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REPORT OF the CITIZEN-  
LEGISLATOR COMMITTEE  
ON

REAPPORTIONMENT

1959

State of  
MINNESOTA

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## Redistricting Report

THE CITIZEN-LEGISLATOR committee on reapportionment has made a thoughtful report. Many Minnesotans have been impatient over the long delay in redistricting the state and they hoped that the federal judges' warning to the legislature meant definite action at the 1959 session. But a constitutional amendment, as recommended by the committee, is a better long-range remedy.

Three excellent provisions for an amendment are asked by the committee: that reapportionment after each decennial census be made certain; that both chambers of the legislature be limited in size; that population be the sole basis in reapportioning one chamber but that in the other chamber area also be taken into account.

The big fight in the legislature is likely to come over that last provision. The committee was not unanimous, but the majority favored an area-population basis for the house, pointing out that "it is possible to provide individual representation for almost all of the 87 counties when there are 131 seats to distribute (as in the house) rather than 67 seats (as in the senate)."

Certainly the Minnesota legislature should be no larger, in either chamber, than it now is. There is good reason for limiting the size even further, particularly in view of the possibility, as one legislator member of the committee suggests, of annual sessions soon.

Reapportionment could occupy a disproportionate share of the 1959 session's time because it is so controversial a subject and personally affects the legislators. But there are so many other important matters coming up that the state would be well served if the committee report were taken as a basis for legislative action on an amendment.

A showing of statesmanship on this issue would be a welcome surprise.

T.



## Plan Offered for State to Reapportion

A constitutional amendment to provide fair and automatic reapportionment of the Minnesota legislature was recommended today by the committee picked by Gov. Freeman to study the problem.

The 27-member citizen-legislator committee urged the incoming legislature to draft an amendment, to be submitted to voters in 1960, that would distribute senate posts on a population basis and house seats on a combination of population and area.

The amendment should provide for reapportionment every 10 years under threat of a special legislative session, called by the governor, if a regular session fails to do the job, the committee held. If the special session also fails to agree, the power to reapportion then would go to a commission of district judges.

The committee recognized opinion differences on fixing legislative district lines on a formula including area, instead of strictly on the basis of population as now dictated by the state constitution.

"Some members of the committee prefer personally that population continue to be the only constitutional basis for apportionment," the report to the governor explained.

"But these members are willing to accept the introduction of a factor favoring less-populated counties in order to reach a solution, to strengthen the constitution with the enforcement provisions and to have assurance that one body of the

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legislature is apportioned on an exact population basis."

Committee members signing the compromise constitutional amendment reapportionment plan were Philip S. Duff, Jr., Red Wing, and Mrs. Stanley D. Kane, Minneapolis, co-chairmen; Representatives Burnett J. Bergeson, Twin Valley; Harold J. Anderson and Sally Luther, Minneapolis; Carl Iverson, Ashby; Dewey Reed, St. Cloud; Rodney N. Searle, Waseca; Lawrence Yetka, Cloquet, and E. J. Chilgren, Littlefork; Senators W. J. Franz, Mountain Lake; Donald Fraser and Harold Kalina, Minneapolis, and Arthur Gillen, South St. Paul.

Citizen members signing the compromise were Raymond D. Black, Minneapolis; Edwin Christenson, St. Paul, and Clarence W. Meyers, Blue Earth.

Preferring the other plan were Senator-elect Alf Bergnerud; Franz, Gillen and Iverson, who signed both reports, and Senators C. C. Mitchell, Princeton; Harold A. Nelson, Owatonna; Harold W. Schultz, St. Paul, and John M. Zwach, Walnut Grove.

Refusing to sign either report were Sen. Donald Sin-



Duff



Mrs. Kane

clair of Stephen, Asher N. Christensen, University of Minnesota professor; William B. Pearson, Eleanor Salisbury, state treasure of the League of Women Voters, and Neil Sherburne, secretary of the Minnesota AFL-CIO.

The formula agreed upon by the committee would divide the state into as many districts as there are to be senators, with a top of the present 67 members. The districts would be as nearly equal in population as possible to make them, using county boundaries.

No senate district would vary by more than 20 percent from that figure which represents the total state population divided by the total number of senators.

The number of house members would be fixed at its present 131 representatives. A ratio would be obtained by dividing the state population

by 131. One representative would be assigned each county whose population is one-third of that ratio or more.

Any county whose population is less than one-third of the ratio would be joined with an adjoining county but in no case would more than two counties be combined to create a single representative district.

All remaining representatives would be divided among counties whose populations exceed the one-third ratio, in mathematical proportion to the degree their populations top the ratio.

Counties assigned more than one house member would be divided into representative districts as nearly equal in population as possible to make them.

The committee pointed out that under the estimated 1956 population the minimum district population figure was 8,265, met by all counties except Cook, Lake of the Woods, Mahnommen, Red Lake and Traverse.

If re-districting was accomplished under such a formula, most senate districts would remain as they are. In some cases, two counties now each electing a senator

would join to elect just one or a two-county district would add a county. Hennepin county would have 16, instead of 9, senators with the suburbs electing more of them than at present. Ramsey county would have eight senators instead of six and St. Louis county would elect four senators and share in election of a fifth, as at present.

The house would have only five two-county districts, all others having at least one house member apiece and larger counties would have more than one.

Anoka, Blue Earth, Dakota, Mower, Olmsted, Washington, Winona and Otter Tail counties would have two house members, Stearns county would have three, as it has now; St. Louis county would be cut from nine to seven, Ramsey county would keep 12 as it now has and Hennepin's 18 members would be augmented to 23.

It was explained by the committee that a reapportionment statute adopted by the 1959 legislature probably would not take effect until the 1962 elections, when the current senate members' terms expire.



*Reapportionment*

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*Report*

REPORT of the  
CITIZEN - LEGISLATOR COMMITTEE ON REAPPORTIONMENT

On December 23, 1957, Governor Orville L. Freeman requested the following persons to serve on a committee to "recommend a program for achieving legislative reapportionment in Minnesota."\*

Of the 27 Committee members, 9 were citizen members and 18 were members of the State Legislature, balanced between House and Senate, liberal and conservative, rural and urban, and among the Congressional Districts.  
Committee members are:

Senators

W. J. Franz, Cottonwood  
Donald Fraser, Hennepin  
Arthur Gillen, Dakota  
Harold Kalina, Hennepin  
C. C. Mitchell, Mille Lacs  
Harold Nelson, Steele  
    replacing  
    Albert N. Quie, Rice  
Harold W. Schultz, Ramsey  
Donald Sinclair, Marshall  
John M. Zwach, Redwood

Representatives

Harold J. Anderson, Hennepin  
Alf Bergerud, Rural Hennepin  
Burnett J. Bergeson, Norman  
E. J. Chilgren, Koochiching  
Carl M. Iverson, Grant  
Sally Luther, Hennepin  
    replacing  
    Joseph Karth, Ramsey  
Dewey Reed, Stearns  
Rodney Searle, Waseca  
Lawrence Yetka, Carlton

Citizen Members

Raymond D. Black, Hennepin  
Asher N. Christensen, Rural Ramsey  
Edwin Christianson, President, Minnesota Farmers Union  
Clarence W. Myers, President, Minnesota Farm Bureau Federation  
William B. Pearson, Master, Minnesota State Grange  
Eleanor Salisbury, Treasurer, League of Women Voters of Minnesota  
Neil C. Sherburne, Secretary, Minnesota AFL-CIO  
Mrs. Stanley D. Kane, Rural Hennepin, Co-Chairman  
Philip S. Duff, Jr., Goodhue, Co-Chairman

All of the members of the Committee have participated in the work of the Committee.

\* Text of the Governor's letter is found in Appendix I.

