

APPORTIONMENT AND REAPPORTIONMENT IN INDIANA:
POLITICAL IMPLICATIONS OF INDIANA REAPPORTIONMENT

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This study was prepared for the House Committee on Reapportionment of the 1957 Session of the Indiana General Assembly in order to provide a summary of information on legislative apportionment in other states, to examine what effects reapportionment would have upon present legislative districts, and to suggest how reapportionment might affect the political party complexion of selected counties so far as General Assembly representation is concerned.

Since the Bureau was founded in 1936, it has had three principal functions: (1) research of both a service character and academic nature on local and state governmental problems, (2) training and educational service functions such as conferences, schools and institutes on behalf of public officials, governmental bodies and civic groups in the state of Indiana, (3) reference and advisory services to state and local officials. In addition, it provides training for students in the techniques, processes and issues affecting state and local government.

In recent years considerable attention has been given to the vexatious but highly important problems of reapportionment. Numerous articles, monographs, and news stories have appeared on the subject. Significant changes have been made in provision for legislative reapportionment in some states, notably Missouri, Illinois and New York. There has been, however, considerable public apathy about so important a subject.

To the general public such terms as apportionment have little immediate interest. The man on the street does not relate legislative apportionment to the problem of How to Make and How to Keep his government responsive to the needs of society. In a sense there is no more paramount problem of democracy. Certainly the matter of devising a system of representation which will most adequately reflect the wishes of the whole public is a vital prerequisite to a responsive government. To reflect the wishes of all, all must somehow share in the making of decisions. As Aristotle said, "If liberty and equality, as is thought by some, are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the Utmost."

We are concerned in this paper primarily with the effects of the failure of the General Assembly since 1921 to implement the provisions of Article 4, Sections 4, 5 and 6, of the Indiana Constitution. The provisions state that:

Section 4. Enumeration - - The General Assembly shall, at its second session after the adoption of this Constitution, and every sixth year thereafter, cause an enumeration to be made of all the male inhabitants over the age of twenty-one years.

Section 5. Apportionment - - The number of Senators and Representatives shall, at the session next following each period of making such enumeration, be fixed by law, and apportioned among the several counties, according to the number of male inhabitants, above twenty-one years of age, in each: Provided, that the first and second elections of

members of the General Assembly, under this Constitution, shall be according to the apportionment last made by the General Assembly, before the adoption of this Constitution.

Section 6. Districts - - A Senatorial or Representative district, where more than one county shall constitute a district, shall be composed of contiguous counties; and no county, for Senatorial apportionment, shall ever be divided.

The township trustees may be criticized for not making an enumeration every six years as provided by law, or the county councils may be at fault for not appropriating money for such enumeration or the General Assembly may be morally, if not legally, condemned for not taking suitable measures to enforce the constitutional provisions or for failing to amend the constitution. But until such time as public opinion makes a strong demand for the fulfillment of the doctrine of "one man, one vote" no significant changes can be expected.

We do not intend to imply that a statistically perfect system of legislative representation will automatically guarantee perfect responsiveness. Data on the ratios of assembly members to population does not necessarily mean that one-half million citizens have no voice because they are under-represented nor that four hundred seventy-five thousand citizens have too much voice because they are over-represented. Many other factors contribute to the problem of representation in today's highly complex society.

Two factors, especially, tend to modify the statistics of district representation. One factor of ever increasing importance is the power of the governor as a legislative leader. This century has seen the rise of the governor to a preeminent position of power in the states. Elected by the people of the whole state and possessing tremendous political leverage, the governor can modify or cancel entirely the bad effects of the worst "rotten borough" system. An interest with no visible representation in the state legislature, if it has the governor's ear, has little difficulty in enactment of its program.

A second modifying factor is the ever growing influence of functional or interest groups. While such groups have always played a part in political affairs in this country, there has been a truly phenomenal growth in organizations and associations since the first World War, ranging from the American League to Abolish Capital Punishment through the American Sunbathing Association to the Zontal International. More than four thousand national associations have been listed by the Department of Commerce while uncounted thousands of others hold meetings, collect dues and promote programs. Many organizations engage in little or no political activity. But on the local, state, and national scene are many functional groups which are highly organized, highly active, and, to the uninitiated citizen, unbelievably successful in formulating public policy.

Today it would be difficult to find many adults who are not members of at least one organization. Any reasonably active citizen is more likely to carry a half dozen or more membership cards in his wallet entitling him to all the rights and privileges of whatever association to which he has

paid dues. Such citizens may never be on the winning side in an election but their interests may still be favorably presented in the legislative halls.

