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CONTINUING
RESPONSIBILITIES

1965-67

LEAGUE OF
WOMEN VOTERS
OF GEORGIA

INTRODUCTION

Continuing Responsibilities consist of positions on issues to which the League of Women Voters of Georgia has given sustained attention and on which it may continue to act. Each Convention year they are individually reviewed and retained, dropped, or modified at need.

This booklet is designed to give information on the background and current status of those Continuing Responsibilities now on the Program of the League of Women Voters of Georgia.

THE 1965-1967 C. R. "LEGACY"

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GENERAL REFERENCES

Additional readings are suggested at the end of the essay on each topic and a list of publishers' addresses given at the end of the booklet.

The Book of the States. Vol. XVI. Council of State Governments, 1966. \$10 (\$13 with 1967 supplements).

Constitution of the State of Georgia. 1945 (Compiled January 1965). Free, from Secretary of State.

GEORGIA'S GOVERNMENT. League of Women Voters of Georgia. 1966. \$1.

GEORGIA VOTERS for December 1961-January 1962; December 1963-January 1964. 5¢.

Model State Constitution. 6th Edition. National Municipal League. 1963. \$2.

I

EQUITABLE REPRESENTATION IN THE GEORGIA LEGISLATURE AND IN GEORGIA'S CONGRESSIONAL DISTRICTS

BACKGROUND

The Georgia League of Women Voters' concern with fair representation can be traced back several years to a variety of state program items, of which a 1957-1959 study of the fiscal powers and procedures of the state legislature was first-in-line.

Because of mounting awareness of the lack of leadership by the General Assembly in many issues vital to the progress of the state--finance, education, home rule, etc.--the League resolved to study the basic structure of the Georgia Legislature, especially the system of apportionment and the relation to legislative responsibility. "More equitable representation" was the priority subdivision of the 1959-1961 C.A., The Legislature of Georgia. For their 1961-1963 program Georgia League members narrowed the emphasis to a study of reapportionment of the Legislature. However, by decision of 1963 State Council delegates, acting under the impetus of concurrent court action, and authorized by consensus on congressional districts as they might be used in legislative districting, the wording of the item was expanded to that of the present version.

By 1963 the League membership felt it might safely move the item to the list of Continuing Responsibilities, where it has most actively remained.

POSITIONS

During the course of League study of fair representation and apportionment, membership support for the following items was developed:

1. All citizens should have reasonably equal voice in choosing state senators and representatives

and their U.S. representatives in Congress.

2. People, not governmental units, should be the basis of representation. The majority of people should have the chance to elect the majority of the law-makers.

3. Districts should be composed so as to contain a number of people as near as reasonably possible to the average number of people per Senate, House, or Congressional seat. Geographic and economic conditions and facility of elections can be considered, but districts should be drawn primarily on a population base, without gerrymandering to favor any particular party or faction of the economy or citizenry.

4. Election of state senators and representatives should be on a district-wide basis only, whether the district is composed of a group of counties, one county, or a portion of a city or county.

5. The legislature should be bicameral, with senators having longer terms than representatives. Even when both houses are based on population there still exists a valuable differential between them--greater stability in one, more frequent popular review in the other.

6. A non-legislative commission, independent of the General Assembly, should be established to redistrict and reapportion the legislature and Congressional districts automatically, promptly, and equitably every ten years. Commission recommendations should be subject to State Supreme Court review.

7. The Georgia Constitution should be amended to provide for automatic reapportionment as well as to guarantee fair representation and to establish reasonable percentage standards of equity.

ACTION

While never actually party to any of the several legal suits before the courts in recent years, the

Georgia League of Women Voters has assumed an active role in the fight for fair representation for Georgia citizens. League members, their husbands, or both have been among the plaintiffs in the court cases. League committee members have spoken as expert witnesses before the courts. League time and effort has been strenuously involved in testifying at innumerable legislative hearings, in setting up citizens' meetings, in utilizing all forms of communications media to inform the public.

It has remained to the courts in a series of precedent-setting decisions to spur an ever reluctant legislature into action. Because of judicial hesitation to insist on equitable representation immediately, Georgia citizens are involved in a step-by-step progression to a goal which now cannot be fully attained until a reapportionment according to the next census figures. Meanwhile, the Georgia League of Women Voters expects to press vigorously for action on its C.R. I positions by the 1967 session of the General Assembly, which by court order must draw up an improved apportionment plan, and for ratification in 1968 of constitutional guarantees of fair representation.

Suggested Readings

GEORGIA VOTERS for June 1959; April-December 1960; April-May, June-July 1961; February-March, June-July 1962; December 1962-January 1963; February-March 1963; December 1963-January 1964 (Special issues on C.R.'s); April-May, June-July 1966. 5¢ each.

