

This will be Amendment No. 30. Will you please add the name of Delegate Pascal to the sponsoring delegates, Delegates Fornos, Fox, Boileau, and Pascal.

The Clerk will read the amendment, Amendment No. 30.

READING CLERK: Amendment No. 30 to Committee Recommendation JB-1, by Delegates Fornos, Fox, Boileau and Pascal: On page 5 section 5.15, Appellate Courts Nominating Commission, line 10 add the following: "No more than two members of the commission may be residents of the same county."

THE CHAIRMAN: The amendment having been seconded, the Chair shall recognize Delegate Fornos to speak for the amendment.

DELEGATE FORNOS: Mr. Chairman, fellow delegates, I shall try to be very brief.

The line is self-explanatory. It merely calls upon this Convention in drafting this constitution to assure that the widest possible consideration be given to attorneys who may be judicial timber throughout this State, and also to assure us against any single county gaining a foothold on the Court of Appeals or on the intermediate court in this state.

We have some 5,558 attorneys in the State of Maryland as of May 1, 1967; some of 3,112 of them are engaged in the practice of law, or reside within the City of Baltimore.

It is quite conceivable that when you elect six lawyers from among all the lawyers of this State, that all six of them could come from Baltimore City. It is also just as conceivable that all six could come from Prince Georges County, or all six could come from Montgomery County, and I think that we would want to be certain that all, or as many of the counties as possible are represented on the judicial nominating commission.

There are those who will argue that this should be left up to statute. I submit to you it is a very broad concept, the guaranteed representation of people throughout this state on the judicial nominating commission, and I would hope that you would adopt this amendment.

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: Mr. Chairman, this amendment, again, is an effort to put in the constitution a provision to protect against the possible, but the improbable.

Personally, I am not unsympathetic with the spirit of the amendment. I think it highly improbable that without the amendment the commission might be taxed in any manner suggested by Delegate Fornos or that might be in the mind of the other proponents of this amendment.

I will vote against the amendment, consistent with the majority report, and if any other member of the Committee who has not had an opportunity to express a view on this matter, pro or con, desires to do so, I invite their attention to the amendment.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

Does any other delegate desire to speak in opposition to the amendment?

Are you ready for the question? The Clerk will sound the quorum bell. The question arises on the adoption of Amendment No. 30. A vote Aye is a vote in favor of the amendment. A vote No is a vote against.

Delegate Bothe?

DELEGATE BOTHE: Mr. Chairman, I have a question of the sponsor of the motion.

THE CHAIRMAN: Delegate Fornos, do you yield to a question?

DELEGATE FORNOS: Yes, sir.

THE CHAIRMAN: Delegate Bothe.

DELEGATE BOTHE: Is it your intention that if the lawyers in the State should desire to elect more than two attorneys from the some county, that they would be precluded from doing so under this amendment?

If so, how would the question be handled, if more than two lawyers happened to be elected on the top of the ballot?

THE CHAIRMAN: Delegate Fornos.

DELEGATE FORNOS: I believe, Delegate Bothe, that you could make that clear in the communication that would be distributed throughout the State, and you could keep it on a restrictive basis, two per county.

THE CHAIRMAN: For what purpose does Delegate Marion rise?

DELEGATE MARION: I too would like to direct a question to Delegate Fornos.

THE CHAIRMAN: Delegate Fornos, do you yield to a question?