In recent sessions of the Indiana General Assembly from eighty to one hundred organizations have registered as required by the 1913 Lobbyist Act. Many other organizations and individuals are engaged in the business of appearing before committees and in button-holing Assembly members. Some un-registered lobbyists (such as governmental officials) are exempt from the law; others do not consider themselves as paid lobbyists. But, registered or not, the interest groups form the "Third House" of the Legislature. It is organized and operated on a functional basis in contrast to the House and Senate which are constituted on the basis of geography and population. The Third House not only complements the two constitutional organs but is indispensable to the legislative process, as a source of information and advice and, most importantly, as innovator of policy and social change.

As promoter of functional interests, the Third House plays an active and vital role, especially in this atomic age of rapid technological change when the gap grows wider between common experience and scientific advance. The interest group not only serves as a voice for those with direct and self-fish motives to promote but it serves as a channel whereby those with special knowledge and expertise can bring their special knowledge to the public's attention and gain access to governmental sanctions.

On the other hand, the legislature complements the Third House and minimizes the dangers of class warfare by filling its role of compromise. The legislator, as are all politicians in the best sense of the term, is at his best, not as a policy innovator, but as a mediator between conflicting interests and ideas. His role is to find a middle ground upon which agreement can be reached.

But the very virtue of compromise may at times be a weakness, especially in these times of rapid technological change. Certain problems may arise, such as sudden economic collapse, war, atomic radiation, or natural catastrophe which so dislocate normal living habits that emergency and radical innovations are needed. Especially at these times the legislator needs a prod and a spur to action.

It is suggested that the tensions aroused during the 1957 Session of the Indiana General Assembly on such matters as the "Right to Work" bill, the time question, school support, or tax increases would have been greatly magnified if there had been direct representation of interest groups in the Assembly, in place of the moderating influence of politicians serving their neighborhoods.

Of all the interest groups making up the Third House in Indiana several are especially influential. Based on our experience of more than a decade of research on legislative problems, work with interim commissions and in helping guide certain legislation through from the idea stage to bound statutes, we would list the following members of the Third House as among the leaders: Indiana Farm Bureau, State Chamber of Commerce, State Teachers Association, Indiana Motor Truck Association, Indiana County and Township Officials Association (and especially some of its member

organizations such as the Township Trustees and their allies, the School Bus Drivers' Association and the Sheriffs' Association), and the loosely knit Association of Indiana Insurers. Close behind the "Big Six" would come the Retail Grocers and Meat Dealers Association and Indiana Chain Store Council, Indiana Petroleum Industries Committee (and other members of the Highway Users Conference), Real Estate Association, the Indiana Bankers Association, Savings and Loan League, State Medical Association, Brewers Association, Indiana Taxpayers' Association, Building Congress of Indiana, American Legion and Veterans of Foreign Wars, the Federation of Labor and the Industrial Union Council (C. I. O.), and the Indiana Manufacturing Association.

The listing of large membership organizations is not to say that other interests or groups, such as the public utilities and railroads, are not alert or without voice, nor does a listing of presently important members of the Third House mean that there is no turnover of membership. Changing times and conditions bring new groups to the front and push old ones to the rear. Gone and almost forgotten are the G.A.R. and the K.K.K. and the Anti-Saloon League.

The influence of the Farm Bureau and the Chamber of Commerce rests not alone upon the size of their membership. Both organizations carry on continuous educational programs on broad questions of public policy. Especially before legislative sessions discussion meetings on a give and take basis are held throughout the state on legislative topics. Hence, each organization's legislative program has already been tempered by public opinion as well as extensively publicized before reaching the legislative floor.

Not only does each major functional group give its legislative program a test run before the session but ordinarily the actual bills are apt to be drafted in rough form ready for submission. In addition, in recent years there has been an increasing use of interim study commissions in which legislators or a combination of legislators and functional groups study a particular problem, work out the necessary compromises and draft bills for the next session to ratify. Thus, by means such as these the General Assembly is able to digest the number of bills placed on the calendar during each sixty-one day session. If each member would do nothing but read the thousand or more bills introduced, he could only spend eighty-seven minutes reading and digesting each bill.

Therefore, it is suggested that the Third House permits a blending of the virtues of functional or interest representation with the advantages of representation according to numbers. Likewise, one of the chief dangers of the Third House, the domination of public policy by one group, is allayed, although imperfectly, by the countervailance or counter-balance of other groups. Not for long can any one group ride rough shod over others, counter to public opinion. When any one group threatens to become too dominant, other groups tend to band together against it. This is not to say that for short periods of time much damage can not be done by the extremist.