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CITIZEN - LEGISLATOR COMMITTEE ON REAPPORTIONMENT

Summary of Report

The Committee concludes that:

1. The 1959 Legislature should find a fair, realistic, and permanent method of reapportionment that will assure a continuing and equitable voice in state government for all Minnesotans.
2. Amendment of the State Constitution will best serve these objectives.
3. Such amendment should be placed on the ballot for the general election of 1960.
4. The amendment should provide for:
  - a. Machinery compelling reapportionment on the basis of each decennial census.
  - b. Limits on the size of both houses of the Legislature.
  - c. A clearly defined basis for reapportionment, providing that population be the sole basis in one house and that the population requirement be modified in the other house in favor of less populated counties.
5. A majority of the Committee believes that the most workable and acceptable plan is:
  - a. To apportion the Senate solely on the basis of population (within specified tolerances); and
  - b. To apportion the House by a formula which assigns one representative to each county above a minimum population; with the remaining representatives assigned strictly according to population.A minority of the Committee prefers to place the factor modifying population in the Senate, while the House is apportioned solely on population.
6. It is the constitutional duty of the State Legislature to reapportion itself. However, a reapportionment statute adopted by the 1959 Legislature would probably not take effect until the 1962 elections because the terms of state senators elected in 1958 do not end until 1962. In addition, a reapportionment statute passed in 1959 would have to be based either on 1950 Census figures or on estimates of current population. At the same time, an amendment approved by the voters in the 1960 election would mean reapportionment by the 1961 Legislature, thus voiding any 1959 statute. If the voters reject an amendment, the 1961 Legislature would clearly have the duty to reapportion, using 1960 Census figures.



Report of the Committee

This Committee believes unanimously that the Minnesota Legislature in its 1959 session must act on the legislative reapportionment problem which has been embroiled in controversy for many years.

The 1959 Minnesota Legislature needs to provide for fair and regular legislative reapportionment for several reasons. An important part of a vigorous healthy state government is a representative legislature, and this demands a current reapportionment. The State Constitution clearly requires periodic reapportionment, and all legislators have a sworn duty to obey the constitution. The recent order of the United States District Court, District of Minnesota, Third Division, which clearly implies that the court may compel reapportionment in its final disposition of the case if the 1959 Legislature fails to take positive action, makes a solution to the problem even more urgent. The keen concern about reapportionment expressed by candidates in the recent political campaign and by organizations interested in good government in all parts of the state also reflects a public feeling that action in 1959 is imperative.

This Committee believes that the 1959 Legislature should take action which goes beyond simply drawing new legislative district boundaries on the basis of the U. S. population Census of 1950 or the estimated 1959 population. The Legislature needs to find a plan and a method of reapportionment that will not only assure an equitable voice in state government for all Minnesotans of today but will provide the same assurance for all future Minnesotans. This reapportionment plan should guarantee that representation will be reapportioned periodically in accord with future population changes, while still assuring fair representation to all sections of the state. It should be a plan well enough defined and spelled out in sufficient detail so that future reapportionments will come about more or less automatically. Its machinery and meaning should be so clear and explicit that differences of opinion over what is intended will not stall prompt periodic reapportionment as has occurred since 1913.

To attain these objectives, this Committee believes that the 1959 Legislature should propose to the people of the State an amendment to the State Constitution which will accomplish three purposes:

1. Guarantee reapportionment on the basis of the current U. S. census figures every ten years commencing in 1961.
2. Place a ceiling on the size of the Legislature at its present number of 67 senators and 131 representatives.
3. Provide that population be the sole basis for representation in one house but modify the population requirement in the other house in favor of less populated counties.



This amendment should be placed on the ballot for the general election of 1960. If such an amendment is adopted by the voters, then the Legislature convening in January, 1961, would have a duty to enact a reapportionment statute under the new provisions, a duty enforced by compulsory provisions lacking in the present State Constitution. The reapportionment would be made on the basis of the 1960 U. S. Census\* and would become effective with the legislative elections of 1962. This is when the four-year terms of all 67 state senators elected in 1958 will expire. It is also the first time that the governor, lieutenant-governor, secretary of state, attorney general, and state treasurer will be elected for four-year terms under Amendment Number 2 adopted in the 1958 election. The Committee believes it is desirable, now that Amendment Number 2 has been approved, that senators be elected in non-presidential years at the same election as all state executive officers; no state executive officers are elected at intervening elections and public attention is focused on the election of a president, involving national issues, rather than on state matters.

#### Provisions of Proposed Amendment

A bill incorporating the proposed constitutional amendment, in the form favored by the majority of the Committee, appears in Appendix II of this report. A summary and discussion of its provisions follow:

##### 1. Enforcement

The Constitution would require the Legislature to reapportion in 1961 and every ten years thereafter on the basis of the current U. S. Census information. If the regular session failed to reapportion, then the Constitution would require the governor to call a special session to begin not later than October 1 of that year to deal with reapportionment only. If no reapportionment has been enacted by the following January 1, then the power to reapportion would pass to a Reapportionment Commission of district judges representing every judicial district in the state and selected by the judges in their respective judicial districts. The new reapportionment would take effect at the ends of the terms of the incumbent senators and representatives.

The Constitution would also specify that the Supreme Court has original jurisdiction in deciding whether a reapportionment statute is constitutional. An action challenging the constitutionality of a reapportionment statute would take priority over other Supreme Court business. If the Supreme Court found a reapportionment statute uncon-

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\* The Committee has been advised that, under federal law, final 1960 Census figures must be certified to the President by December 1, 1960.



stitutional, the Constitution would require that the governor promptly call a special session of the Legislature to deal with reapportionment only. If no new reapportionment statute has been enacted by the following January 1 (or by March 1, if the special session convened after December 1), the power to reapportion would pass to a Reapportionment Commission, as above.

## 2. Size of Legislature

The constitutional amendment would specify that the number of senators shall never exceed 67 and that the number of representatives be fixed at 131.

(In this connection, it should be noted that Minnesota now has 131 state representatives and 67 state senators. The average for all 49 state legislatures is 121 state representatives and 38 state senators. The Minnesota House of Representatives is only a little larger than the average, while the Minnesota State Senate is the largest in the nation.)

## 3. Representation of Less Populated Counties

The Committee believes that a solution to the reapportionment question requires compromise between conflicting viewpoints and that acceptance of compromise involves the introduction of a factor favoring less populated counties. Some members of the Committee prefer personally that population continue to be the only constitutional basis for apportionment, but these members are willing to accept the introduction of a factor favoring less populated counties in order to reach a solution, to strengthen the Constitution with the enforcement provisions described above, and to have assurance that one body of the Legislature is apportioned on an exact population basis.

The Committee considered whether some such modifying factor should be introduced into both houses, but this solution was rejected. It was felt that at least one house ought to be based strictly and solely on population, and it appeared that the factor favoring less populated counties could be introduced more effectively by confining it to one house rather than distributing it between two. By placing this factor in one house and making population the sole basis in the other house, both rural and urban areas will be guaranteed an effective voice in state government.

In the house based strictly on population, the Committee agreed further, the Constitution should require that districts be "as nearly equal in population as it is possible to make them" using boundaries of counties, governmental subdivisions, or census tracts. And, the committee agreed, the constitution should set 20% as the limit above or below the "ideal" beyond which no district should vary. Thus,



the Constitution would set specific population limits, in terms of each new census, for every district in the body based solely on population. A district more than 20% larger or more than 20% smaller than the State's total population divided by the total number of members in that body would be prohibited. This provision would end the uncertainty about the exact meaning of the present constitutional provision that "representation shall be apportioned equally throughout the different sections of the State, in proportion to the population thereof...."

Weighing the various considerations involved, a majority of the Committee recommends that the factor favoring less populated counties be introduced in the house and that the Senate be apportioned strictly on population. The Committee recommends the following plan (see Appendix II for proposed constitutional language):

Senate. The entire State shall be divided into as many districts as there are to be senators. These shall be as nearly equal in population as it is possible to make them using boundaries of counties. Boundaries of governmental sub-divisions or census tracts may also be used as Senate district boundaries, although it is not required that they be used.

No Senate district shall vary by more than 20% from that figure which represents the total State population divided by the total number of senators. This 20% permissible variation shall not be used to diminish or increase the number of Senate districts within heavily populated counties beyond their exact numerical share.