Gordon E. Baker. State Constitutions; Reapportionment. National Municipal League, 1960. \$2.

James D. Barber. Legislative Malapportionment: What's It All About? How Does It Affect You?

Grass Roots Guide. The Center for Information on America. 1962. 35¢.

William J. D. Boyd. Patterns of Apportionment.
National Municipal League, 1962. 50¢.
The Case for Fair, Just, Right, Equitable Represent-
ation in Georgia's Legislature. League of Women
Voters of Georgia. 1961. 25¢.
One Man-One Vote. The Twentieth Century Fund,
1962. Free.
Albert B. Saye. "Georgia the Precedent-Setter",
National Civic Review LIV (September 1965), 413-16.

II ELECTIONS - AN EQUITABLE, ENFORCEABLE SYSTEM

BACKGROUND

The exact phrasing of the Elections C.R. dates back to 1957; but the 1948 Emphasis Program (what we now call Current Agenda) contained as its first item: "Elections System--Made Modern, Integrated and Enforceable . . .," and work on elections is as old as the League of Women Voters of Georgia itself.

Created on April 3, 1920, by merger of the Equal Suffrage Party of Georgia with the newly formed National League of Women Voters, the Georgia League naturally continued efforts to get the vote for Georgia women by the next November election. Despite the fact that the XIXth Amendment to the United States Constitution became law in August, 1920, the attempt failed. The deadline for voter registration in Georgia had passed. Small wonder that for years the Georgia League advocated shortening the six-months period between closing of registration books and elections!

In 1955, all specific election concerns were grouped, under a general heading "Elections--a Modern, Enforceable System", and moved from Current Agenda to Continuing Responsibility status. Before then, specific items had tended to move back and forth individually from active to "Platform" status; but the new concept and term "Continuing Responsibility" permitted action without removal to C.A. status. Though emphases may shift slightly and some positions can be joyfully retired when goals are realized, successive conventions have thus far kept elections in the C.R. category.

POSITIONS

As adopted by the 1965 Convention of the Georgia League, the election C.R. includes these positions:

1. A simple system of voter registration which is fair and convenient to the voter and which safeguards against fraud.

2. Payment of the expenses of conducting primaries from public funds.

3. Legal rather than party committee determination of candidates' fees.

4. Regulation of primaries by law, not by party rule.

5. Preservation of the secret ballot.

6. Printing of sample ballots.

7. Mandatory pledging of electors to their parties' national candidates.

NOTE: Two other positions concerning elections are to be found under other Program items. The C.A. on the Constitution of Georgia incorporates our position for a short ballot; the Apportionment C.R. includes our position that legislators should be chosen only by the electorate of the districts they represent, whether the districts are made up of a single county, several counties, or part of a county.

ACTION

Registration

Throughout the years, League motivation for seeking improvement in election laws has been to safeguard the right to vote, to extend it to all qualified citizens, and to encourage responsible use of it. Reduction of registration deadlines is only one of many specific reforms which have been a major concern. The League has also worked long for a free, permanent, reasonably simple and convenient system of registration and for uniform administration of it. In 1938 the Georgia League pioneered for abolition of the poll tax, which was abolished in 1945, and has fought its reinstatement several times since. The League vigorously

opposed the Registration Act of 1958, which contained provisions that tended to discourage exercise of the right to register and vote, and supported improvements in the registration system that were written into the Georgia Election Code of 1964.

Voting and Elections

In the area of voting and election procedures the record of action is nearly continuous too. Milestones were passage of the Secret Ballot Act of 1949, which the Georgia League had worked for throughout the 30's and 40's, and elimination (by court order in 1962) of the county unit system of counting votes in primaries, which the League had opposed for many years. A short ballot, printing of sample ballots, a convenient procedure for absentee voting, and regulation of primaries by law (including setting of primary dates and qualifying fees by the General Assembly and payment of primary costs from public funds) have been promoted in every way possible year after year.

The year 1957 was especially crucial, it seems, for it was then that the State Convention broadened its base for action: it dropped the six "specifics" from the Election C.R. title in order to emphasize overall reform of election laws instead of hammering at single provisions. The League committee established close contact with a newly created legislative committee on elections, headed by Secretary of State, Ben W. Fortson, Jr. League members began attending hearings of the Election Laws Study Committee to observe, testify, encourage, and support its work.

