

1 which is to be adopted by the Federal Constitution, or the
2 laws pursuant to it.

3 We already have found that a fixed percentage is at
4 variance with the holdings of the Supreme Court of the United
5 States which has determined simply that Congressional
6 districts need to be substantially equal in population.
7 Substantially equal is a far more flexible term than a
8 fixed ten percent, because if under the proposed section
9 we varied as much as a fraction of one percent over, our
10 districting would be out, and in these days of mobility of
11 population, rapidly growing areas in some sections, static
12 ones in others, I find it very difficult to believe that it
13 is desirable to freeze a fixed percentage.

14 I see no reason why the standards of the Supreme
15 Court of the United States in a field which has been
16 preempted by the Federal Government should not be entirely
17 acceptable to the people of Maryland.

18 There is neither a need for nor a desirability
19 for the inclusion of this in the Constitution of Maryland,
20 and I strongly recommend that you adopt the amendment, strike
21 the provision.