Reapportionment

By Geoffrey Brown

Reapportionment, redistricting, and redistricting are words that have been in the Louisiana news frequently during the past few months. What do they mean? What is the legislative problem behind them? How did it develop and how is it likely to be solved?

It means that the need for redistricting or reapportionment or both because the number of people represented by one electee is roughly the same as that represented by another. Shifting population over a period of time can upset this balance and create the need for redistricting or reapportionment.

Under the present set-up in Louisiana, there are 64 districts from which state representatives are elected. These districts are identical with the state's 64 parishes. The Louisiana Constitution provides that in cases of unequal population shifts — mainly from rural to urban areas — this has produced severe inequalities. The existing house reapportionment affords one state representative to as few as 6,869 people in Cameron Parish on the Gulf and as many as 57,622 people in Bossier Parish around Shreveport.

The two U.S. Senators are elected by all the voters of the state and run at large. The other three types of legislators are elected to represent specific areas of the state. The state is divided into three sets of districts: very small areas for state representatives; larger areas from which state senators are elected; and 8 much larger areas to elect the state's eight U.S. Congressmen.

Population Shift

In drawing the boundaries of these districts, care is supposed to be taken that the number of people represented by one electee is roughly the same as that represented by another. Shifting population over a period of time can upset this balance and create the need for redistricting or reapportionment.

Each of the state's eight U.S. Congressmen is elected from a much larger multi-parish section of the state. During the time since the present district boundaries were established (in 1921 except for 2 or 3 minor alterations), population shift — mainly from rural to urban areas — this has produced severe inequalities. The existing house reapportionment affords one state representative to as few as 6,869 people in Cameron Parish on the Gulf and as many as 57,622 people in Bossier Parish around Shreveport.

Discrepancies

The population per state senator varies from 51,775 in District 2 (Districts 1-8 are subdivisions of Orleans Parish) to 348,437 in District 19 (Jefferson, St. Charles, and St. John the Baptist Parishes).

Present congressional districts have similar inequalities, but a reapportionment proposal was passed by the legislature early in the summer and will go into effect in 1968. The current reapportionment problem concerns only the two houses of the state legislature. Two U.S. Supreme Court decisions also bear on the problem. Baker v. Carr in 1962 established the jurisdiction of federal courts in reviewing apportionments of state legislatures. Reynolds v. Sims in 1964 decided that both houses of a state must be apportioned on a population basis.

A Delaware suit determined that if more than one representative is allotted to any multi-parish or ward district, there should be no requirement or limitation on the number which must or can be chosen from any one parish or ward within that district. This decision makes unconstitutional Article 3, Section 4 of the Louisiana Constitution which provides that in cases of multi-parish districts no more than one senator shall be elected from any one parish.

After the Supreme Court decisions, two suits were filed in federal courts in Louisiana demanding reapportionment: one by former Jefferson Parish President Charles W. Spencer asking reapportionment of both houses and one by Lesley H. Bannister, Jefferson Parish attorney, seeking reapportionment of the senate.

Suit Deferred

Both suits were deferred by the courts to allow the Louisiana Legislature time to reapportion itself during last summer's session.

Deadline Set

After adjournment of the legislature, a special three-judge federal court convened in New Orleans to hear the combined suits of Spencer and Bannister. The court ruled the legislature would have to adopt a constitutional reapportionment plan by Jan. 1, 1967, or all candidates for both houses would have to run state-at-large in subsequent election.

The court also specified that...