

March 8, 1973

(Start Belt #8)

with the corrections, and to work out and see what we would come with district boundaries if we redistricted the state, in accordance with the tolerable allowances now permissible. I'm not asking that this be done instantly, we are coming into the summer and this could be all studied out and laid out, the alternative plans could be produced, we could work out the boundaries and produce them and submit them to the members of the legislature for examination, prior to the convening of the next session, and then we could decide what we want to do and if we want to redistrict. I have talked, I, in connection with this, we have been doing a great deal of talking about having our staff research people added to our staff. I think without any question, one of the most knowledgeable and competent members that we, of the staff, that we have ever had in this legislature was a lady who is now Mrs. Betty Warner, and she did most of the work on the redistricting at one time and she is very knowledgeable in this field and I suggested that someone of her talent and her capacity be employed by the legislative council executive board, and this entire problem be submit, now it is not something that can be done by the legislature as a whole, and I do not think it should be done necessarily by a standing committee, now, I think this is a function that is a mathematical thing, it should be calculated out and the population trends and situations should be taken into consideration, and I believe that Mrs. Warner were approached she might be, might be possible to introduce, to induce her to do this again, although I'm not speaking for her. That decision is, of course has to be hers. Now, I offer this only as a suggestion, if anybody has any comments on it, if the legislature does not want to accept it, if this is a disastrous plan, I have only proposed this in the form of a motion -

SPEAKER: Senator Carstens, can you terminate in one minute please.

SENATOR CARSTENS: I'm terminating now.

SPEAKER: Thank you sir. The Chair recognizes Senator Syas.

SENATOR SYAS: Well Mr. President, I think your going to open possibly a can of worms, because I tell you just exactly what this is all about. A court did not allow a sixteen percent variance the way I read the Supreme Court decision. Maybe I'm the only one that's read it, I don't know. I spent considerable time reading this, because I didn't go by the newspaper, I went and got the decision. What the decision said as I read it, am I on? What the decision said, as I read it, that in cases where you cross the county line, or say a city line, and say that you are in a district, you're a minority in a district, and you could prove to the satisfaction of the state that by being in that district, that you wouldn't get representation, then the state could make an allowance in that one particular case, at no time as I read the Attorney General's opinion it allows sixteen percent variance. Only in those cases that this could be proven in, which in the Virginia case, they proved that there was an area out of their Senator, since it was attached to sort of a group that these people would not since they were a minority, get their fair representation. The court then said that in that particular type of case, you could vary and not be as close. The court in no time in this opinion as, that I could see it, other then where you could prove it, allowed a sixteen percent variance. No place, did allow that. They had another unusual