

DELEGATE GALLAGHER: We did not check to see what the other committees were going to do. I think we both intend to effect the same result by that language. We did want to preclude, however, a party elected official from being appointed to this commission; in other words, the chairman of the State Central Committee.

THE CHAIRMAN: Delegate Wagandt.

DELEGATE WAGANDT: In other words, your intention is that no person who holds a public office of profit can be a member of this commission?

DELEGATE GALLAGHER: If he has been elected; we restricted it to elected officials. That was intentional.

A person could hold an office of profit which was not elected and be eligible for appointment to our commission under our language.

DELEGATE WAGANDT: You feel this is a proper procedure?

DELEGATE GALLAGHER: Yes. We felt that it was proper. We did not see that the converse was improper.

DELEGATE WAGANDT: In section 3.03a you cite many reasons for a redistricting commission, and a bit of this baffles me because after reading your commentary I come to a somewhat different conclusion from what you come to in your recommendations.

I note that you refer to a redistricting commission as being a relief to most state legislatures, that it will free them of some of the burden of having to pass on their fellow members' political survival. Then further on you refer to legislatures redistricting the legislature, and refer to this as a conflict of interest. Later on page 8, it is stated that, "An argument can be made that the root cause of the entire redistricting controversy was the error of allowing legislators to design their own districts in the first place."

So my question to you is this: Why let the legislature prepare a redistricting plan after the commission has already done its job?

DELEGATE GALLAGHER: We did feel that the legislature was so vitally bound up with what happened in redistricting that it ought to have an opportunity to see if it could not work out a plan which was satisfactory to the legislature itself. By the device of providing if the legislature failed to do so that the commission

plan would become law, we felt that there was enough of the gun, so to speak, pointed to the head of the General Assembly so that it would decide on a redistricting plan, if it could.

We did not feel that the legislature ought to be excluded from a decision that so vitally affected it.

I might say, too, that there was an argument that the legislature ought to have nothing to do with it, and you can certainly defend that point of view. But what we felt we did here was to take the best elements of all approaches and combine them into a single procedure.

THE CHAIRMAN: Delegate Wagandt.

DELEGATE WAGANDT: Could you enlighten us a bit on the experience in Baltimore City, where I understand recently that the mayor and the president of the City Council appointed a commission to draw up city council districts? This, you might say, is the gun to the city councilman's head. At the same time the City Council drew up a plan for redistricting of Baltimore City. I think it was called the Best Plan.

Could you tell us which plan really was the best, and which plan did the voters of the City of Baltimore prefer?

DELEGATE GALLAGHER: I do not believe that the situation is analogous, because the city charter had no provision that the commission plan would become law within a stipulated period of time if the City Council failed to agree upon the law, and I would not care to say that you can compare these two situations.

The fact of the matter is that the Bard plan, named after the celebrated delegate from the fifth district, ultimately prevailed, and that the Best Plan, contrary to its name, was not accepted.

DELEGATE WAGANDT: Thank you.

THE CHAIRMAN: Delegate James.

DELEGATE JAMES: Directing your attention to section 3.17, your requirement that there be a transcript of debates, did you make any inquiry into the cost of that?

DELEGATE GALLAGHER: We considered the cost, Senator James, and we felt that despite the cost, whatever it might be, it was a valuable public service to have available.

THE CHAIRMAN: Delegate James.