House. Representatives shall be assigned to counties according to the following formula:

a. One ratio is that figure obtained by dividing the total State population by the total number of representatives.

b. One representative shall be assigned to every county whose population is one-third of a ratio or more, provided (1) that any county whose population is less than one-third ratio shall be joined with an adjoining county and the two together shall be considered one county for the purposes of this formula; and (2) that in no case shall more than two counties be combined to create a single representative district.

c. All remaining representatives shall be divided among counties whose populations are in excess of one ratio, in as nearly as possible exact mathematical proportion to the amounts of their respective populations in excess of one ratio.



d. Counties assigned more than one representative shall be divided into representative districts which shall be as nearly equal in population as it is possible to make them using boundaries of governmental sub-divisions or census tracts. Each representative must be elected from a separate district.

What this formula does, in short, is assure individual representation for every county unless it falls below a specified minimum size. For example, under estimated 1956 population, the minimum population would be 8,265. In 1956 all Minnesota counties had estimated populations in excess of this 8,265 minimum except Cook, Lake of the Woods, Mahnomen, Red Lake and Traverse. All of these counties except Traverse are now combined with other counties in electing a state representative. As total state population rises the minimum would obviously rise, too.

The remaining representatives would then be distributed mathematically in accordance with population. This part of the plan would work automatically. It would distribute the additional representatives between larger population centers--Minneapolis, St. Paul, Duluth--and smaller population centers--Twin Cities suburbs, Rochester, St. Cloud, Winona, Mankato, Austin, Hibbing, etc.--with absolute impartiality.

This county reapportionment proposal would remove from the Constitution the present provisions that all representative districts must lie within senatorial districts. The plan would keep representative districts within senatorial districts in most instances, but it would be better to let the Constitution remain silent on this point so that the Legislature could, if it wished to at some point, establish a representative district that lay within two senatorial districts. In any event, no confusion would result because each resident of the State would be represented by a single state senator and a single state representative.

#### How the Proposed Amendment Would Work

The county reapportionment plan, if applied to the estimated 1956 Minnesota population, would have the following effect:

Senate. A variety of apportionments are possible. A great many rural districts could remain exactly as at present. In other cases, two counties would join to elect one senator where each elects a senator individually now, or a two-county senatorial district would become a three-county district. There need only be two four-county districts and none larger.

Hennepin County would have sixteen senators instead of its present nine, and the under-represented suburban areas of rural Hennepin



would elect a greater share of the County's total senators than at present. Ramsey County would elect eight senators in place of its present six. St. Louis County would elect four senators and share in election of a fifth senator, as at present.

House. There would be only five two-county districts. All other counties would have at least one representative each, and larger counties would have more than one. Anoka, Blue Earth, Dakota, Mower, Olmsted, Washington, Winona, and Ottertail would each have two. Stearns County would have three, as at present. St. Louis County would have seven (it now has nine). Ramsey County would have twelve, as at present. Hennepin County would have twenty-three (it now has eighteen).

### Conclusion

The committee majority recommends the "County Representation" plan for the following reasons:

This plan guarantees that all but the least populated counties in the state will have a resident representative, as at present. Such assurance is impossible under any plan which would depart from population representation in the Senate.

The committee majority holds that individual representation for counties is desirable. It is possible to provide individual representation for almost all of the 87 counties when there are 131 seats to distribute (as in the House) rather than 67 seats (as in the Senate). It is doubtless for this reason that, of all the states which have an "area" factor in one legislative body only, almost two-thirds have placed the "area" factor in the House rather than in the Senate.

Further, basing reapportionment of the House solely on population presents serious difficulties. It becomes necessary to do some or all of the following: (a) combine three counties in several places and assign them two representatives at large; (b) combine two counties into a single district; (c) combine one small with one large county, having two representatives run at large and thereby giving the small county little chance of having a resident legislator; (d) put a part of a large county into a district with a small county; or (e) combine in diagonal fashion counties which touch only at a corner. All of these arrangements are objectionable. Apportioning the Senate on strict population causes fewer changes from the present apportionment. The people of the state would find a "Population Senate--County House" more in line with the way they are accustomed to elect legislators.



The committee members whose names appear below accept the County Representation Plan outlined above. Their individual preferences might call for different solution, as indicated in the Alternative Plan, but they accept this majority recommendation as the most workable and acceptable compromise.

Philip S. Duff, Jr.

Mrs. Stanley D. Kane

Harold J. Anderson

B. J. Bergeson

Raymond D. Black

E. J. Chilgren

Edwin Christianson\*

W. J. Franz\*

Donald Fraser

Arthur Gillen\*

Carl M. Iverson\*

Harold Kalina

Sally Luther

Clarence W. Myers\*

Dewey Reed

Rodney N. Searle

Lawrence Yetka

\* Signed both Plans, or included individual comments (see following pages), or both.



Alternative Constitutional Amendment

The Committee considered an alternative plan for a constitutional amendment which would embody the same enforcement provisions described above and place the same maximums on the size of the two legislative bodies but would apportion the House strictly on population and modify the population requirement in the Senate in favor of the less populated areas.

Advocates of this plan point out that many people traditionally regard the Senate as the body which should give recognition to less populated areas because:

1. The framers of the federal Constitution assigned each state two senators regardless of population.
2. The Senate is intended to be the more stable, deliberative body and to serve as a brake or balance wheel for the House.
3. The House is supposed to be closer to the people, the "popularly elected" body. Therefore, its representation should be based solely on population.

One of the most feasible ways to give recognition in the Senate to the less populated areas of the State is to place in the Constitution a limitation on the proportion of total Senate membership which may come from any single county or from two or more contiguous counties.

Committee members who take this view are listed below. In the interest of compromise some members of the Committee have been willing to sign both parts of the report, although preferring the Alternative Plan.

Alf Bergerud\*

W. J. Franz\*

Arthur Gillen\*

Carl M. Iverson\*

C. C. Mitchell

Harold A. Nelson

Harold W. Schultz

John M. Zwach

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\* Signed both Plans, or included individual comments (see following pages), or both.



Individual Comments

"I have signed the Alternate Constitutional Amendment Plan with considerable reluctance and largely to indicate that, as a general proposition, I am not opposed to submitting a constitutional amendment to the people of the State of Minnesota to change the reapportionment provision of the Constitution if the electorate want that. However, it is my belief that a simpler amendment can be prepared which would provide for population reapportionment in the House and Senate, with a limitation of the Senate membership confined to two or more counties. I am particularly opposed to establishing in the Constitution the size of either body, since I feel that is poor constitutional law. One can envision the legislature meeting annually in view of the problems that are arising and will arise in the future, and this might well permit a reduction of the size of both the House and the Senate. In any event, simply to show my preference with reference to the two plans submitted, I have signed the Alternate plan which provides for a so-called area concept for the State Senate and the House on strictly population."

- Alf Bergerud

"Democratic theory and the experience of the American states convince me that both houses of the legislature of a state ought to be established or apportioned on the basis of population. This is what the Constitution of Minnesota now requires, and I believe that it would be unwise to change this provision. The solution to the problem in Minnesota is, in my opinion, not to be found in changing the present constitutional base of the state's Senate and House of Representatives.

Whatever change is adopted must make provision for future automatic reapportionment so that the unfortunate experience of Minnesota from 1913 to date is not repeated. On this point I am in full agreement with the report of the Committee."

- Asher N. Christensen

"The Farmers Union goes along with the Committee's County Representation Plan as outlined in the Report of the Committee. However, the Farmers Union is committed, by its program, to support the viewpoint that one house should be based entirely on area."

- Edwin Christianson

"My first choice is to reapportion solely on population and my second choice is to make the Senate the body which is to recognize the area factor (similar to the Federal Congress). However, I have



learned from 16 years of attempting to pass a reapportionment statute, under the present Constitution, and political circumstance that compromise is required in order to accomplish greater justice than now prevails. I accept the majority conclusion that the majority proposal will have the greatest chance of attaining that justice."

- Arthur Gillen

"I feel that this (Alternative Plan) as a second choice has enough merit to be considered, because I would want to see the area factor applied in one House and not divided between the two."