The Georgia League has continued to work closely with successive committees headed by Mr. Fortson, one of which produced the 1964 revision of the Georgia Election Code. Though improved, the Code is still far from meeting League standards. In 1965, when the current legislative committee publish-

ed tentative proposals for changes in the Code, the Georgia League was elated to find many provisions to support. Unfortunately, nearly all these proposals were lost in committee or party disputes. The only League-supported election legislation passed in 1966 was a bill to establish election of state senators by the electorate of their own districts only and two constitutional amendments that will require ratification by the electorate in 1966. One amendment would permit the legislature to waive residence requirements for newcomers to vote in presidential elections and to waive county residence requirements to vote in gubernatorial elections for those who move within the state. The other would permit judges and solicitors general of superior courts to run only in their own circuits.

For the Georgia League, improvement of election laws and administration has become virtually a permanent responsibility. Since the 1966 session of the Legislature authorized continuation of an election laws study committee, hope rises that League-supported changes may be proposed and materialize in bills and resolutions presented to the 1967 session.

Suggested Readings

GEORGIA VOTERS for December 1961-January 1962 and December 1963-January 1964 (Special issues on C.R.'s), April-May 1965. 5¢ each.

Constitution of the State of Georgia. 1945. (Compiled January 1965). Free, from Secretary of State.

Georgia Election Code. As Amended Through Regular Session 1966. Free, from Secretary of State.

National Municipal League pamphlets on model election laws, etc. Write for catalog.

Parties and Politics. League of Women Voters of Georgia. 1964. 35¢.

III SUPPORT OF LEGISLATIVE SERVICES TO ACHIEVE MORE EFFECTIVE ORGANIZATION AND PROCEDURES

BACKGROUND

By "legislative services" the League of Women Voters of Georgia means services to legislators-- such as clerical, legal, and research assistance-- that help them in the increasingly complex job of lawmaking.

This C.R. grew out of intensive study of state finances and the Legislature during the last half of the 50's. Earlier the Georgia League had given sustained attention to the need for improved legislative procedures, but the crisis in the public schools pushed this concern into the background until widespread interest in the make-up and operation of state legislatures was reflected in Georgia League adoption of a legislative C.A. at the 1959 Convention. "More effective organization and procedures" was one of the four aspects of the Georgia Legislature studied for two years. By 1961, reapportionment had become the burning issue. When the legislative C.A. was concentrated and limited to this problem, the position on legislative services was preserved and safeguarded by removal to C.R. status as an independent item. Since then it has been reconsidered and re-adopted by each convention, for Georgia is still far from providing her legislators with adequate services.

POSITION

The Georgia League supports provision of legislative services through a single, permanent agency, adequately equipped and financed, functioning under legislative control and offering complete and integrated service. Such a service should be adminis-

tered by a professionally qualified director selected by a legislative council--a body composed of House and Senate members.

The Legislative Services Committee of the Legislature, created in 1959 as the Joint Committee on the Operations of the General Assembly and renamed in 1961, acts largely as a legislative council. It is composed of five members from each house, with the Speaker of the House as chairman. Its duties include: (1) recommendations concerning efficient utilization of space in the Capitol building; (2) recommendations for more efficient operation of the General Assembly; (3) provision for revision and codification of Georgia laws, and (4) provisions of services equally available to each member for legislative counselling, bill drafting, and legislative reference material. It elects the Legislative Counsel, who is intended to serve as bill drafter, research director, code reviser, bill summarizer and analyst, committee adviser, and interstate liaison officer. Mr. Frank Edwards, who has held this position since 1959, is thus the working equivalent of the recommended coordinating director of services. However, he and his staff must spend a large proportion of their time in bill-drafting and code-revising.

Legislators may secure help from other agencies than the office of Legislative Counsel. The Institute of Government of the University of Georgia sponsors a pre-session Institute for Georgia Legislators and publishes a valuable handbook defining the organization and procedures of the General Assembly. The Council of State Governments' regional office in Atlanta is available for information and research projects. Two governmental agencies also offer services, the State Library and the Office of Budget Director, which provides assistance to the Legislature in its study of budget plans, appropriations controls, and review of expenditures.

The League study of the Legislature revealed that legislative services are not adequate, well-coordinated, or fully used. Reduction of the number of interim committees--many of which have neither especially efficient nor economical means of obtaining information--and greater use of the office of the Counsel and related agencies would lead to more effective legislative organization and procedures, the League believes.

ACTION

Because of limited opportunity since 1959 to support legislation implementing the League position, action on this C.R. has consisted largely of behind-the-scenes encouragement of improvement and expansion of services already established. The League has also worked to win public recognition of legislators' need for objective, reliable, specialized information as a basis for intelligent decisions. In 1965 designation of the League of Women Voters as member of a citizens interim committee to study legislative salaries offered an outstanding opportunity to stress the League stand. Though unable to speak officially about salaries, the League representative on the interim committee was instrumental in convincing fellow-members that the key problem is better organization and procedures and that improved legislative services are as important a factor in the solution as better pay. This idea did not get written into the bill that was passed by the 1966 Legislature, however, so that this C.R. will continue to remain a significant watch-dog item.

