

out the following: "present and voting, a quorum being present."

THE CHAIRMAN: The Chair recognizes Delegate Gilchrist to speak to Amendment No. 14.

DELEGATE GILCHRIST: Mr. Chairman, I yield three minutes to Delegate James Clark.

THE CHAIRMAN: Delegate Clark.

DELEGATE CLARK: Mr. Chairman, ladies and gentlemen of the Convention, I rise to support the minority report.

It seems to me that the more recent leadership of the General Assembly of Maryland and the membership also has been making some progress in improving the image of the General Assembly in the eyes of the people of Maryland, and I think that the proposal of the Committee would set the stage for a situation that would probably make it more difficult for us to proceed along these lines. It seems to me that this is almost an irresponsible proposal with which the Committee has come forward. We in Maryland have gotten along very well under a constitutional majority. We are used to it. Any bill that cannot receive 61 votes in the House, the new House, and 21 votes in the Senate, perhaps should not become a law of Maryland.

The people deserve to have confidence in their laws, and if you set the stage where laws can be passed without a majority, then I think the people will lose confidence, not only in the laws, but in people who make them. I think it sets the stage where some devious practices might take place and I can see no advantage while I can see a great many disadvantages to the proposal which the Committee has put forth.

I back Delegate Gilchrist and his Minority Report and the amendments which will set things straight. I certainly hope that the members of this Convention will support each of these amendments, which are necessary to return us to the constitutional majority that we are used to and which I think necessary. I hope that you will support all of these amendments.

Thank you.

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: Mr. Chairman, and ladies and gentlemen of the Committee of the Whole: In response to Delegate Clark's observation that it would be possible to perhaps play a few games with this kind of a majority, may I point out

to you that in 1961, when the House of Delegates was debating a very significant reapportionment bill, that it became necessary for us to get the constitutional majority. That majority was one short of that required, and despite the best interests and efforts of the state police and all the militia of Maryland to locate the missing delegate who was supposed to be planting tomato crops at a late hour after the sun had gone down on his farm, and was in fact hidden away quietly in his house, a very significant bill failed of passage as a result of a stay-at-home vote, which was in effect, of course, a no vote. I submit to you the State of Maryland, the people of Maryland would have been far better off had we not had a constitutional majority required, because the reapportionment was a bloody battle to say the least; some of the scars which the members of this Convention bear will indicate this. I would say simply this: that if we have faith in a General Assembly, we will have faith in a quorum of the General Assembly. If we are going to have controversial bills, people are going to turn out to vote for them. Certainly everyone knows when you have a routine matter and a non-routine matter, I submit to you that the leadership or the chairman of any committee will only fail in this respect once, because if he had indicated to his committee and to the membership that a bill would be brought up at a certain hour or would not be brought up and that word were broken, then certainly there would be due efforts made to remedy the situation.

Just for the record, I should like to say that in addition to Florida, Idaho, Montana, New Jersey and New Mexico, which follow the practice in the Constitution urged by the majority that there are in addition to that, eleven states which use the majority vote of those present and voting, a quorum being present; those states are not insignificant. They do so by rule. They are Connecticut, Massachusetts, Mississippi, North Carolina, Rhode Island, South Carolina, Texas, Vermont, West Virginia and Wisconsin.

I submit to you that what we are suggesting here may be a departure from the Maryland practice, but it is by no means a practice which differs significantly from many of the other states of the union, and the Congress of the United States itself. Our federal government finds the majority proposal quite acceptable and operates quite successfully under it, so with that I should like to yield four minutes to Delegate Gleason, if I may, Mr. Chairman.