

up to 25 votes so I would like to amend this motion to have the two able constitutional lawyers and I don't know one more able than Senator Syas and I don't say that disrespectfully of the Senator. He has been more right than wrong on, most constantly, he's proven that time and time again. Once in a while he is wrong. I hope he's wrong in this instance.

SPEAKER: Senator Carpenter and Syas, to amend that, the original Fred Carstens motion which would, as you heard him explain, embody the visit of Senator Fred Carstens and Syas then to see the Attorney General regarding this. That's the issue before us now is the amendment. That's what we're speaking on.

SENATOR CARPENTER: --what we can do before we try to do it.

SPEAKER: Very good. Now, Senator Carstens, did you wish to be heard on the amendment?

SENATOR CARSTENS: Yes, I am, I'm, like Senator Syas I have the original Supreme Court opinion and I also will be eager, more than eager to do this because I have already talked to the Attorney General and we can redistrict oftener than once in 10 years and I, I'm going to go along with Senator Carpenter's suggestion, amendment, but I want to, while I do that and this is the reason I will go along. Let me read to you from this opinion. On the basis of 1970 census figures which set the population of the commonwealth, that's Virginia, at 4,648,494, each delegate should ideally represent 46,485 persons. Now put our figure in there of about 33,000 and then follow it. While the Legislature's plan does not disregard Constitutional requirements to the flagrant extent of many earlier cases, it does, nevertheless, demonstrate a systematic pattern of substantial deviation from the Constitutional ideals. Now listen to this one: Under the 1971 plan, more than 25% of the delegates would be elected from districts in which the population deviates from the ideal by more than 5%. Almost 60% of the delegates would represent districts which deviate by more than 3%. Four legislators would be elected from districts which are over or under represented by more than 8% and the maximum deviation, the spread between the most over represented and most under represented district would be at least 16.4% and might be as high as 23.6% depending on the method of calculation. Assuming a maximum deviation of 16.4%, the Legislature's plan is still significantly less representative than many plans previously struck down by state and local Federal courts. Now this is the plan the Supreme Court upheld. I'll be glad to submit this to the Attorney General.

SPEAKER: Well, we have Senator Nore and Senator Syas that wish to be heard and we, Senator Nore's first here and then, we're speaking now actually on the Carpenter amendment, Senator Nore, to Senator Carstens' original motion and so the topic for discussion there will be, you know, whether you are for or against sending Senators Carstens and Syas to see the Attorney General regarding this issue. That's actually all that's before us and I'd like to dispatch that first and I realize that the motion has been complicated by this amendment.

SENATOR NORE: (mike off) --support the Carpenter amendment. Now I think in Omaha they have done a pretty good job of reapportioning down there but when you go outstate, it's, for Senator Syas' benefit, it is a can of worms already. We have Boone County split in two--no one, even, many of the people even now don't know who their Senator is. Go into