- Carl M. Iverson

"The Minnesota Farm Bureau Federation must abide by the expressed opinion of the County Farm Bureaus, which states that, 'a constitutional amendment is necessary,' and that, 'it should include a minimum of one representative per county.'

In order to maintain the right of people to govern themselves as stated by Article I, Section 1, of our State Constitution, we believe that a truly representative type of legislature is essential. Therefore, it is impossible for us to be in full agreement with the Committee recommendations."

- Clarence W. Myers

". . . . . conscientiously I must admit that I cannot sign either report . . . . ."

- William B. Pearson

"I regret that I cannot sign the Report of the Committee. It is my conviction that true population representation is a basic principle of democratic government. Although I believe the County Representation Plan would bring a greater measure of representation than is now the case, I am unable to endorse sacrificing the principle to achieve this end. I do strongly endorse those provisions of the Plan enforcing periodic reapportionment and requiring court review. These are my personal views and in no way reflect the position of any organization of which I am a member."

- Eleanor M. Salisbury



" . . . . . this (sign the report) I cannot do because the organization I represent is on record favoring reapportionment according to population . . . . . "

- Neil C. Sherburne

"I would favor a constitutional amendment that would provide permanent districts for the Senate with the House on a population basis. This would place our Legislature on a basis comparable to the United States Congress."

- Donald Sinclair



### Reapportionment Statute Under Present Constitution

The Committee considered many possible reapportionment statutes, viewing them from two standpoints:

1. Constitutionality under the present constitution.
2. Minimum change from present House and Senate districts.

Strict compliance with the present constitutional provisions would require a statute changing representation to the degree shown in Statute A (see Appendix III). Other combinations are, of course, possible.

The Constitution does, however, permit the Legislature some discretion. The adoption of a reapportionment statute changing representation to a lesser degree, as in Statute B (see Appendix IV), would probably be held to be in compliance with the present constitution. Statute B is a modification of H. F. 450, which was passed by the House in 1955 and 1957. It corrects the worst inequities but leaves the majority of present districts unchanged.

Both of these statutes reflect the Committee's view, as indicated in the main report, that:

- a. The size of the Legislature should not be increased.
- b. Single-member districts are preferable because they encourage more responsibility of legislators to constituents and more knowledge of legislators by constituents. (Division of districts along urban-rural lines within a county, as in Winona county today, can maintain both equality and better representation of sectional and economic interests.)
- c. Census tracts are preferable for reapportioning Hennepin and Ramsey counties. As the Legislative Research Committee has declared, "Census tracts, which are set up by the Bureau of the Census for the purpose of population enumeration, would provide a permanent, accurate basis on which to establish legislative districts in the metropolitan areas. These areas would not be subject to the periodic change of ward and precinct lines, the present basis."

A reapportionment statute adopted by the 1959 Legislature would probably not take effect until the 1962 elections because the terms of state senators elected in 1958 do not end until 1962. In addition, a reapportionment statute passed in 1959 would have to be based either on 1950 Census figures or on estimates of current population. At the same time, an amendment approved by the voters in the



1960 election would mean reapportionment by the 1961 Legislature, thus voiding any 1959 statute. If the voters reject an amendment, the 1961 Legislature would clearly have the duty to reapportion, using 1960 Census figures.

The Citizen-Legislator Committee on Reapportionment believes strongly that the 1959 Legislature must reapportion.



APPENDICES

Appendix I

Governor's Letter of Appointment to the Committee

Appendix II

County Representation Plan

Appendix III

True Population Reapportionment Plan  
(under present constitutional provisions)

Appendix IV

Modified Population Reapportionment  
(under present constitutional provisions)

Appendix V

History of Reapportionment in Minnesota



Appendix I

EXECUTIVE OFFICE  
STATE OF MINNESOTA  
ST. PAUL 1

December 23, 1957

Dear \_\_\_\_\_:

I earnestly request you to serve on a committee that I am appointing to recommend a program for achieving legislative reapportionment in Minnesota. Your deep interest in the problems involved in reapportionment, and your past activities along this line will enable you to make a genuinely worth while contribution toward our efforts to solve those problems. I therefore sincerely hope that you will undertake this service to the people of our state.

I have given careful attention to the membership of this reapportionment committee with the single purpose in mind of selecting one which, while small enough to work efficiently, would yet be representative of all areas and points of view. The majority are members of our state Legislature, selected with regard to past interest in legislation on reapportionment, and carefully balanced between House and Senate, liberal and conservative, rural and urban, and among the Congressional Districts. I have asked nine citizen members to serve along with eighteen legislators; and have asked two of these lay members, Mrs. Stanley Kane and Mr. Philip Duff, to serve as co-chairmen. Mrs. Kane has been an outstanding leader in the work done on reapportionment by the League of Women Voters, and Mr. Duff is a prominent editor and a former legislator, who has shown a real interest in this problem.

There are two major reasons, I believe, for the appointment of this committee at this time.

With each succeeding census since 1920, the need for reapportionment in the Minnesota Legislature has become increasingly more urgent. Although repeated efforts to achieve reapportionment have failed, developments in the 1957 Legislature indicate that this need for reapportionment is now recognized by an overwhelming majority; and that the principal obstacle lies - not in disagreement over reapportionment itself - but in disagreement over the way it should be done. It seems overwhelmingly difficult, in the hurry and pressure of a busy legislative session, to find time and opportunity for the thorough discussion and the process of give and take that is necessary to arrive at an acceptable and workable plan for achieving reapportionment. I believe that a



committee of this kind, including in its membership the many differing points of view, can work out a plan of reapportionment that would have a good chance for adoption.

A second reason for activating such a committee at this time arises out of the possible outcome of a suit on reapportionment that is now before the courts. If we were to be faced with a judicial decision that would preclude holding another election to the legislature under the present apportionment, a special session to deal with the problem would probably become necessary. Under such circumstances, a carefully considered program that had been worked out in advance by this reapportionment committee, would be of considerable value in achieving speedy and effective action from such a special session.

I am therefore asking that you consider carefully the kind of action that would lead to an effective and permanent solution to our reapportionment problem. This may involve a constitutional amendment as well as a bill. It should, of course, recognize the basic principle of equitable representation that is so essential to the maintenance of responsible, democratic government; - and at the same time make provision for adequate representation of people and interests in all areas of our state. Your services on the committee to help achieve this goal will be of real value.

I hope to announce this committee on Friday, December 27th. May I assume, if I do not hear from you by that date, that you will be willing to serve?

Sincerely yours,

Orville L. Freeman  
GOVERNOR



Appendix II.

Proposed Bill for County Representation Plan

A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION  
AMENDING ARTICLE IV, SECTIONS 2, 23 AND 24, RELATING TO THE  
METHOD AND MANNER OF PRESCRIBING THE DISTRICTS FOR ELECTION  
TO THE MINNESOTA LEGISLATURE

Be it enacted by the Legislature of the State of Minnesota:

Sec. 1. The following amendment of the Constitution of the State of Minnesota, Article IV, Sections 2, 23 and 24, is hereby proposed to the people of the state for their approval or rejection, which sections when amended shall read as follows:

Section 2. The number of members who compose the senate shall be prescribed by law but shall not exceed sixty-seven (67). The number of members who compose the house of representatives shall be one hundred thirty-one (131). The representation in both houses shall be apportioned throughout the different sections of the state as follows:

a. The entire state shall be divided into as many separate senate districts as there are to be senators. Senate districts shall be as nearly equal in population, as determined in the most recent enumeration of inhabitants made by the authority of the United States, as it is possible to make them using boundaries of counties. Boundaries of senate districts may also follow boundaries of other governmental subdivisions or census tracts employed by the Bureau of the Census, United States Department of Commerce. No senate district shall be more than 20% larger in population nor more than 20% smaller in population than that figure obtained by dividing the total state



population by the total number of senators. In a county having a population two or more times greater than such figure, the number of senate districts within such county shall equal the nearest whole number of times such figure may be divided into such county's population.

b. The entire state shall be divided into one hundred thirty-one (131) separate representative districts. Representatives shall be assigned to counties according to the following formula: One ratio is that figure obtained by dividing the total state population, as determined in the most recent enumeration of inhabitants made by the authority of the United States, by the figure 131. One representative shall be assigned to every county whose population equals or exceeds one-third of one ratio. Any county whose population is less than one-third of one ratio shall be joined with a contiguous county and the two considered one county for the purposes of this formula and shall be assigned at least one representative, but not more than two counties shall be combined to create a single representative district.