The ever increasing importance of the Third House as policy maker along with the inadequacies of state legislatures meeting on a biennial

basis for a sixty-one day session have changed the nature of the legislature from a body which deliberates on state policy to a body that acts more nearly in a judicial capacity. The members come once each two years to sit and listen to the ideas and programs of interest groups and individuals. It endeavors to separate fact from fiction, weigh the evidence pro and con, and finally render its decision in the form of votes for or against bills which usually are the result of compromises between extreme positions.

If it is true that in today's society the multiplicity of special interests of the citizen is increasingly promoted and represented through associations and organizations then it becomes even more important that we have legislative bodies elected by voters of equal weight so that one man's vote is no less or greater than that of any other man. For if the Third House promotes the special welfare of the individual then somewhere someone must promote the general welfare. With all of its imperfections a legislature comprised of men of good will and elected from equal districts by voters of multiple interests is apt to know best how to compromise special interests into the general welfare.

The advocates of legislative reapportionment in Indiana have been most disappointed at their attempts since 1921 to secure equitable representation in the Indiana General Assembly. The last legislative apportionment, made in that year, was very equitable for its time but vast population growths and shifts have brought about inequalities today. Presently there are over a half-million citizens of Indiana not equitably represented in the state House of Representatives and over four hundred seventy-five thousand citizens not equitably represented in the state Senate. At the same time, representation is held by certain legislative areas in the state far beyond what their populations merit. For every Hoosier inadequately represented in the state legislative body, there is another citizen with much more effective representation in some other part of the state (See Tables 1 and 2 of the Appendix).

For example, Vermillion County has one representative for a 1950 population of 19, 723 as compared to St. Joseph County's three representatives for 205,058 persons or 68,352 per representative. In effect, then, a Vermillion County vote is worth more than three and one-half times as much as a vote for state representative in St. Joseph County. The inequity in the Senate is comparable. Lake County has three senators for 368,152 persons in 1950 while Parke and Clay together have one senator for 39, 592 persons. The effect here is that a voter in Parke and Clay has more than three times as much influence in terms of representation as a voter in Lake County.

The idea of representation means many things to many people. Representation may be according to population, geography, economic or social interests or other bases. In the United States representation according to population or geography or a combination of the two is the most widely used method. Thus, plans calling for legislative reapportionment in the present session of the General Assembly would have the General Assembly apportioned in 1961 on the basis of the Federal Census. The use of the Federal Census as a basis for legislative apportionment would tend to put Indiana more in line with situations that exist in other states which have

recently reapportioned. By this means we would no longer use an antiquated apportionment base depending upon the number of male citizens over the age of twenty-one years.

On the basis of experience in Indiana and most other states, it would seem that any reapportionment scheme for the state should contain automatic provisions. Thus, if the General Assembly failed to reapportion the legislative districts as the Constitution directed, a state commission would be called upon to accomplish the task. The recent plan that brought about reapportionment in Illinois contained such an automatic feature. In such states as Texas, California, and South Dakota the potential use of such commissions has spurred the legislature to apportionment action. In Arizona, Ohio, Missouri and to a certain extent in Arkansas the function of reapportionment has been removed entirely from legislative hands. While such schemes do not necessarily guarantee equitable legislative apportionment, it is easy to see why those truly interested in equitable legislative apportionment would either remove the apportionment function completely from legislative hands or provide for automatic commission apportionment in the absence of legislative action.

The unit of representation may pose a problem in questions of apportionment. In a nation where functional representation has not run the course of custom and usage we still rely upon territory or more specifically governmental units for the base of representation. Yet in view of the virtual impossibility of devising equitable units of representation when restricted to county lines, a more equitable system of legislative districts might be devised by dividing counties for purposes of representation. Any reshifting of district lines by counties will still result in inequalities no matter how the lines are drawn.

On the other hand it might be well to think in terms of preserving as nearly as possible the status quo and changing the present legislative situation as little as possible by increasing the size of the General Assembly. If the size of the house were to be increased to one hundred twenty-five members only Parke County would lose its representative and have to be joined with another district while House seat gains would fall as follows:

Allen-Whitley	2	LaPorte-Starke	1
Delaware	1	Monroe	1
Elkhart	1	Posey-Vanderburgh-	
Hancock-Madison	1	Warrick	2
Marion-Johnson	6	St. Joseph	3
Lake-Porter	7	Tippecanoe-Warren	1

Likewise, if the Senate were to be increased by a fourth to sixty-two members no existing legislative districts would lose a senator and Senate seat gains would result as follows:

Lake	3	Hancock-Henry-Madison	1
St. Joseph-Marshall	2	Posey-Vanderburgh-	
Marion-Johnson	3	Warrick	1
Allen-Noble	1	LaPorte-Starke	1

These House and Senate gains and losses of legislative seats were arrived at by using a system of major fractions. If a county is entitled to less than one-half of an additional legislator, the county or district would not gain an additional legislator.

