

1 if left in there, almost prohibitive for the legislature
2 to act in many areas, and anyone who has had experience
3 and worked on the congressional redistricting bill, knows
4 what a tremendous job it is to keep within due bounds
5 and to try to please everybody.

6 When you say that they have got to be compact in
7 form and they have got to be contiguous, they have got to
8 have adjoining territory and they can't exceed ten percent
9 then sometimes you might get a very good congressional
10 district with everybody in the State happy where you had
11 11 or 12 percent variance, or you might be able to get them
12 with as much as 15. And when we were first working on
13 this, a lot of them thought that 15 was a fair basis
14 for variance, between the norm, either 15 percent under or
15 15 percent over, and in the Supreme Court, as has been
16 pointed out, has not acted and has not said that it has to be
17 a certain percentage, and I think it would be doing harm
18 and violence to the freedom and flexibility of the
19 legislative processes if we froze in a percentage.

20 Likewise, it is dangerous to try to say that in
21 every instance the areas should be contiguous because, as