All remaining representatives shall be apportioned among counties whose populations are in excess of one ratio in as nearly as possible exact mathematical proportion to the amounts by which their respective populations exceed one ratio. Counties assigned more than one representative shall be divided into representative districts which shall be as nearly equal in population as it is possible to make them using boundaries of governmental subdivisions or census tracts employed by the Bureau of the Census, United States Department of Commerce. In the event of consolidation of entire counties the number of representatives assigned to such consolidated counties shall be not less than the total number of representatives to which such

counties would separately be entitled without consolidation, but the representative districts within consolidated counties shall be made as nearly equal as possible as above provided.

Section 23. The bounds of congressional, senatorial and representative districts shall be prescribed by law. In the year one thousand nine hundred sixty-one (1961) and in every tenth year thereafter the senate and representative districts shall be prescribed anew according to the provisions of section second of this article, and if such districts are not prescribed anew at the regular session of the legislature in the aforesaid years, the Governor shall call a special session of the legislature to meet on or before October 1 of that year which session shall be for the sole purpose of enacting such redistricting law. If such redistricting law is not enacted by the following January 1, the Governor shall forthwith call upon the judges of all district courts within the state to meet by judicial districts, and each judicial district shall select one judge by majority vote to serve on a legislative reapportionment commission. Each judicial district shall forthwith certify its selection to the Secretary of State and may reconvene to fill a vacancy. This commission shall prescribe anew the bounds of senatorial and representative districts according to the provisions of section second of this article. The Commission shall meet at the call of the Governor, elect its own officers and shall file its report with the Secretary of State not later than April 1 signed by not less than two-thirds of its membership and such report shall upon such filing have the force of law.

The validity of any redistricting hereunder is declared a judicial



question. The Supreme Court shall have original jurisdiction in all proceedings to determine such validity and shall provide an early hearing thereon. If the redistricting is determined to be invalid, the Governor shall forthwith call a special session of the legislature to convene for the purpose of enacting a redistricting law, and if none is enacted by the following January 1, or by the following March 1 if the special session convened after December 1, the Governor shall call upon the judges of the district court to select a legislative reapportionment commission for such purpose as above provided.

Election to the Senate and the House of Representatives from newly prescribed districts shall not occur sooner than the general elections which immediately precede the expiration of the terms of the senators and representatives in office when such redistricting occurs.

Section 24. The senate districts shall be numbered in a regular series and the representative districts shall be separately numbered in a regular series. The term of office of senators shall be four (4) years and the term of office of representatives shall be two (2) years. Senators shall be next chosen at the general election held in the year one thousand nine hundred sixty-two (1962) and at the general elections every four years thereafter. Representatives shall be elected at the general elections held in each even numbered year.

Sec. 2. This proposed amendment shall be submitted to the voters for their approval or rejection at the general election for the year 1960 in the manner provided by law. The ballots used at the election shall have

printed thereon:

"Shall the Constitution of the State of Minnesota, Article IV, Sections 2, 23 and 24, be amended so as to provide that legislative districts shall be prescribed anew every ten years; that senate districts shall be equal in population, and that representatives shall be apportioned first to counties exceeding a certain minimum size and then according to population; and further providing for a commission of judges to carry out such redistricting if the legislature fails to act thereon?

Yes \_\_\_\_\_

No \_\_\_\_\_



TRUE POPULATION REAPPORTIONMENT BY 1950 CENSUS

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SAINT PAUL, MINNESOTA 55155

Each Senate district contains 44,515. Districts have been allowed to vary by 20%; therefore, an acceptable Senate district may contain from 35,612 to 53,418.

Each House district contains 22,767. Districts have been allowed to vary by 20%; therefore, an acceptable House district may contain from 18,214 to 27,320.

Where division on county lines makes House districts vary from this 20% deviation, representatives run at large in the Senate district. (The other alternative would be to combine part of the larger county with the smaller to make two districts of acceptable size.)

As stated in the explanation on page 12, the following is only one of many possible county combinations.

	Senate District	County Population	District Pop.	House District	No. of Rep.	District Pop.
1	Houston Fillmore	14,435 24,465	38,900	Houston Fillmore	2 at lg*	19,950 (av.)
2	Winona	39,841	39,841	Winona	2	19,921 (av.)
3	Goodhue Wabasha	32,118 16,878	48,996	Goodhue Wabasha	2 at lg	24,493 (av.)
4	Olmsted	48,228	48,228	Olmsted	2	24,112 (av.)
5	Mower	42,277	42,277	Austin Mower, rural	1 1	23,100 19,177
6	Dodge Freeborn	12,624 34,517	47,141	Dodge Freeborn	2 at lg	23,571 (av.)
7	Waseca Steele	14,957 21,155	36,112	Waseca Steele	2 at lg	18,056 (av.)
8	Rice	36,235	36,235	Rice	2	18,118 (av.)
9	Dakota	49,019	49,019	Dakota	2	24,510 (av.)
10	Scott LeSueur	16,486 19,088	35,574	Scott LeSueur	2 at lg	17,787 (av.)
11	Blue Earth	38,327	38,327	Mankato Blue Earth, rural	1 1	18,809 19,518
12	Martin Faribault	25,655 23,879	49,534	Martin Faribault	1 1	25,655 23,879
13	Jackson Cottonwood Wantonwan	16,306 15,763 13,881	45,950	Jackson Cottonwood Wantonwan	2 at lg	22,975 (av.)

\* at lg = at large



	Senate District	County Population	District Pop.	House District	No. of Rep.	District Pop.
14	Redwood Brown	22,127 25,895	48,022	Redwood Brown	1 1	22,127 25,895
15	Yellow Medicine Lyon	16,279 22,253	38,532	Yellow Medicine Lyon	2 at lg	19,266 (av.)
16	Lincoln Pipestone Rock	10,150 14,003 11,278	35,431	Lincoln Pipestone Rock	2 at lg	17,716 (av.)
17	Murray Nobles	14,801 22,435	37,236	Murray Nobles	2 at lg	18,618 (av.)
18	Lac qui Parle Big Stone Traverse Stevens	14,545 9,607 8,053 11,106	43,311	Lac qui Parle Big Stone Traverse Stevens	1 at lg 1 at lg	24,152 19,159
19	Douglas Grant Pope	21,304 9,542 12,862	43,708	Douglas Grant Pope	1 1 at lg	21,304 22,404
20	Swift Kandiyohi	15,837 28,644	44,481	Swift Kandiyohi	2 at lg	22,241 (av.)
21	Chippewa Renville	16,739 23,954	40,693	Chippewa Renville	2 at lg	20,347 (av.)
22	Nicollet Sibley	20,929 15,816	36,745	Nicollet Sibley	2 at lg	18,373 (av.)
23	McLeod Carver	22,198 18,155	40,353	McLeod Carver	1 1	22,198 18,155
24	Meeker Wright	18,966 27,716	46,682	Meeker Wright	1 1	18,966 27,716
25	Stearns, rural	47,900	47,900	Stearns, rural	2 at lg	23,950 (av.)
26	St. Cloud Benton, rural Sherburne, rural	28,410 12,938 8,005	49,353	St. Cloud Benton, rural Sherburne, rural	1 1 at lg	28,410 20,943
27	Anoka	35,579	35,579	Anoka	2	17,789 (av.)
28	Washington	34,544	34,544	Washington	2	17,272 (av.)
29	Chisago Isanti Mille Lacs Kanabec	12,669 12,123 15,165 9,192	49,149	Chisago Isanti Mille Lacs Kanabec	1 at lg 1 at lg	24,792 24,357
30	Todd Morrison	25,420 25,832	51,252	Todd Morrison	1 1	25,420 25,832