Viewed in terms of only one legislative district losing any representation and the maintenance of the status quo, it might be well to secure more equitable representation for presently under-represented areas of the state by simple increases in the size of the legislative bodies.

With the political scene and complexion in the State of Indiana it is not surprising that any consideration given to legislative reapportionment draws heavily on the political implications involved. With this in mind it is necessary to get an exact picture of the political situation existing in the state as reapportionment is viewed in its several aspects. Recent scholarship has pointed out that the so-called urban-rural conflict in state legislatures is in essence Democratic-Republican conflict and that sectional conflicts may exist only in myth. With this view of urban-rural conflict in mind we must still consider the actual Indiana case. While Indiana lacks the great urban centers that other states may possess and which may hold half of the voting population, it is still accurate to speak of urban centers in Indiana. However, it is to be also noticed that such urban centers in the state are not the monopoly of either of our major political parties, and the stereotyped picture of urban Democratic centers does not necessarily develop in Indiana on election day. Since such urban centers would tend to gain representation under a new apportionment we have made an examination of the voting habits of certain counties in regard to the vote for either a single state representative or an entire slate. The entire period of study from 1916 through 1956 contains an early period of Republican ascendancy in Indiana, the high tide of New Deal strength, and the period of Republican ascendancy again since 1940. Along with counties tending to gain representation under a new apportionment are also considered a group of counties which would tend to lose representation because they are presently over-represented and are found in an area of the state that has been losing population since 1910.

Political Complexion of Selected
Under-Represented Counties in House in Relation to
County Vote for State Representatives

County	1916-1928		1930-1938		1940-1956		Total	
Marion	7-R	0-D	0-R	5-D	8-R	1-D	15-R	6-D
Lake	7-R	0-D	0-R	5-D	0-R	9-D	7-R	14-D
Allen	5-R	2-D	1-R	4-D	9-R	0-D	15-R	6-D
St. Joseph	5-R	2-D	1-R	4-D	1-R	8-D	7-R	14-D
Vanderburgh	6-R	1-D	0-R	5-D	5-R	4-D	11-R	10-D
Delaware	7-R	0-D	3-R	2-D	6-R	3-D	16-R	5-D
Monroe	6-R	1-D	3-R	2-D	8-R	1-D	17-R	4-D

Political Complexion of Selected
Over-Represented Counties in House in Relation to
County Vote for State Representatives

County	1916-1928		1930-1938		1940-1956		Total	
Morgan	7-R	0-D	2-R	3-D	9-R	0-D	18-R	3-D
Parke	7-R	0-D	4-R	1-D	8-R	1-D	19-R	2-D
Vermillion	5-R	2-D	0-R	5-D	5-R	4-D	10-R	11-D
Sullivan	0-R	7-D	0-R	5-D	1-R	8-D	1-R	20-D
Fountain	5-R	2-D	3-R	2-D	8-R	1-D	16-R	5-D
Clay	4-R	3-D	0-R	5-D	4-R	5-D	8-R	13-D

In counties where under-representation is most greatly exhibited at the present time a new scheme of apportionment based on the Federal Census and a 100-member House would probably bring an additional six representatives to the Democratic counties of Lake and St. Joseph and six additional representatives to the Republican counties of Marion, Allen, Vanderburgh, Delaware, and Monroe. It is to be noted that the urban areas of Indianapolis, Ft. Wayne, Evansville, and Muncie are located in these Republican counties. Thinking in terms of counties as they would tend to lose representation greatly under a new apportionment scheme, it seems that the losing counties are equally divided between the two major parties. Thus loss and gain of legislative seats in the House under a new apportionment plan would at either extreme be evenly divided politically.

Another political happening needs mention also. In counties where a slate of representatives are chosen or where an additional joint-representative is voted for it appears that both parties may share at times in the county representation. The following table illustrates this political trend since 1916:

Number of Elections When Vote for State Representative Was
Divided Within County, 1916-1956

Knox	3	Vanderburgh	1	*Elkhart	1
LaPorte	2	*St. Joseph	1	Lake	1
Marion	2	Cass	1	Howard	2
*Vigo	2	*Delaware	1		

*These counties do not share in the election of joint-representative.