Suggested Readings

GEORGIA VOTERS for December 1958; December 1959.
(Limited supply, 5¢.)
American State Legislatures in Mid-Twentieth Century.

The Council of State Governments. 1961. \$2.
James Nathan Miller. Hamstrung Legislatures.

National Municipal League. 1965. (Reprint of
article in February 1965 National Civic Review.)
25¢. Condensation--"Our Horse and Buggy Legisla-
tures," Reader's Digest, May 1965. 10 for 50¢.

Mr. President . . . Mr. Speaker . . . Council of
State Governments, 1963. \$2.50.

R. Perry Sentell, Jr. Handbook for Georgia Legis-
lators. 4th Edition. Institute of Government,
University of Georgia. \$5 paperback, \$6 hard
cover.

Under the Golden Dome - A Guide to the Georgia
Legislature. League of Women Voters of Georgia,
1966. 25¢.

IV

OPPOSITION TO ALL ALLOCATION OF STATE FUNDS

BACKGROUND

The League of Women Voters of Georgia has long been interested in finance, and opposition to allocation, or earmarking, can be found on its Program as early as 1951. Present C. R. IV, however, is a pared-down version of a C.R. on finance adopted by the 1959 Convention. "Sound executive budgeting of all state revenues on an annual basis with no constitutional allocations, and responsible legislative control over expenditure of state funds" was the form in which the item moved from C.A. to C.R. status. This general position, a summary of consensus on four specific points, emerged from an intensive two-year study of fiscal operations in Georgia government. It provided a broad, strong base for League action during the early 60's in support of budgetary reform. Happily, passage of the 1962 Budget Law made it possible to retire all specific positions except that on allocations.

In 1963 and again in 1965, the allocations C.R. was re-examined and re-adopted. Although the constitutional study item which has been on the Current Agenda since 1963 includes positions on sound fiscal policy and, therefore, authorizes opposition to constitutional earmarking, the C.R. has been kept to guard against any attempt toward statutory allocation of state funds.

POSITION

Though stated only in general terms, without limiting specific positions, this C.R. still carries the connotations of sound executive budgeting and responsible legislative control. In the League context, allocation means pre-budgetary assignment of

tax funds to particular departments and functions. Sound fiscal practice, according to experts in public finance, requires that all revenues go into the General Fund of the State Treasury and be appropriated from it at need. Instead, the Georgia Constitution allocates motor fuel tax funds to highway purposes (Article VII, Section IX, Paragraph iv, 1965 compilation). This earmarking dates back to a constitutional amendment of 1952, which also allocated motor vehicle tax money to the same purpose.

ACTION

The League vigorously opposed the constitutional allocation at the time of its proposal by the Legislature, predicting that it would tie the hands of future legislators and make a large portion of state revenues unavailable for pressing needs. The prediction proved quite accurate. In 1959, for example, the Governor-elect submitted a budget based on 1955 appropriations as the only way he could cope with the heavy siphoning off of funds to the Highway Department. Subsequent legislatures have repealed the section allocating receipts from license fees (1960), voted equivalent rebates to cities and counties (1965), and passed a law making the rebate subject to audit (1966)--all attempts to patch up a basically unsound provision.

The League has campaigned for abolition of allocation through letters to the press, appearances before legislative committees, and calls-to-action opposing legislation that would perpetuate and extend earmarking.

The brief, limited form of this C.R. and its relative inactivity now should not be mis-read as signs that it is superficial, unimportant or unnecessary. On the contrary, it has a very solid foundation of League research into school finances,

the operations of boards and authorities and legislative efficiency as well as budget making and control of expenditures. It concerns an area that is fundamental to good government, and it is an indispensable basis for action when the opportunity comes.

Suggested Readings

GEORGIA VOTERS for December 1951, devoted entirely to "Sound Budgeting versus Allocations;" August 1957; October 1959; December 1961-January 1962, and December 1963-January 1964 (Special issues on C.R.'s). 5¢.

Inventory of Work on State Fiscal Policy. Prepared by the League of Women Voters of the U.S. Revised 1965. 60¢.

William J. Shultz and C. Lowell Harriss. American Public Finance. 8th Edition. Prentice-Hall, 1965. \$9.50.

PUBLISHERS' ADDRESSES

The Center for Information on America
Washington, Connecticut

The Council of State Governments
830 W. Peachtree St., N.E.
Atlanta, Ga. 30308

The Institute of Government
University of Georgia (Terrell Hall)
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47 East 68th St.
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Atlanta, Ga. 30334

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