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Early Work at the State Level

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EARLY WORK AT THE STATE LEVEL

*Edward S. Godfrey**

There is an accomplishment of David's while he was a student that very few people know about. It is not mentioned in the memorial service program. I thought you might be interested in it.

In November of 1966, the people of Maine approved a state constitutional amendment that called for the reapportionment of the Maine Senate. The amendment called for senatorial districts not fewer than 27,000 or more than 30,000 inhabitants per district. Each district was to conform as closely as possible to county and municipal lines. The amendment was to be implemented before election of the 104th Legislature in 1968. The Legislature also established a "senatorial reapportionment commission" to devise and recommend a statewide system for election of state senators in compliance with the constitutional amendment.

It was one of the strangest commissions ever constituted: the speaker of the House, the president of the Senate, the four majority and minority leaders, four professors of history or government from Bates, Bowdoin, Colby, and the University of Maine, and the dean of the University of Maine School of Law as chairman. There was no provision for staff support, to be sure.

Our commission was given the job of reapportioning the Senate. There were to be thirty to forty Senate districts. We had the 1960 federal census to work from. We had to get information from all the voting districts of the 1966 election. It was tedious, picky work, and the other members of the commission seemed to be happy to have the chairman do it.

I called on David Gregory, then a second-year law student, and asked if he would be interested in working on the project—but for free! Of course, being the person he was, he said yes. And he did it. He had the Maine Senate virtually reapportioned in less than a month. What he came up with, with minimal tinkering by me or, later, by other members of the commission, was a complete plan for election of state senators in Maine, complying fully with the constitutional requirements. Since he prepared the plan without regard to aspirations of political parties—particularly, alarmed incumbents—the plan was not adopted by the Legislature. But when the Legislature itself failed to make the apportionment and the matter went to the Supreme Judicial Court pursuant to the Maine Constitution, the Court relied almost entirely on David's plan of reapportionment.

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