Finally, another political development in Indiana needs some consideration. This development is the tendency for a county to vote one way for the ticket-header and yet another way for the office of state representative. This tendency seems to be more common in counties contained in joint-legislative districts. A study of nine elections since 1940 shows that forty-five different counties, at varying frequencies, have voted one way for the ticket-header and another way for the candidate or a majority of the candidates for

state representative. There were eight hundred twenty-eight possible variations for ninety-two Indiana counties and eighty-nine actual variations for the forty-five counties in which such ticket-splitting occurred as the following table shows:

Frequencies of Variation on Vote for Ticket-Header
and State Representative Candidates 1940-1956

A. Counties Not in Joint Districts

Vermillion	3	Miami	1	Fountain	1	Greene	1
Monroe	1	Floyd	3	Sullivan	1	Clay	2
Bartholomew	2	Gibson	2	St. Joseph	2	Shelby	3
Huntington	1	Vigo	3	Parke	1	Clark	2

Frequencies of Variation on Vote for Head of Ticket
and State Representative Candidates 1940-1956

B. Counties Associated With Joint Districts

Adams	5	Dearborn	2	Warrick	2
Hancock	1	Cass	1	Pike	2
Johnson	1	Howard	3	LaPorte	1
Franklin	2	Ohio	3	Brown	1
Jackson	3	Perry	5	DuBois	1
Washington	4	Wells	1	Martin	2
Harrison	2	Grant	1	Posey	1
Blackford	4	Marion	1	Knox	2
Crawford	2	Putnam	1	Scott	3
Lake	1	Starke	2		

In regard to the political implications of Indiana reapportionment, special consideration has been given to voting habits in urbanized counties; and the resulting situation is one of both parties being represented by an urban base. Thus the gain and loss of legislative seats under a new apportionment would be shared by both of the major parties. In view of certain tendencies for counties to vote for a state representative of different political affiliation than the ticket-header voted for it seems that two-party politics involves more than Presidential voting habits in a county. A new scheme of equitable apportionment based upon population would not actually change the political status quo, so far as party strength and alignments are concerned. Such are the political implications of Indiana reapportionment.

TABLE 1

Under-Representation and Over-Representation
in the Indiana House of Representatives (1950 Census)

Under-Represented Legislative Areas		Over-Represented Legislative Areas	
Area	Extent of Under-Rep. Viewed in Terms of Pop.	Area	Extent of Over-Rep. Viewed in Terms of Pop.
Allen-Whitley	45,182	Bartholomew	3,234
Adams-Wells	2,615	Benton-White	9,838
Clark	8,908	Blackford-Grant	2,502
Delaware	11,568	Boone	15,349
Elkhart	5,828	Brown-Jackson	4,896
Fayette-Franklin	83	Carroll-Cass	23,881
Floyd	4,613	Clay	15,424
Hancock-Madison	6,217	Clinton	9,608
Marion-Johnson	105,856	Crawford-Harrison	12,195
Lake-Porter	172,176	Daviess	12,580
LaPorte-Starke	13,406	Dearborn-Ohio	9,978
Monroe	10,738	DeKalb	13,319
Posey-Vanderburgh-		Dubois-Martin	4,879
Warrick	44,399	Fountain	21,506
St. Joseph	87,032	Fulton-Pulaski	10,284
Tippecanoe-Warren	4,324	Gibson	8,622
		Greene	11,456
		Hamilton	10,851
		Hendricks	14,748
		Henry-Rush	13,380
		Howard-Tipton	8,620
		Huntington	7,942
		Jasper-Newton	11,305
		Jay	16,185
		Jefferson-Scott	6,210
		Knox-Pike	20,276
		Kosciusko	6,340
		LaGrange-Stauben	6,908
		Lawrence	4,996
		Marshall	9,874
		Miami	11,141
		Montgomery	10,220
		Morgan	15,616
		Noble	14,267
		Orange-Washington	5,943
		Owen-Putnam	4,629
		Parke	23,668
		Perry-Spencer	5,801
		Randolph	12,201
		Ripley-Switzerland	12,980
		Shelby	11,316
		Sullivan	15,675
		Union-Wayne	3,706
		Vermillion	19,619
		Vigo	12,866
		Wabash	10,295

TABLE 2

Under-Representation and Over-Representation
in the Indiana Senate (1950 Census)

