

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: It may be possible, but certainly inconsistent with the guidelines that we contemplated. I do not see how three lawyers and one layman would technically suffice to provide an equal number of lawyers and laymen when there is a distinction in our recommendation.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: I was thinking of the case where a lawyer might not qualify as a lawyer voting so to speak and therefore, might be appointed by the governor. If you are going to consider members on the judicial aspect, should this not also be considered?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: I agree with you. I will pass the same query on to our staff man as the Chairman suggested.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Would you consider the advisability of striking out the fact that he may be ineligible for any other public office and make it that he not be eligible for any judicial office since the purpose is to broaden the possibility of getting good men to serve on this nominating commission? There are a great many people who would be useful on this commission who would decline if they thereby exempted themselves from any further ambitions to serve the public.

THE CHAIRMAN: The Chair is not clear as to your question.

Would you restate the matter you wanted the Committee of the Whole to consider?

DELEGATE BENNETT: Would you consider that point?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: In answer to your question, Delegate Bennett, we would have to ask the Committee of the Whole to review all of the pertinent provisions of our recommendations dealing with the nominating commission in view of the fact that the judicial member has been eliminated. We feel several possibilities must be considered and all of those will be done by our staff.

THE CHAIRMAN: May the Chair state what he understands Delegate Bennett was driving at? I think you said that you would like the Committee to consider changing lines 23 to 24 in section 5.20 so as to permit and not prohibit a member of the com-

mission from thereafter being appointed within the two-year period to the judiciary.

I believe Delegate Mudd in his presentation indicated that the Committee had heretofore considered and rejected that proposition.

Delegate Mudd?

DELEGATE MUDD: That is entirely correct. We did consider that proposition but thought this prohibition was advisable and necessary.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Yes, but there is a different light on it now in view of the amendments we have made. All I am trying to suggest is that you have made it as broad as possible for a public spirited citizen, a lawyer to serve on this committee without striking fear into his heart.

If he accepts the office he will be ineligible, in either direction.

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: I thought that was inadvisable.

THE CHAIRMAN: Mr. Taylor.

DELEGATE TAYLOR: What would be the status of a retired judge who might be appointed by a governor to the nominating commission. Could he qualify as a lay member?

THE CHAIRMAN: That is a question that we have asked the staff advisor to the Committee to review carefully and to advise the Committee of the Whole very shortly.

Delegate Schneider, for what purpose do you rise?

DELEGATE SCHNEIDER: A statement of personal privilege. I am happy to announce we are fortunate to have a group of lovely ladies from the Homemaker's club of Prince George's County and I hope we will give them a hearty welcome.

THE CHAIRMAN: Delighted to have them here.

*(Applause.)*

THE CHAIRMAN: Delegate Burgess.

DELEGATE BURGESS: I would like to address a question to Delegate Mudd.

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: Yes.