

1 nothing here. The governor apparently could come up
2 with any plan that he wanted. His hands would be tied,
3 just as the Legislature is to come up with such a plan,
4 and in further thinking about it, I am inclined to agree
5 somewhat with Mr. Sayre about the Commission. The Court
6 of Appeals says to the governor, Go ahead and prepare a
7 plan. Suppose he prepares a plan to his own liking. Where
8 is he bound the way the Legislature is to this proportion-
9 ate factor?

10 THE CHAIRMAN: Wouldn't Section 3 still be
11 applicable?

12 MR. MINDEL: I don't know. It says the Legis-
13 lature.

14 DR. WINSLOW: It merely says the State shall
15 be divided into districts.

16 MR. SCANLAN: I think the standard by which any
17 plan would be judged, whether it be the Legislature or
18 the governor, would be the standards set forth in Sec-
19 tion 3 and if the governor promulgated a plan that a
20 citizen didn't like, he would obviously go into the Court
21 of Appeals saying in effect no plan has been promulgated
since it is null and void under the State Constitution,