Under-Represented Legislative Area		Over-Represented Legislative Area	
Area	Extent of Under-Rep. Viewed in Terms of Pop.	Area	Extent of Over-Rep. Viewed in Terms of Pop.
Posey-Vanderburgh-Warrick	44,399	Bartholomew-Decatur-Franklin-Union	1,912
Greene-Monroe-Brown	5,491	DeKalb-LaGrange-Steuben	20,227
Marion-Johnson	105,856	Gibson-Pike	32,969
Tippecanoe-Benton	7,251	Jackson-Scott-Washington	22,408
Hancock-Madison-Henry	12,380	Vigo-Sullivan	28,541
Delaware	11,568	Carroll-Clinton-White	14,898
Howard-Miami	4,015	Adams-Blackford-Wells	22,701
Allen-Noble	51,429	Orange-Lawrence-Martin	16,781
Elkhart	5,828	Daviess-Knox	8,507
St. Joseph-Marshall	77,158	Boone-Hamilton-Tipton	10,634
LaPorte-Starke	13,406	Hendricks-Morgan-Owen	18,601
Lake	132,100	Cass-Fulton	23,326
Porter-Newton-Jasper-Pulaski	1,922	Randolph-Jay	28,386
Clark-Jefferson-Ohio-Switzerland	3,081	Wayne	10,118
		Clay-Parke	39,902
		Fountain-Warren-Vermillion	32,520
		Huntington-Whitley	28,456
		Fayette-Rush-Shelby	7,468
		Crawford-Floyd-Harrison	7,582
		Montgomery-Putnam	26,612
		Grant	16,528
		Dubois-Perry-Spencer	22,358
		Kosciusko-Wabash	16,635

APPENDIX

CONSTITUTIONAL PROVISIONS FOR APPORTIONMENT OF STATE LEGISLATURES As of July, 1953

State	B a s i s o f A p p o r t i o n m e n t	
	Senate	House or Assembly
Alabama	Population, except no county more than one member.	Population, but each county at least one member.
Arizona	Districts specifically established by constitution.	Votes cast for Governor at last preceding general election, but not less than if computed on basis of election of 1930.
Arkansas	Population.	Each county at least one member; remaining members distributed among more populous counties according to population.
California	Population, exclusive of persons ineligible to naturalization. No county, or city and county, to have more than one member; no more than three counties in any district.	Population, exclusive of persons ineligible to naturalization.
Colorado	Population.	Population.
Connecticut	Population, but each county at least one member.	Two members from each town having over 5,000 population; others, same number as in 1874.
Delaware	Districts specifically established by constitution.	Districts specifically established by constitution.
Florida	Population, but no county more than one member.	3 to each of 5 largest counties, 2 to each of next 18, 1 each to others.
Georgia	Population.	Population, i.e., 3 to each of 8 largest counties, 2 to each of next 30, 1 each to others.
Idaho	One member from each county.	Total house not to exceed 3 times Senate. Each county entitled to at least one representative, apportioned as provided by law.
Illinois	Population.	Population.

Indiana	Male inhabitants over 21 years of age.	Male inhabitants over 21 years of age.
Iowa	Population, but no county more than one member.	One to each county, and one additional to each of the nine most populous counties.
Kansas	Population.	Population, but each county at least one.
Kentucky	Population.	Population, but no more than two counties to be joined in a district.
Louisiana	Population.	Population, but each parish and each ward of New Orleans at least one member.
Maine	Population, exclusive of aliens and Indians not taxed. No county less than one nor more than five.	Population, exclusive of aliens and Indians not taxed. No town more than seven members, unless a consolidated town.
Maryland	One from each county and from each of six districts constituting Baltimore City.	Population, but minimum of two and maximum of six per county. Each of Baltimore districts as many members as largest county.
Massachusetts	Legal voters.	Legal voters.
Michigan	Districts specifically prescribed by constitution.	Population. (b)
Minnesota	Population, exclusive of non-taxable Indians.	Population, exclusive of non-taxable Indians.
Mississippi	Prescribed by constitution.	Prescribed by constitution, each county at least one. Counties grouped into three divisions, each division to have at least 44 members.
Missouri	Population.	Population, but each county at least one member.
Montana	One member from each county.	Population.
Nebraska	Unicameral legislature--population excluding aliens.	
Nevada	One member for each county.	Population.
New Hampshire	Direct taxes paid.	Population. (c)

New Jersey	One member from each county.	Population, but at least one member from each county.
New Mexico	One member from each county.	(d) Districts specifically established by Constitution.
New York	Population, excluding aliens. No county more than 1/3 membership, nor more than 1/2 membership to two adjoining counties.	Population, excluding aliens. Each county (except Hamilton) at least one member. (e)
North Carolina	Population, excluding aliens and Indians not taxed.	Population, excluding aliens and Indians not taxed, but each county at least one member.
North Dakota	Population.	Population.
Ohio	Population.	Population, but each county at least one member.
Oklahoma	Population.	Population, but no county to have less than one nor more than seven members.
Oregon	Population.	Population.
Pennsylvania	Population, but no city or county to have more than 1/6 of membership.	Population, but each county at least one member.
Rhode Island	Qualified voters, but minimum of 1 and maximum of 6 per city or town.	Population, but at least one member from each town or city, and no town or city more than 1/4 of total, i. e., 25.
South Carolina	One member from each county.	Population, but at least one member from each county.
South Dakota	Population, excluding soldiers and officers of U. S. Army and Navy.	Population, excluding soldiers and officers of U. S. Army and Navy.
Tennessee	Qualified voters.	Qualified voters.
Texas	Qualified electors, but no county more than one member.	Population, but no county more than 7 representatives unless population greater than 700,000, then 1 additional representative for each 100,000.
Utah	Population.	Population, but each county at least one member.

