

1 (A chorus of Noes.)

2 THE CHAIRMAN: The Noes have it. Now, that
3 requires a redrafting of that part of the Section. Is
4 there any further comment as to Section 5? I have a
5 question that troubles me a little bit with respect to
6 the last sentence. Is it intended that the Supreme Court
7 under this sentence is to have a political as well as
8 judicial power, by which I mean that the Court is to have
9 the power to redraw the lines in accordance with what it
10 might think is politically desirable rather than merely
11 be limited to determining whether the gubernatorial or
12 legislative action is in conformity with constitutional
13 requirements.

14 DR. MICHENER: The other thing, of course, is
15 there may be no action at all, so the Court has to do this
16 of necessity. The Governor has not presented a plan,
17 and the Legislature has not adopted one.

18 THE CHAIRMAN: I can understand that, but I
19 did not understand the original suggestion that was made
20 at Easton that the political power was to be conferred
21 upon the Court. I am not sure that this sentence does