

Committee Section
Representative Government
National Board Report
September 1969

LEAGUE OF WOMEN VOTERS OF THE UNITED STATES

REPRESENTATIVE GOVERNMENT

APPORTIONMENT	Support of apportionment of both houses of state legislatures substantially on population.
DISTRICT OF COLUMBIA	Support of self-government and representation in Congress for citizens of the District of Columbia.

TAX RATES AND TREATY MAKING

- . Opposition to constitutional limitations on tax rates.
- . Opposition to constitutional changes that would limit the existing powers of the Executive and Congress over foreign relations.

Apportionment

Perhaps in no other area in recent times has the action of the League of Women Voters been the major factor in determination of an issue.

The work of state Leagues to prevent passage in their state legislatures of resolutions for a constitutional convention to propose a constitutional amendment allowing apportionment of one house of state legislatures on factors other than population has made the news and enhanced the image of the League as a persistent, effective force. State League action for rescission of resolutions already passed, although not completely successful to date, has been important in getting passage of rescinding resolutions in one house in six states: Texas, North Carolina, Illinois in 1969; Kansas in 1968; Washington in 1967; Maryland (both in 1967 and 1969).

Quick and sophisticated reporting by state Leagues to the national office of things about to happen builds the reputation of the national League (and has elicited comment in magazines, newspapers, and publications of other organizations) as the source of news about what is likely to happen, where the action is, and what the status of petitions and rescissions is.

The Future of Resolutions for a Convention. Some observers believe that with the death of Senator Dirksen, the principal proponent of a constitutional amendment on legislative apportionment, the threat of a convention is over. However, it is quite clear that swift and unexpected attempts may be made to get the 34th state legislature to petition for a convention and that the thrust may be made on the basis of providing a memorial to Senator Dirksen in a "Dirksen Apportionment Amendment."

Such a maneuver would pose exceptional difficulties. Only one more state legislature is needed for the 34 (two thirds) required by the Constitution for calling a convention. The added impetus of an emotional kind of argument for passage in a state legislature as a memorial to Senator Dirksen might tip the scales and furthermore might take place quickly, without much time for Leagues to mobilize. Careful watching and reporting is of utmost importance.

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The Status, to Date. Because action has been at the state level this year, Memos have gone to state Leagues. Therefore, unless local League action in a particular state was called for by state League boards, local Leagues have not had a blow-by-blow account.

To share with all of you the picture over the nation of the status of petitions for a convention and of moves to rescind, the following chart is provided.

 APPORTIONMENT OF STATE LEGISLATURES

State *	Date of Petition	Moves to Rescind and Other Information
<u>Alabama</u>	1965	
<u>Alaska</u>		(1967, petition passed House, defeated in Senate by one vote)
<u>Arizona</u>	1965	
<u>Arkansas</u>	1965	(rescission introduced and defeated in 1969)
<u>California</u>		
<u>Colorado</u>	1967	(rescission introduced and defeated in 1968)
<u>Connecticut</u>		(1967, petitioned Congress <u>not</u> to call a convention)
<u>Delaware</u>		(1967, petition passed Senate; 1969, petition passed House)
<u>Florida</u>	1965	(rescission attempts made in 1967 and 1969; failed)
<u>Georgia</u>	1965	(rescission resolution now before interim committee)
<u>Hawaii</u>		
<u>Idaho</u>	1965	
<u>Illinois</u>	1967	(rescission passed House in 1969, bill stalled in Senate committee)
<u>Indiana</u>	1967	
<u>Iowa</u>	1969	
<u>Kansas</u>	1965	(rescission passed in one house in 1968)
<u>Kentucky</u>	1965	
<u>Louisiana</u>	1965	(rescission introduced in 1969, failed)
<u>Maine</u>		
<u>Maryland</u>	1965	(rescission passed Senate in 1967 and 1969)
<u>Massachusetts</u>		
<u>Michigan</u>		
<u>Minnesota</u>	1965	(rescission efforts failed in 1969)
<u>Mississippi</u>	1965	
<u>Missouri</u>	1965	(rescission efforts failed in 1969)
<u>Montana</u>	1965	
<u>Nebraska</u>	1965	(rescission resolution in unicameral had enough co-sponsors to pass it in 1969; withdrawals occurred; defeated on vote)
<u>Nevada</u>	1965	
<u>New Hampshire</u>	1965	
<u>New Jersey</u>		
<u>New Mexico</u>	1966	

* States underlined are those which have passed a petition memorializing Congress to call a constitutional convention. In only these states, of course, are rescission efforts possible.