Vermont	Population, but each county at least one member.	One member from each inhabited town.
Virginia	Population.	Population.
Washington	Population, excluding Indians not taxed and soldiers, sailors and officers of U. S. Army and Navy in active service.	Population, excluding Indians not taxed and soldiers, sailors and officers of U. S. Army and Navy in active service.
West Virginia	Population, but no two members from any county, unless one county constitutes a district.	Population, but each county at least one member.
Wisconsin	Population and area.	Population.
Wyoming	Population, but each county at least one member.	Population, but each county at least one member.

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- (a) 1941 action duplicated 1931 apportionment.
 - (b) Any county with a moiety of ration of population is entitled to separate representation.
 - (c) Amendment adopted in November, 1942, reduces the membership of the House of Representatives to not more than 400, and not less than 375, and requires for each representative additional to the first, twice the number of inhabitants required for the first, with the provision that a town or ward which is not entitled to a representative all of the time may send one a proportionate part of the time, and at least once in every 10 years. 1951, ch. 248.
 - (d) In 1953 one member from each county except those of sixth class.
 - (e) Laws, 1943, ch. 359; Laws, 1944, chs. 559, 725, 733 (new apportionment).

CONSTITUTIONAL PROVISIONS FOR APPORTIONMENT OF STATE LEGISLATURES
As of July, 1953

State	Frequency of Required Reapportionment	Apportioning Agency	Dates of Last Two Apportionments	
Alabama	Required every 10 yrs.	Legislature.	1901	1880
Arizona	After every gubernatorial election (2 years).	No provision for Senate, redistricting for House by County Boards of Supervisors.	1952	1950
Arkansas	Required every 10 yrs.	Board of Apportionment (Governor, Sec. of State, and Att'y General). Subject to revision by State Supreme Court.	1951	1941
California	Required every 10 yrs.	Legislature or, if it fails, a Reapport. Comm. (Lt.Gov., Controller, Att. Gen., Sec. of State, and Supt. of Pub. Inst.). In either case, subject to a referendum.	1951	1941
Colorado	Required every 10 yrs.	General Assembly.	1953	1933
Connecticut	Required every 10 yrs.	General Assembly for Senate. No provision for House.	H-1876 S-1953	1941
Delaware	No provision.	1897	
Florida	Required every 10 yrs.	Legislature.	1945	1935
Georgia	Required every 10 yrs.	General Assembly "may" change Senatorial districts. Shall change House apportionment at first session after each U. S. census.	1950	1940
Idaho	Required every 10 yrs.	Legislature.	1951	1941
Illinois	Required every 10 yrs.	General Assembly	1901	1893

Indiana	Every six years.	General Assembly.	1921	1915
Iowa	Required every 10 yrs.	General Assembly.	H-1927 S-1911	1921 1906
Kansas	Every five years.	Legislature.	H-1945 S-1947
Kentucky	Required every 10 yrs.	General Assembly.	1942	1918
Louisiana	Required every 10 yrs.	Legislature.	1921	1902
Maine	Required every 10 yrs.	Legislature.	H-1941 ^(a) S-1951	1931 1941
Maryland	No requirements	Membership frozen for House; no pro- vision for Senate.	1943
Massachusetts	Required every 10 yrs.	General Court.	H-1947 S-1948	1939 1939
Michigan	House required every 10 yrs. Fixed in Senate. }	Legislature or, if it fails, State Board of Canvassers (Sec. of State, Treas., Comm. on State Land Office) apportions House. The Senate is fixed.	H-1953	1943
Minnesota	Required every 10 yrs. and after each state census.	Legislature "shall have power."	1913	1897
Mississippi	Required every 10 yrs.	Legislature "may".	1916	1904
Missouri	Required every 10 yrs.	House: Sec. of State apportions among counties; county courts appor. within counties. Senate: by commission appoint- ed by Governor.	1951	1946
Montana	No requirements.	Legislative Assembly.	1943	1939
Nebraska	From time to time.	Legislature "may".	1935	1920
Nevada	Required every 10 yrs.	Legislature.	1951	1947
New Hampshire	House required every 10 yrs. Senate from time to time	General Court.	H-1951 S-1915	1943 1877

