

1 MR. MILLER: I might say, Mr. Chairman, as a  
2 member of the Committee, that the Committee wasn't  
3 unanimous necessarily on whether it should be 5 per cent,  
4 10 per cent or 3 per cent, but our feeling was that there  
5 ought to be some guideline.

6 MR. BURDETTE: What about a fraction?

7 DR. BARD: Not a guideline.

8 MRS. BOTHE: My reasoning in voting for,  
9 with the majority of the Commission last time was based  
10 partly on the notion that no matter what per cent we  
11 pulled out of the air, we were simply challenging the  
12 powers and the courts that be and guessing the future  
13 that if we put in a percentage which was too low, we  
14 might be hamstrung, and if it was too high, it would be  
15 unconstitutional and would serve no real purpose unless  
16 we had some certainty. Reapportionment has been dictated  
17 by the courts much more than constitutions or laws, and  
18 I think that is a fact of life we are going to have to  
19 live with as far as whether a 5 per cent deviation is  
20 enough or a 10 or 20, why put it in the Constitution? It  
21 is only there to be challenged and perhaps found