	Senate District	County Population	District Pop.	House District	No. of Rep.	District Pop.
1	Otter Tail	51,320	51,320	Otter Tail	2	25,660 (av.)
2	Clay Wilkin	30,363 10,567	40,930	Clay Wilkin	2 at lg	20,465 (av.)
33	Becker Hubbard Wadena	24,836 11,085 12,806	48,727	Becker Hubbard Wadena	1 1 at lg	24,836 23,891
34	Cass Itasca	19,468 33,321	52,789	Cass Itasca	2 at lg	26,399 (av.)
35	Crow Wing Aitkin	30,875 14,327	45,202	Crow Wing Aitkin	2 at lg	22,601 (av.)
36	Carlton Pine	24,584 18,223	42,807	Carlton Pine	1 1	24,584 18,223
37	Clearwater Mahnomen Pennington Red Lake	10,204 7,059 12,965 6,806	37,034	Clearwater Mahnomen Pennington Red Lake	1 at lg 1 at lg	17,263 19,771
38	Polk Norman	35,900 12,909	48,809	Polk Norman	2 at lg	24,405 (av.)
39	Kittson Roseau Marshall	9,649 14,505 16,125	40,279	Kittson Roseau Marshall	2 at lg	20,139 (av.)
40	Beltrami Lake of the Woods Koochiching	24,962 4,955 16,910	46,827	Beltrami Lake of the Woods Koochiching	1 1 at lg	24,962 21,865
41	Cook Lake E. St. Louis	7,781 2,900 30,022	40,743	Cook Lake E. St. Louis E. St. Louis	) ) ) 1 1	20,371 (ca.) 20,371 (ca.)
42	W. St. Louis	41,000(ca.)	41,000(ca.)	W. St. Louis	2	20,500 (ca.)
43	Duluth and	135,000(ca.)	45,000(ca.)	Duluth (City)	5	20,902 (av.)
44	surrounding					
45	townships			Rest of St. Louis	1	31,000 (ca.)
46	Hennepin	676,579	48,327 (av.)	Hennepin	27	24,164
47	14 senators.			27 representatives		
48	10 senators for Minneapolis			20 representatives for Minneapolis		
49	4 senators for suburbs (3 divided and 1 at large)			7 representatives for suburbs (6 divided and 1 at large)		
60	Ramsey	355,328	44,416 (av.)	Ramsey	14	22,208
67	8 senators (including 1 at large for suburbs)			14 representatives		



## APPENDIX IV

MODIFIED POPULATION REAPPORTIONMENT BY 1950 CENSUS

Modification of House File 450 of 1957. Ideal senate district - 45,884. Ideal House district - 22,767.

	Senate District	County Population	District Pop.	House District	No. of Rep.	District Pop.
1	Houston Fillmore	14,435 24,465	38,900	Houston Fillmore	1 1	14,435 24,465
2	Winona	39,841	39,841	Winona City Winona County	1 1	25,031 14,801
3	Wabasha Goodhue	16,878 32,118	48,996	Wabasha Goodhue	1 1	16,878 32,118
4	Olmsted	48,228	48,228	Rochester Rest of Olmsted	1 1	29,885 18,343
5	Mower	42,277	42,277	Austin Rest of Mower	1 1	23,100 19,177
6	Freeborn Dodge	34,517 12,624	47,141	Freeborn Dodge	1 1	34,517 12,624
7	Faribault Martin	23,879 25,655	49,534	Faribault Martin	1 1	23,879 25,655
8	Blue Earth	38,327	38,327	Blue Earth	2	19,164 (av.)
9	Wantonwan Jackson Cottonwood	13,881 16,306 15,763	45,950	Wantonwan Jackson Cottonwood	2 at lg*	22,985 (av.)
10	Nobles Rock Murray	22,435 11,278 14,801	48,514	Nobles Rock-Murray	1 1	22,435 26,079
11	Lincoln Pipestone Lyon	10,150 14,003 22,253	46,406	Lincoln-Pipestone Lyon	1 1	24,153 22,253
12	Yellow Medicine Lac qui Parle Chippewa	16,279 14,545 16,739	47,563	Yellow Medicine Lac qui Parle Chippewa	2 at lg	23,782 (av.)
13	Swift Kandiyohi	15,837 28,644	44,481	Swift Kandiyohi	1 1	15,837 28,644
14	Le Sueur Rice	19,088 36,235	55,323	Le Sueur Rice	1 2	19,088 18,118 (av.)
15	Redwood Brown	22,127 25,895	48,022	Redwood Brown	1 1	22,127 25,895
16	Nicollet Sibley	20,929 15,816	36,745	Nicollet Sibley	1 1	20,929 15,816
17	Waseca Steele	14,957 21,155	36,112	Waseca Steele	1 1	14,957 21,155

\* at lg = at large



	Senate District	County Population	District Pop.	House District	No. of Reps.	District Pop.
18	Dakota	49,019	49,019	Dakota	2	24,510 (av.)
19	McLeod	22,198	46,152	McLeod	1	22,198
	Renville	23,954		Renville	1	23,954
20	Meeker	18,966	46,682	Meeker	1	18,966
	Wright	27,716		Wright	1	27,716
21	Washington	34,544	34,544	Washington	2	17,272 (av.)
22	Carver	18,155	34,641	Carver	1	18,155
	Scott	16,486		Scott	1	16,486
23	Douglas	21,304	34,166	Douglas	1	21,304
	Pope	12,862		Pope	1	12,862
24	Stevens	11,106	38,308	Stevens	1 at lg	20,713
	Big Stone	9,607		Big Stone		
	Traverse	8,053		Traverse	1 at lg	17,595
	Grant	9,542		Grant		
25	Clay	30,363	40,930	Clay	1	30,363
	Wilkin	10,567		Wilkin	1	10,567
26	Anoka	35,579	35,579	Anoka	2	17,790 (av.)
27	St. Cloud in Stearns-		41,348	St. Cloud in	1	22,781
	(22,781)			Stearns		
	Benton (15,911)			Benton-St. Cloud	1	18,567
	St. Cloud in Sherburne			in Sherburne		
	(2,656)					
28	Stearns, exclusive of		47,900	Stearns	2	23,950 (av.)
	St. Cloud					
29	Norman	12,909	43,137	Norman	1 at lg	19,968
	Mahnomen	7,059		Mahnomen		
	Clearwater	10,204		Clearwater	1 at lg	23,169
	Pennington	12,965		Pennington		
30	Polk	35,900	42,706	Polk	2 at lg	21,353 (av.)
	Red Lake	6,806		Red Lake		
31	Kittson	9,649	40,279	Kittson	1 at lg	24,154
	Roseau	14,505		Roseau		
	Marshall	16,125		Marshall	1	16,125
32	Otter Tail	51,320	51,320	Otter Tail	2	25,660 (av.)
33	Wadena	12,806	38,226	Wadena	1	12,806
	Todd	25,420		Todd	1	25,420
34	Itasca	33,321	52,789	Itasca	2	16,661 (av.)
	Cass	19,468		Cass	1	19,468
35	Crow Wing	30,875	56,707	Crow Wing	1	30,875
	Morrison	25,832		Morrison	1	25,832
36	Aitkin	14,327	38,911	Aitkin	1	14,327
	Carlton	24,584		Carlton	1	24,584



