesday afternoon we will hear a talk on state politics by Charles R. Adrian. Mr. Adrian is the author of a number of books, the best known perhaps being his text on "State and Local Governments: A Study in the Political Process" and "Governing Urban America."

Though we are not now able to send you your work assignments we thought this might be a good time to send you a suggested reading list from which you may choose for background reading in preparation for the Conference.

In the field of reapportionment there are a number of pamphlets with which many of you are no doubt already familiar.

- Baker: Rural Versus Urban Political Power (out of print, may be available in your library).
- Baker: Reapportionment (State Constitutional Studies Project. National Municipal League, 47 East 68th Street, New York 21, N. Y., \$2).
- Barber: Legislative Malapportionment: What's It All About? How Does it Affect You? (Center for Information on America, Washington, Conn., 35 cents).
- Boyd: Patterns of Apportionment (National Municipal League, 50 cents).
- David and Eisenberg: State Legislative Redistricting: Major Issues in the Wake of Judicial Decision (Public Administration Service, 1313 East 60th Street, Chicago 37, Ill., \$1.50).

McKay: Reapportionment and the Federal Analogy (National Municipal League, 50 cents).

One Man - One Vote (Twentieth Century Fund, 41 East 70th Street, New York 21, N. Y., free).

Salient Issues of Constitutional Revision, chapters 3 and 5 (National Municipal League, \$3).

In addition to the pamphlets there is a new hard cover entitled "The Politics of Reapportionment" which we recommend. It is edited by Malcolm E. Jewell who is also responsible for the introduction on "Political Patterns in Apportionment." There are case studies on California, Colorado, Florida, North Carolina, Kentucky, Texas, Illinois, Pennsylvania, West Virginia, Maryland, New York, Michigan and Tennessee. The price of the book is \$6.00. It is published (1962) by the Atherton Press at 70 Fifth Avenue, New York 11, New York. If you have the time (and the money) this will prove rewarding.

Since we expect to move from a discussion of reapportionment to the larger aspect of state politics, particularly in regard to state legislatures, we are suggesting a number of basic studies among which you might like to do some reading. First, is Adrian's book, "State and Local Governments: A Study in the Political Process." This costs \$7.50 and in the event it is not available in your library may be ordered from McGraw Hill Book Co., 330 West 42nd Street, New York 30, New York. There are also the two standard texts, Belle Zeller's "American State Legislatures" and V. O. Key Jr.'s "American State Politics: An Introduction", almost certain to be in your library. Mr. Jewell, mentioned above, is also the author of a paperback on "The State Legislature: Politics and Practice" which is published by Random House, the College Department, 501 Madison Avenue, New York 22, New York. This costs 95 cents and serves as an excellent inexpensive text. Our last suggestion is Duane Lackard's "New England State Politics." Though the six case studies are of New England, they suggest an approach to the politics of any state both interesting and rewarding. This may be available in your library.

We call your special attention to the December 1962 issue of the National Civic Review which carries the speech on "Freedom and Federalism" delivered by Peter H. Odegard at the National Municipal League Conference on Government in Washington last November. The article carries the sort of inspiration and new thinking on an old subject which we have come to expect from Dr. Odegard.

Enclosed is a card for making hotel reservations. Those of you who are sharing a room should consult and send one card. If you do not use the card when making your reservation, please call the hotel's attention to the fact that you are attending the League conference.

We hope you will be able to make transportation plans which will allow you to be in your seat when the meeting opens promptly at 2:00 p.m. on Tuesday. We will be equally prompt in closing at noon on Thursday. For the benefit of those with extra-curricula ideas, Thursday evening will be free.

May we say again that states may, at their own expense, send more than two delegates and we hope that most of the nearby states will be able to take advantage of the opportunity. In our view the prospects for an excellent conference are assured by the quality of the delegates the states are sending and your dual role as leaders and participants.

LEAGUE OF WOMEN VOTERS
OF THE UNITED STATES

1026 17TH STREET, N. W., WASHINGTON 6, D. C.

DEC 17 1962

December 12, 1962

Mrs. O. H. Anderson, President
League of Women Voters of Minnesota
161 Juniper
Mahtomedi 15, Minnesota

Dear Mrs. Anderson:

The national Board is arranging three small regional meetings of state and national leaders to explore together the structure of League Program in general and, in particular, the proposal to eliminate from that structure the category of Continuing Responsibilities. One local leader will also be invited to each of these meetings.

We are taking advantage of the number of state leaders who will be in Chicago for the Conference on Apportionment and State Government to hold one of these small meetings in Chicago on the Thursday and Friday following that Conference. We would like very much for you to participate. This meeting will include state leaders from Illinois, Iowa, Kansas, Maryland, Missouri, New Mexico, and Wisconsin. Mrs. Wood will preside and two or three other Board members will be present.

The meeting will close about three o'clock on Friday afternoon in time for the delegates to return home that evening. Expenses for hotel and meals incurred as the result of staying over for this meeting will be paid.

The agenda for the meeting, background materials, a list of suggested readings, and meeting place will be sent to you later. The purpose of these meetings is exploratory rather than advisory in nature and has two objectives. First, it will be an opportunity for the members of the Advisory Committee on Program Structure to do some advance thinking and to have the benefit of the thinking of as many state leaders as possible. The national Board as directed by the Convention has appointed this Committee which will be composed of seven state leaders and three members of the national Board. Each member of the Committee will attend one of these three small exploratory meetings. Second, more state leaders will be prepared by this discussion for consideration within their states of whatever proposals in regard to a Bylaw change may, in the future, be made.

