

DELEGATE J. CLARK (presiding): If there is no great objection, I think we have scheduled here the minority report which can take as long as the gentleman wishes. Then we have twenty minutes of controlled time for both sides and twenty minutes of uncontrolled time for people to speak for and against this subject. I think perhaps if there is no great objection, we will move on to the minority report. Delegate Byrnes, would you like to come forward? The Chair recognizes Delegate Byrnes.

DELEGATE BYRNES: Ladies and gentlemen of the Committee of the Whole, I am going to try to cut what promised to be at one point a very lengthy presentation down to the bare bones.

My position in presenting the minority report is one prompted by circumstance. I, as you know, am a resident of Baltimore City, which has odd year elections. I might point out that we have had odd year elections in Baltimore City since our incorporation in 1796. The budget of Baltimore City has long since been geared to this and the people are fairly well oriented to it.

I do not speak so much in favor of Baltimore City's position as I do of questioning the majority's recommendation. I think you should have before you all of the factors involved in this very significant decision that they are asking you to make. I am really playing the role of the devil's advocate more than anything else.

We are going to submit to you an amendment for your consideration upon the completion of this report which will call for the retention of the status quo. That is to say, counties will remain merged with the state elections and Baltimore City will remain alone. If this does not receive sufficient support, we want you to know that lurking in the background is an amendment which may be submitted by others which will call for the merger of county elections with the presidential elections.

Now the scholars that we have consulted on this question have suggested to us that the change suggested by the majority is a radical one and should be carefully scrutinized. I refer to first, Joseph P. Harris who is considered a national expert in the area, author of *Modernizing Our Election Administration*. He says the major election reform needed is to lighten the burden on the voter and on those in charge of elections, by electing fewer officers, holding fewer elections, providing for longer terms of office, and reducing the number of measures on the ballot.

Henry Bain, another expert in the area, made it clear in two memos to us, although he did not favor merging presidential and county elections. He says this: "There has been a strong trend throughout the United States toward a schedule of state and local elections, which concentrate all of these except municipal in the even-number, non-presidential years." He said, speaking now of Maryland, "It would be a shame to abandon this highly desirable feature of our constitution while we are making much needed changes in other part of the state's governmental structure."

In this connection, it is interesting to note that, I continue to quote, "the two of the four states which now elect any appreciable number of state and local officials in the odd numbered years, Virginia and Mississippi, are the two that have gone the farthest in designing their electoral systems so as to minimize voter turnout and to insulate state and local government from the influence of the majority of the citizens."

I think at this point it might be appropriate to define for you what we consider to be the definition of voter turnout. We do not suggest that voter turnout, gross numbers of people pulling levers, is a value to democracy. We do suggest to you that the higher the percentage of the turnout, the more small "d," sometimes large "D" democratic is the response. This has been documented again by Mr. Bain, and I do have statistics. This is where I am going to try to cut my presentation, I have statistics all over the place concerning every comment I am going to make. I originally intended to go through them with you. I think I would prefer simply to make the statement and have you challenge me and then we will have to document it. I would like to give some credit while here to Stephanie Harmon, one of the pages who worked many, many long hours taking sample ballots from all over the state for all kinds of elections and going through them and marking off all the officials we had eliminated from the ballot, counting all slots that are used on the ballot and then suggesting to me on a piece of paper the residue. The point of that was to indicate to you that there is a great deal of room left on the ballot in most of the areas. The most heavily populated ballots are in Montgomery and Prince George's where with an average in state elections of 220 out of 400 ballot positions there is plenty of room on the ballot. We do not consider that to be a problem. It is less so now that we have eliminated a great num-