	Senate District	County Population	District Pop.	House District	No. of Reprs.	District Pop.
37	Kanabec Mille Lacs Sherburne (part)	9,192 15,165 8,005	32,362	Kanabec Mille Lacs Sherburne (part)	2 at lg	16,181 (av.)
38	Pine Isanti Chisago	18,223 12,123 12,669	43,015	Pine Isanti Chisago	1 1 at lg	18,223 24,792
39	Beltrami Lake of the Woods Koochiching	24,962 4,955 16,910	46,827	Beltrami Lake of the Woods Koochiching	1 1 at lg	24,962 21,865
40	Becker Hubbard	24,962 11,085	35,921	Becker Hubbard	1 1	24,962 11,085
41 <sup>a</sup>	St. Louis (pt.)-Duluth (pt.)-Cook-Lake		42,000 (ca.)	St. Louis (pt.)-Cook- Lake Duluth (pt.)	1 1	21,000 (ca.) 21,000 (ca.)
42 <sup>a</sup>	St. Louis (pt.)-Duluth (pt.)		42,000 (ca.)	St. Louis (pt.)-Duluth (pt.)	2	21,000 (ca.)
43 <sup>a</sup>	St. Louis (pt.)-Duluth (pt.)		43,950 (ca.)	St. Louis (pt.)-Duluth (pt.)	2	21,975 (ca.)
44 <sup>a</sup>	St. Louis (pt.)		43,950 (ca.)	St. Louis (pt.)	2	21,975 (ca.)
45 <sup>a</sup>	St. Louis (pt.)		43,950 (ca.)	St. Louis (pt.)	2	21,975 (ca.)
46- b 52	Ramsey (7 Senators)		50,762 (av.)	Ramsey	14	25,381 (av.)
53- c 65	Hennepin (13 Senators )		51,742 (av.)	Hennepin	26	25,871 (av.)

<sup>a</sup> St. Louis County - Present senatorial districts 57 and 58 are equalized and given two representatives each. Present senatorial districts 59, 60 and 61 are equalized and given two representatives each.

<sup>b</sup> Ramsey County - With seven senators and fourteen representatives, the average Ramsey County senatorial district should contain, according to 1950 census figures, 50,762 persons. A deviation of 20% would set limits of 40,610 and 60,914. Districts 38, 39 and 40 fall within these limits. The least disruption would be caused by combining parts of 41 and 37, making two districts of about 49,000 each. District 42, which in 1950 contained 120,107 persons, should be divided into two districts.

Ramsey County representatives are elected from separate districts, except in 41. In 38 and 39, the present division is equal. Districts 37 and, particularly, 40 need redividing. In Districts 41 and 42, suburban-urban interests might well be considered in making representative districts.

c See next page.



c

Hennepin County - It is recommended that Hennepin County have thirteen senators and twenty-six representatives. Of these, the City of Minneapolis would have nine senators and eighteen representatives. The ideal Minneapolis district would thus contain 57,960 persons; with a 20% deviation, limits would be from 46,368 to 69,552.

To keep the districts within these limits, the least disruption would be caused by:

preserving boundaries of Districts 29 and 34.

placing part of District 35 (79,830) in adjoining District 28 (28,258) and part in District 30 (38,172). This would make three districts of approximately 48,000 each.

placing part of District 32 (84,285) in District 31 (42,747) to make two districts averaging about 63,000.

dividing District 33, which contains 123,785 persons, into two districts.

It is further recommended that four senators and eight representatives be assigned to suburban Hennepin County. In 1950, this area had 153,455 persons, which would have entitled it to about three and one-half senators. It would seem only just that a reapportionment done late in the census period assign this area four senators and eight representatives, for the following reasons:

The 1960 census will probably show a population in this area of at least 275,000 persons (entitling it to six senators and twelve representatives).

The need for extra representation in the suburbs is particularly acute because of the difficult problems of schools, transportation, utilities, road-building, etc., accompanying the establishment of new units anywhere.

The interests of suburban areas are quite distinct from those of Minneapolis and need separate representation.

The suburban legislator must care for the problems of many kinds of governmental subdivisions - townships, villages, cities, school districts - giving his job a complexity not encompassed by that of the strictly urban representative.

Population estimates for 1958 indicate that an equitable suburban division would be:

- (1) Bloomington, Richfield, Ft. Snelling
- (2) Edina, Morningside, Hopkins, St. Louis Park
- (3) Golden Valley, New Hope, Crystal, Robbinsdale, Brooklyn Center, Brooklyn Park
- (4) Lake Minnetonka, Eden Prairie and remaining rural Hennepin County.



Appendix V.

History of Reapportionment in Minnesota

In the 100 years that Minnesota has been a state, its legislature has been reapportioned 7 times. In the first 40 years of this century, reapportionment was done 6 times; in the last 60 years, only once.

The inevitable problem in any reapportionment is the shift in control following transfer of legislative seats. Starting with the reapportionment of 1860, the shift of representation was from the older, southeastern part of Minnesota to the more recently settled north and west - a shift largely circumvented by increasing the size of the legislature.

Reapportionment of 1860. This was the only redistricting act in Minnesota's history that did not increase the size of the legislature. Actually, the Senate was reduced from 37 to 21, the House from 80 to 42.

Reapportionment of 1866. An addition of 1 senator and 5 representatives brought the Senate to 22 and the House to 47.

Reapportionment of 1871. A 75% increase in population during the previous 5 years made necessary either a tremendous shift in legislative power or a greatly increased legislature. The legislature chose the latter alternative, increasing the Senate from 22 to 41 and the House from 47 to 106.

Reapportionment of 1881. This act was the first large-scale redistribution of legislative seats. Although the population had increased by 78% during the previous 10 years, this increase was met by a substantial transfer of seats from south and east to north and west. The Senate was increased from 41 to only 47, and the House from 103 to only 106.

Reapportionment of 1888. Discrimination against Hennepin and Ramsey Counties appeared for the first time. Even so, their great growth made it necessary to increase Hennepin from 2 to 6 in the Senate and from 10 to 15 in the House; Ramsey went from 2 to 4 in the Senate and from 7 to 10 in the House. The Senate was increased from 47 to 54 and the House from 103 to 114.

Reapportionment of 1897. Again the legislature was increased - from 54 to 63 in the Senate and 114 to 119 in the House. The act was equitable throughout the state though somewhat underrepresenting the metropolitan areas. Hennepin and Ramsey gained only 1 senator and 1 representative each; Hennepin now had 7 and 16; Ramsey 5 and 11.

Reapportionment of 1913. The overrepresentation of southern Minnesota and underrepresentation of the 3 most populous counties, revealed by the 1910 Census, delayed redistricting in 1911. Instead, a constitutional amendment was put before the voters in 1912. This



was known as the Seven Senators Bill, since it permanently restricted Hennepin to that number in the upper House. It was defeated at the polls.

The 1913 Legislature passed 2 reapportionment measures - the statute which still governs and, again, the Seven Senators Bill. The statute increased the Senate from 63 to 67 and the House from 119 to 130 (the 131st was added in 1921 to District 65). Southern Minnesota took the greatest loss of representation. Northern Minnesota gained 5 senators and 14 representatives; Hennepin, 2 senators and 2 representatives; Ramsey, 1 senator and 1 representative; St. Louis, 2 senators and 4 representatives.

At the election of 1914, the voters again - and by a larger majority - rejected the Seven Senators amendment. This was the last constitutional amendment on reapportionment passed by the legislature, just as the 1913 act was the last statutory reapportionment. During the ensuing 45 years, the population of Minnesota has increased by 44%, with some legislative districts now underrepresented by as much as 371%.