New Jersey	Required every 10 yrs.	Legislature.	1941 1931
New Mexico	No requirements.	No provision.	1949 1912
New York	Required every 10 yrs.	Legislature. Subject to review by courts.	1944 1938
North Carolina	Required every 10 yrs.	General Assembly.	1941 1921
North Dakota	Required every 10 yrs. or after each state census.	Legislative Assembly.	1931 1921
Ohio	Required every 10 yrs.	Gov., Aud., and Sec. of State, or any two.	1953 1951
Oklahoma	Required every 10 yrs.	Legislature.	1951 1941
Oregon	Required every 10 yrs.	Legislative Assembly, or failing that, Sec. of State. Reappor. subject to Su. Ct. rev.	1954 1911
Pennsylvania	Required every 10 yrs.	General Assembly	1953 1923
Rhode Island	House req. every 10 yrs. Sen. after each presidential election.	General Assembly "may".	1940 1936
South Carolina	Required every 10 yrs.	General Assembly.	1952 1942
South Dakota	Required every 10 yrs.	Legislature, or failing that, Gov., Supt. Pub. Inst., Presiding Judge of Su. Ct., Att. Gen., & Sec. of State.	1951 1947
Tennessee	Required every 10 yrs.	General Assembly	1945 1903
Texas	Required every 10 yrs.	Legislature or, if it fails, Leg. Redistricting Bd. (Lt. Gov., Spk. of House, Att. Gen., Compt., & Comm. of Gen. Land Off.)	1951 1921
Utah	Required every 10 yrs.	Legislature.	1931 1921
Vermont	Sen. required every 10 yrs. or after each state census.	Legislative Body appr. Sen.; House, no provision.	1793
Virginia	Required every 10 yrs.	General Assembly	1952 1942
Washington	Required every 10 yrs.	Legislature, or by initiative.	1931 1909
West Virginia	Required every 10 yrs.	Legislature.	1950 1940
Wisconsin	Required every 10 yrs.	Legislature.	1953 1951
Wyoming	Required every 10 yrs.	Legislature.	1931 1921

EXCERPTS FROM A STATE CONSTITUTION
Missouri:

ARTICLE III

"Section 7. Within sixty days after this Constitution takes effect, and thereafter within sixty days after the population of the state is reported to the President for each decennial census of the United States, the state committee of each of the two political parties casting the highest vote for governor at the last preceding election shall submit to the governor a list of ten persons, and within thirty days thereafter the governor shall appoint a commission of ten members, five from each list, to reapportion the thirty-four senators and the numbers of their districts among the counties of the state. If either of the party committees fail to submit a list within such time the governor shall appoint five members of his own choice from the party of such committee. Each member of the commission shall receive fifteen dollars a day, but not more than one thousand dollars. The commission shall re-apportion the senators by dividing the population of the state by the number thirty-four, and the population of no district shall vary from the quotient by more than one-fourth thereof. The commission shall file with the secretary of state a full statement of the numbers of the districts and the counties included in the districts, and no statement shall be valid unless approved by seven members. After the statement is filed senators shall be elected according to such districts until a re-apportionment is made as herein provided, except that if the statement is not filed within six months of the time fixed for the appointment of any such commission it shall stand discharged and the senators to be elected at the next election shall be elected from the state at large, following which a new commission shall be appointed in like manner and with like effect. No such reapportionment shall be subject to the referendum.

"Section 8. When any county is entitled to more than one senator the county court, and in the City of St. Louis the body authorized to establish election precincts, shall divide the county into districts of contiguous territory, as compact and nearly equal in population as may be, in each of which one senator shall be elected.

"Section 2. The house of representatives shall consist of members elected at each general election and apportioned in the following manner. The ratio of representation shall be the whole number of the inhabitants of the state divided by the number two hundred. Each county having one ratio, or less, shall elect one representative; each county having two and a half times the ratio shall elect two representatives; each county having four times the ratio shall elect three representatives; each county having six times the ratio shall elect four representatives; and so on above that number giving one additional member for every two and a half additional ratios. On the taking of each decennial census of the United States, the secretary of state shall forthwith certify to the county courts, and to the body authorized to establish election precincts in the City of St. Louis, the number of representatives to be elected in the respective counties.

"Section 3. When any county is entitled to more than one representative, the county court, and in the City of St. Louis and the body authorized to establish election precincts, shall divide the county into districts of contiguous territory, as compact and nearly equal in population as may be, in each of which one representative shall be elected.