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New York
North Carolina 1965

(rescission passed House in 1969; transmitted to Congress)

North Dakota 1967
Ohio

(on third attempt, state constitutional revision to apportion substantially on population passed by a vote of the people in 1967)

Oklahoma 1965

(August 1969 -- state attorney general ruled petition invalid on grounds that petition is not a law and reflects only the consensus of the legislature petitioning)

Oregon
 Pennsylvania
 Rhode Island
South Carolina 1965
South Dakota 1965
Tennessee 1966
Texas 1965
Utah 1965

(efforts made to pass resolution in 1967)

(rescission efforts in 1967 and 1969 failed)
 (rescission passed Senate in 1969)
 (suit begun (1969) challenging validity of resolution on grounds that legislature was not legally apportioned at time of passage; chief judge of federal district court ordered return of Utah resolution pending final outcome of suit)

Vermont
Virginia 1965
 ** Washington 1963
 West Virginia
 Wisconsin

(petition passed Senate in 1967; introduced in both houses in 1969; legislature comes back in October)

** Wyoming 1963

** Several states in 1963 passed resolutions for a convention to propose an amendment that would (1) remove apportionment from jurisdiction of federal courts; (2) allow apportionment of both legislative houses on bases other than population. Only Washington and Wyoming did not later also pass the petition for an amendment allowing apportionment of one legislative house on factors other than population.

Sometimes local Leagues in close contact with their state legislators may hear about efforts either to pass or rescind resolutions. To protect our position, both members and League boards must observe and report quickly. This year is crucial. By the time most legislatures meet again, the urgency may have eased.

District of Columbia

In Congress

Recent congressional action on District of Columbia matters relate to both aspects of the League's D.C. item -- representation in Congress for the citizens of the District and self-government.

On October 1, the Senate passed two bills containing proposals made by President Nixon in his April 28 message to Congress on the District of Columbia -- one authorizing a nonvoting Representative in the House for the District of Columbia and the other establishing a Charter Commission for the District. (See May 1969 National Board Report, page 75 for President's proposals.)

Representation in the House of Representatives

S. 2163, introduced by Senator Prouty (R., Vt.) May 13 provides that "the Delegate shall have a seat in the House of Representatives, with the right of debate, but not voting. He shall be at least 25 years of age at the time of his election, shall be a qualified elector in the District, shall have resided in the District for the 3-year period immediately preceding the date of his election, and shall, if elected, hold no other paid public office."

"The Delegate shall be elected by the people of the District of Columbia in a general election," and candidates shall be nominated in a May primary or in a party run-off election (if no candidate receives 40 percent of the vote), or directly by petition. Primary candidates shall be nominated by petition. A similar bill has been introduced in the House by Congressman Ancher Nelsen (R., Minn.)

Passage of a nonvoting delegate bill by both houses of Congress would be far short of the immediate goal of the League of Women Voters of the United States-- full voting representation in the House of Representatives in proportion to population and representation in the Senate. (See following section on Action on Representation in Congress for the District of Columbia.)

Self-government in the District of Columbia

S. 2164, also introduced by Senator Prouty on May 13, provides for the creation of a 13-member, partially elected home rule study commission for the District of Columbia to serve at the same time as a local investigative commission (a local Hoover Commission) to study in detail the operations of the District of Columbia government. More specifically, it is to establish a Commission on Government to examine the feasibility and desirability of various methods by which (1) the structure of the District government may be improved, (2) the District of Columbia may be granted a greater measure of self-government than presently exists, and (3) the District of Columbia government can promote economy, efficiency, and improved service in the transaction of public business in the departments, agencies, and independent instrumentalities of the District government.

Our statement filed on June 16 with the Senate Committee on the District of Columbia said "The League of Women Voters hopes this committee will report a bill that will provide, without further delay, a strong self-government... This is not to say that the League will fail to support a measure that promises but delays self-government, if such a bill is the only one certain of passage in both houses of Congress."

NEW PUBLICATION -- The Nation's Capital: "A Nice Place to Visit -- But."
A Facts & Issues on the District of Columbia. 25¢ each, 10 for \$1.75.

ACTION ON REPRESENTATION IN CONGRESS FOR THE DISTRICT OF COLUMBIA

We're Going to Act! On August 19, Mrs. Benson sent a Memo to local and state Leagues. It asked them to let the national office know, as soon as possible, what Leagues thought of a proposal, as part of the 50th Anniversary, to undertake a national signature gathering drive, petitioning Congress to propose a constitutional amendment for providing full representation in Congress for citizens of the District of Columbia.