**1957** - Bills and Constitutional Amendments introduced and considered dealing with Legislative Reapportionment

1957

SENATE:

- I. S. F. 816 Sinclair, Rosenmeier  
A bill for an act reapportioning representation in the House and Senate of the Legislature, conditioned upon adoption of a Constitutional Amendment.  
Disposition: Senate Journal 1957  
P. 371 - read for the first time and referred to the Committee on Elections and Reapportionment - not returned.
- II. S. F. 401 Gillen, E. L. Andersen and Wefald  
A bill for an act to prescribe the bounds of Senatorial and Representative Districts, to apportion anew the senators and representatives among the several districts.  
Disposition: Senate Journal 1957  
P. 174 - read for the first time and referred to the Committee on Elections and Reapportionment - not returned.
- III. S. F. 182 O'Loughlin, Butler, Wright  
A bill for an act proposing an amendment to the Constitution of the State of Minnesota, Article IV, Section 2 pertaining to reapportionment of the State Legislature (apportion on population basis).  
Disposition: Senate Journal 1957  
P. 114 - read for the first time and referred to the Committee on Judiciary  
P. 502 - removed from the Committee on Judiciary and re-referred to the Committee on Elections and Reapportionment - not returned.
- IV. S. F. 815 Sinclair, Rosenmeier  
A bill for an act proposing an amendment to Article IV of the Constitution of the State of Minnesota, pertaining to the apportionment of representation in the number of members and term of office of senators and representatives in the Legislature. (Apportion on population basis.)  
Disposition: Senate Journal 1957  
P. 371 - read for the first time and referred to the Committee on Elections and Reapportionment  
P. 1386 - bill reported back from committee with recommendation for amendment and passage as amended. Amendment adopted.  
P. 1393 - read the second time  
P. 1486 - notice given by Mr. Sinclair that on April 12 he would move to make S. F. 815 a Special Order of business for a day certain.  
P. 1676 - motion made that S. F. 815 be made a Special Order of business for April 18, 1957, motion carried.  
P. 1871 - Mr. Sinclair moved that S. F. 815 be removed from Special Orders, motion prevailed.



V. S. F. 987 Zwach

A bill for an act proposing an amendment to the Constitution of the State of Minnesota, Article IV, Section 2 and 23 relating to apportionment of members of the Legislature. (Apportion House by population, Senate by population and area.)

Disposition: Senate Journal 1957

P. 494 - read the first time and referred to the Committee on Elections and Reapportionment - not returned.

VI. S. F. 912 Imm

A bill for an act proposing an amendment to the Constitution of the State of Minnesota, Article IV, Sections 1-9, 11-14, 16-25 and 29, and the repeal of Article IV, Section 10 so as to provide for a unicameral legislature.

Disposition: Senate Journal 1957

P. 429 - read the first time and referred to the Committee on Judiciary

P. 502 - withdrawn from the Committee on Judiciary and re-referred to the Committee on Elections and Reapportionment - not returned.

VII. S. F. 160 O'Loughlin, Butler, Wright

A bill for an act proposing an amendment to the Constitution of the State of Minnesota, Article IV, Section 23, pertaining to census enumeration and apportionment of the State Legislature. (Compelling reapportionment in 1963 and every 10 years by federal census.)

Disposition: Senate Journal 1957

P. 107 - read the first time and referred to the Committee on Judiciary

P. 502 - withdrawn from the Committee on Judiciary and re-referred to the Committee on Elections and Reapportionment - not returned.

VIII. S. F. 188 Fraser, Schultz, Kalina

A bill for an act proposing an amendment to the Constitution of the State of Minnesota, Article IV, Section 23, pertaining to the establishment of Senatorial and Representative District boundaries and for the apportionment of the senators and representatives thereto. (Gives Governor the power to appoint a commission to redistrict and reapportion if the Legislature fails to do so.)

Disposition: Senate Journal 1957

P. 115 - read the first time and referred to the Committee on Judiciary

P. 502 - withdrawn from the Committee on Judiciary and re-referred to the Committee on Elections and Reapportionment - not returned.

IX. S. F. 1089 Erickson, Zwach, Josefson

A bill for an act proposing an amendment to the Constitution of the State of Minnesota, Article IV, Sections 2, 23 and 24, pertaining to membership in the Legislature.

Disposition: Senate Journal 1957

P. 570 - read the first time and referred to the Committee on Judiciary

P. 662 - withdrawn from the Committee on Judiciary and re-referred to the Committee on Elections and Reapportionment - not returned.

HOUSE:

- I. H. F. 450 Bergerud, Popovich, Noreen, Anderson, H. J., Adams  
(Companion to S. F. 401)

Disposition: House Journal 1957

P. 212 - read the first time and referred to the Committee on Reapportionment  
P. 841- reported back from committee with amendment, recommended passage with amendment.  
P. 844 - read the second time  
P. 871 - bill reported properly engrossed by the Committee on Engrossing and Enrolling  
P. 1060 - notice given that a motion would be made on March 21, 1957 to place the bill on Special Orders for a day certain.  
P. 1150 - motion made that H. F. 450 be made a Special Order for March 26, 1957. Motion carried 65-61.  
P. 1158 - recommended to be advanced to second place on General Orders by the Committee of the Whole  
P. 1255 - Committee of the Whole recommended progress  
P. 1328 - Committee of the Whole recommended progress  
P. 1360 - H. F. 450 was recommended to pass with amendment.  
P. 1395 - H. F. 450 read the third time. Mr. Widstrand moved to amend the bill (passed). Bill was passed 68-61. Motion for reconsideration failed.  
P. 1411 - H. F. 450 reported correctly engrossed.  
P. 2276-7 - H. F. 450 reported back from the Senate as amended by that body. Mr. Bergerud moved that the House refuse to concur in the Senate amendment and that the Speaker appoint a 5 member conference committee. A motion was made to lay H. F. 450 on the table, passed 68-59.

- II. H. F. 1330 Iverson (Companion to S. F. 815)

Disposition: House Journal 1957

P. 817 - read for the first time and referred to the Committee on Reapportionment - not returned.

- III. H. F. 514 Otto (Companion to S. F. 160)

Disposition: House Journal 1957

P. 239 - read the first time and referred to the Committee on Reapportionment - not returned.

- IV. H. F. 1331 Iverson (Companion to S. F. 816)

Disposition: House Journal 1957

P. 817 - read the first time and referred to the Committee on Reapportionment - not returned.

- V. H. F. 409 Iverson, C. G. Olson, Jensen (Companion to S. F. 1089)

Disposition: House Journal 1957

P. 188 - read the first time and referred to the Committee on Reapportionment.  
P. 841 - Committee on Reapportionment recommended amendments, report adopted.  
P. 844 - read the second time.



- P. 871 - reported as properly engrossed
- P. 1158 - recommended by Committee of the Whole to be advanced to the head of General Orders.
- P. 1255 - Committee of the Whole recommended progress
- P. 1327 - Committee of the Whole recommended passage with amendment.
- P. 1357-8 - read the third time and placed for final passage. Passed 94-15.
- P. 1366 - reported as being correctly engrossed.
- P. 2276 - passage of the bill with amendments by the Senate was announced; Mr. Iverson moved that the House refuse to concur with the Senate amendments, and that the Speaker appoint a 5 member conference committee, motion passed.
- P. 2397 - Conference committee appointed consisting of Messrs. Iverson, Bergerud, Battles, Duxbury and Adams.

VI. H. F. 475 Hagland

A bill for an act creating an interim commission to study the feasibility of reapportioning the Legislative Districts and appropriating money therefore.

Disposition: House Journal 1957

P. 216 - read the first time and referred to the Committee on Rules - not returned.

VII. H. F. 513 Otto (companion to S. F. 182)

Disposition: House Journal 1957

P. 239 - read the first time and referred to the Committee on Reapportionment - not returned

VIII. H. F. 795 Wichterman, Battles, Bergeson

A bill for an act proposing an amendment to the Constitution of the State of Minnesota, Article IV, Sections 2, 23 and 24 pertaining to membership in the Legislature.

Disposition: House Journal 1957

P. 388 - read for the first time and referred to the Committee on Reapportionment - not returned.

IX. H. F. 1565 Bergerud, Noreen, Iverson

A bill for an act pertaining to the amendment to the Constitution of the State of Minnesota, Article IV, Section 2, pertaining to the Legislature.

Disposition: House Journal 1957

P. 1057 - read the first time and referred to the Committee on Reapportionment

P. 1880 - reported back from committee with proposed amendments and without recommendation.

P. 1883 - read the second time

P. 1912 - reported to be properly engrossed by the Committee on Engrossing and Enrolling

Extra Session 1957:

X. H. F. 7 Enestvedt

A bill for an act proposing an amendment to the Constitution of the State of Minnesota, Article IV, Sections 1-9, 11-14, 16-25 and 29, and the repeal of Article IV, Section 10, so as to provide for a unicameral legislature.

Disposition: House Journal 1957

P. 2946 - read the first time and referred to the Committee on Rules - not returned.