Mrs. O. H. Anderson

- 2 -

December 12, 1962

We hope very much that you can take part in the meeting in Chicago. No matter what the eventual outcome of the specific Bylaw proposal, it is always very stimulating for experienced Leaguers to get together and discuss the structure and procedures of their favorite organization.

Sincerely yours,

RJP

Mrs. Robert J. Phillips
President

File

January 27, 1963

Dear Betty, *Kau*

Do you remember the State Government Conference in Chicago which you and Lil and I attended a year ago last fall? Well, there is to be another one in Chicago again- and we are asked because of our concern with reapportionment- there will be much emphasis on reapportionment with 29 states currently in the field represented there. The whole State Board and I would like to have you go as one of our representatives since you would not only do us proud again, but would have the most sound knowledge and experience to contribute. Other areas of state government will be discussed; there will be two outstanding speakers; the conference would convene on Tuesday, March 19, at 2 P. M., and will be over at 2 P. M. on Thursday. I shall be going, but will have to stay on till Friday night for another little meeting. We would, of course, pay all your expenses, and would greatly appreciate your doing this. I think you would find it stimulating to hear what some of the states are doing, especially those using the courts. Have you heard of the constitutional amendments the Council of State Governments is proposing? One of them would forbid the Supreme Court from interfering with states in their apportioning- some fun.

I hope that you will be able to go-

Sincerely,

D.A.

League of Women Voters
of the United States

Oct 10 1962

Circ Mail

Memorandum

1026 17th Street, N. W. - Washington 6, D. C.

October 9, 1962

TO: State League Presidents in: Alabama, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, Washington, West Virginia, Wisconsin.

FROM: Mrs. Robert J. Stuart, Chairman State and Local Government Committee

This is an invitation to your state to send delegates to a Conference on Apportionment and State Government to be held in Chicago from 2 P.M. on March 19 to noon on March 21, 1963, at the office of the League of Women Voters of Illinois and Chicago located at 67 E. Madison Street, Chicago.

Reapportionment is no longer on dead center. Since Baker vs. Carr (the Tennessee case), it is now a headline from one end of the country to the other. Your state has been chosen as a participant in the Conference because you have been recently or are now working in this field. The agenda will cover a wider area than the field of reapportionment, however. First of all, we are sure you will be eager to compare notes on recent developments in reapportionment. We will then examine yet unresolved issues, and hope to look also at what can be expected as the result of reapportionment (or has already resulted!), discuss yardsticks by which to judge a legislature's effectiveness, the relationship between state politics and policy making in a legislature, and finally the questions left unanswered by the last State Government Conference -- what makes for a strong state government and what can the League do to increase that strength. There will be speakers, one in the field of apportionment, and one, we plan now, on state politics.

Both the general plans for the agenda and the financial plans are similar to those for the 1961 Conference. Delegates will be expected to participate by preparing for the discussion in advance -- a list of useful references will be provided -- and by acting as resource people for one area to be discussed. A specific assignment for each state will be sent to you well in advance of the meeting.

Financial arrangements will be similar to those of 1961 but not identical because, unfortunately for this purpose, there are so many of you! Twenty states were invited to the 1961 Conference; this time there are twenty-nine states on the list. As you may recall, at that Conference the national budget provided transportation round trip air coach (where available) for two delegates from each state. The state "matched" these funds by providing hotel and meals charges. This year the national budget will provide transportation air coach round trip (where available) for one delegate and transportation charges over \$50 for a second delegate if you send one. If your air fare, for example, is \$75 round trip, we will pay that \$75 for one delegate, and \$25 toward the transportation of a second delegate if she attends. This will roughly equalize transportation costs. Any state League may send additional delegates at its own expense.

Single rooms at the LaSalle Hotel, LaSalle at Madison Street, Chicago 2, Illinois, begin at \$8.00; double rooms begin at \$12.50. It is best not to count on rooms at the minimum, but they should not be much higher than that figure. We will send you forms for making your own hotel reservations. No special meal functions are planned.

There is a good and relatively inexpensive coffee shop at the LaSalle Hotel, but we will also give you a list of other eating places in the exciting City of Chicago. There will be a free -- really free -- night at the Conference.

We would like to have given you notice of the Conference earlier, but it has taken time to make tentative plans. Since the guest list depended upon the plans we had to wait upon those. We are aware that by March elections will have taken place and legislatures have met. Those of you who have had successes can share your methods with those with work still to be done; and for all of you legislative apportionment will be an excellent starting place for a larger view of state legislatures and the role of the state generally. We hope that all states on the list are represented and that most can send two delegates. Hearing from each of you, speaking from the varying backgrounds and experiences in your individual states, will enrich the discussion for us all.

It would be most helpful to us if we could have the names of your tentative delegates as rapidly as possible, before November if this can be done. From the delegate list the Board will choose a few to stay over a day in Chicago for a special committee meeting on Program procedures.

Enc. - Registration Blank.

League of Women Voters of the U.S.
1026 17th Street, N.W.
Washington 6, D.C.

October 9, 1962

Please return to National Office
no later than December 15, 1962

CONFERENCE REGISTRATION BLANK

The following delegate(s) from the League of Women Voters of _____
will attend the Conference on Apportionment and State Government to be held in
Chicago at the office of the League of Women Voters of Illinois and Chicago, 67 E.
Madison Street, Chicago, on March 19, 20 and 21:

1. Name _____
Street Address _____
City _____ Zone _____ State _____
League Portfolio _____

2. Name _____
Street Address _____
City _____ Zone _____ State _____
League Portfolio _____