The response so far has been most enthusiastically in favor.

"It does seem a natural for the League's 50th Anniversary, particularly since 1970 is also the 50th Anniversary of woman suffrage and the 100th Anniversary of Negro suffrage."

"Absolutely necessary and about time!!! This is what 50 years are all about!"

". . . a project for all members to become involved which would be short term and not terribly complicated."

"We will feel that we are exercising our political muscle a little. I'm afraid it grows a little flabby from disuse."

These few quotes from replies give you an indication of the kind of enthusiasm.

The national Board therefore plans to go forward with the petition idea, much as outlined in the August 19 letter to Leagues.

We plan with Timing in Mind

- 1) Beginning now, plan distribution of the new Facts & Issues on the District (you already have a copy) to members, community, schools, and news media. Begin now to get dates for short talks to other organizations in your community.
- 2) Mention to members the upcoming signature gathering campaign. Put their ideas for publicity and ways to get signatures into the pot for later planning. Program-making meetings might be one occasion, when you mention recent and upcoming action on current national program.
- 3) In January, the kit of instructions and materials will arrive. Planning can then move into high gear. The kit will include a letter from the District League to all Leagues, a sample editorial, spots for use on radio and TV, a sample short speech. There will also be Tips for Signature Gathering, a list of organizations that have an interest in representation in Congress for D.C. citizens, suggestions for getting petitions and signature counts in, especially for those Leagues who will not be sending delegates to the Convention in Washington.

In addition, each League will receive in January, free of charge, 100 or 500 flyers (depending on size of League) to give away in the community near or at

the time of signature gathering. These flyers will be about 6" by 10", with two folds, useful for mailing or putting into coat pockets or purses. They will be simply written, with space on the back fold for Leagues to use, if they wish, to rubber stamp the address and telephone number of the League (or any message you want) below a printed admonition: "For further information, contact the League of Women Voters."

There will be additional flyers available upon order for a minimal price for lots of 100 or 500 or multiples.

4) The January or February NATIONAL VOTER will contain one page, with explanation on one side, petition form on the other, with spaces for signatures and addresses of those signing the petition and for signature and address of the person carrying the petition. Thus every member will have in her VOTER one petition form. For additional forms, local Leagues may duplicate the VOTER page or, using the identical petition language, type or mimeograph forms of the same kind.

5) With these tools and your imagination, planning will continue and the drive will be April 15 to 22.

We Had Some Questions and Some Suggestions. In the letters, telegrams, and telephone calls that came in to the national office, there were suggestions (which those of you who made them will see made a difference) and some questions. The questions were something like these:

"Are we restricted to a two-day campaign?"

No. The time can be adjusted to suit your local needs. While the dates should fall close to the income tax filing deadline and the drive not take longer than one week, if some local problem makes these dates unsuitable or a two-day campaign not feasible, we suggest beginning earlier rather than later than the April 15-22 period (selected as period near income tax filing, to use "taxation without representation" theme) unless you can develop a very good plan for gathering the petitions at the close of the drive.

"May we get signatures from young people?"

The national Board decided to word the petition so that high school and college students under voting age could be included. Some Leagues made the suggestion that involvement of young people in both signing and gathering signatures would be good.

This is not a petition requiring specific action, like putting an issue on the ballot, for example, through the initiative process. The right to petition is guaranteed in the First Amendment to the U.S. Constitution: "Congress shall make no law . . . abridging . . . the right of people peaceably to assemble and to petition the Government for a redress of grievances."

We are simply petitioning for the appropriate redress of a long-standing grievance -- the singling out of D.C. citizens for denial of a right enjoyed by all other U.S. citizens, representation in the body that makes its laws.

Therefore the Board decided that, for a long-range good, to interest future as well as present voters would be very much worthwhile.

Young people may also be used to gather signatures.

"We have some inactive members. Can we really expect every member to get 10 signatures?"

Of course there will be some members -- hopefully in such a short time and for so simple a type of action very few -- who will not participate. There will be other members who will get 20, 25, even over 100 signatures. Even if a member has only one or two signatures on her petition, she should be encouraged to turn it in. Partially filled out petitions are important. Every person who signs is entitled to be counted.

We hope we can make a national goal of one and a half million signatures, roughly ten times our membership.

We are also making plans to contact national organizations which support representation in Congress for D.C. citizens. Members of these organizations can be recruited to help in your signature gathering campaign.

The petition campaign is a way for every member to participate in an issue that affects us all. If she is not able to man one of the stations you may set up for a specified time during a particular two days (or whatever period of time you choose), she can take her petition to her bridge club or to neighbors and friends at her own convenience.

"There is neither interest nor awareness of the District citizen's plight in our community. Can we therefore be very effective?"

Until there is interest and awareness in every community, League efforts will not by themselves be very effective. The petition campaign is a good opportunity to make the injustice more visible. Even if the number of signatures you gather does not measure up to your aim, hopefully you will have made your community more aware of the lack of both self-government and representation in Congress for D.C. citizens.

"Have we forgotten our goal of self-government for the District by including only representation in Congress in our petition?"

Definitely not. The national Board decided to concentrate now on the one goal for these reasons:

Representation in Congress requires not only a two-thirds vote in both houses of Congress but also ratification by three fourths of the state legislatures. In the year of the 50th Anniversary Convention, the sincerity of League commitment, by the gathering in a short period of a large number of signatures, would be demonstrated not only to working for congressional action but also to working later in every state for legislative ratification.

In the realm of the politically feasible and the possible in the 91st Congress, proposal of the amendment seems more likely than enactment of legislation for self-government. The President has proposed a charter study commission for D.C. self-government, which must report its findings and make recommendations. This process, including the commission report, introduction of legislation to implement it, committee hearings in both houses, committee reporting of bills, final House and Senate debate (if bills should reach the floor at all) and voting on the floor, will take time.

Many Leagues will be engaged from now until April in local elections. Leagues might want to call public attention in a variety of ways to the fact that "we in our city can go to vote today for _____ (offices). Our fellow Americans in the District of Columbia are denied such an opportunity. They elect no city officials, no representatives in Congress. They may use their vote once in four years for Presidential electors and every two years for school board members. These are their only two opportunities to be heard through the ballot box."

We Capitalize on the Year of the Voter. Elsewhere in this Board Report, you will read about 1970 as the Year of the Voter -- the 50th anniversary of the League of Women Voters, the 50th anniversary of woman suffrage, and the 100th anniversary of Negro suffrage.

Plans for national publicity for our petition campaign will be a part of the focus of the Year of the Voter.

We Decide on the Language of the Petition. So that you may know now what the language of the petition will be, we end this section with it, with the caution that no circulation of it will begin until the time (within the limits specified earlier in this section) all of us will be working together to get signatures. Part of the impact we can make is to say that within one short week, League members all over the country have collected this very large number of signatures. The figure is not so impressive if we extend the period for an indefinite or an imprecise time, nor do we have the opportunity for news media coverage if we dilute the time period.

TO THE CONGRESS OF THE UNITED STATES

We citizens of the United States, believing that all citizens should have representatives in the body which makes their laws, petition the Congress to propose a constitutional amendment to provide full voting representation in Congress for the Citizens of the District of Columbia.

Tax Rates and Treaty Making

In Pennsylvania the so-called "Liberty Amendment" was introduced into the House on June 25, 1969, with 41 sponsors. A state Time for Action based on the national position was sent out to urge that this Resolution not be reported from committee.

Recently a concurrent resolution was introduced into the state senate with four sponsors. The state League then sent a limited Time for Action to the Leagues in the senatorial districts of the sponsoring senators and the state League wrote to the Constitutional Changes and Federal Relations Committee of the state senate to which the resolution had been referred. (This proposal has been introduced almost every year in Pennsylvania and has never been reported out of committee.) The Pennsylvania League, as usual, will continue to "watch dog" it and will request further action if it should move.

In addition to Pennsylvania, the "Liberty Amendment" also appeared this year in state legislatures in Arizona, Florida, Maine, New Hampshire, Indiana, and California. Some of these legislatures have adjourned.

For background on this national program item, please refer to pages 28-29 and viii and ix in the Appendix of Study and Action, 75 cents from the national office.

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The League of Women Voters of the United States was organized on the 15th of September, 1909, at the annual convention of the International Woman Suffrage Alliance, held in London, England. The League was organized as a national organization, and its purpose was to promote the education of the citizenry in the principles of democracy, and to secure the participation of women in the government of the United States. The League was organized as a national organization, and its purpose was to promote the education of the citizenry in the principles of democracy, and to secure the participation of women in the government of the United States.

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