

DELEGATE B. MILLER: When you urged approval of Amendment No. 15, I assume that was because it was applied in the House exactly as Amendment No. 14 applied in the Senate. In Amendment No. 16, this is a separate consideration, is it not? This applies to the regular passage of bills and does not have to do with expulsion?

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: Yes, that is correct, but I think we ought to be consistent throughout the entire constitution once the decision has been made, so that there will not be different kinds of a majority, and therefore I would urge that we adopt Amendment No. 16 as well.

THE CHAIRMAN: Delegate B. Miller.

DELEGATE B. MILLER: Is it not true that in other constitutions there is a difference in the kind of majority required for expulsion and the kind of majority that is required for the passage of bills?

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: Yes.

Some of the states do vary with respect to this, but again I say that in the interest of having a consistent constitution on the question of what kind of majority vote is necessary to undertake various activities, I would personally prefer that the same kind of a majority be used throughout the entire constitution.

THE CHAIRMAN: Delegate Miller, do you desire to speak on the question?

DELEGATE B. MILLER: Yes, sir.

THE CHAIRMAN: You may proceed.

DELEGATE B. MILLER: I am sorry that I have to take a different position from my Chairman on this matter but I feel that the number of people who voted for Amendments No. 14 and No. 15 feel that when the House votes on its own rules, and its own decisions, that this is a different type of procedure, and that in that case, a constitutional majority might be necessary, but I would think that in the examples we have heard today, of legislators who have deliberately obstructed the passage of bills because they did not wish their votes known to their constituents, that a different kind of situation prevails, and I would urge that we vote no on Amendment No. 16.

THE CHAIRMAN: Delegate Marion.

DELEGATE MARION: Mr. Chairman, may I ask a question of Chairman Gallagher?

THE CHAIRMAN: We are beyond the time of questions. He does not have the floor. The Chair permitted it in that one instance and will again but we cannot at this point in the discussion have questions of the Committee Chairman.

Delegate Gallagher, do you yield to a question?

DELEGATE GALLAGHER: I do, sir.

THE CHAIRMAN: Delegate Marion.

DELEGATE MARION: I wanted to raise a question, because of the colloquy that occurred earlier between Chairman Gallagher and Delegate Gilchrist with respect to the interpretation which they placed upon the words which would be left in this section if this amendment were adopted in the instance where a legislator resigned.

THE CHAIRMAN: You do not have to explain the reason for it. The Chair said you can state your question.

DELEGATE MARION: My question is whether Delegate Gallagher is asking us to vote for this amendment, based upon the Gilchrist interpretation of that language, or whether he is asking us to vote for it on what seems to me to be the interpretation of the language, that a member is a member and if the member is not there he is not part of a majority.

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: Well, I believe again that since Mr. Gilchrist indicated he was favoring in his minority report the existing Maryland practice under the 1867 Constitution, which is a majority of all of those seats in a Senate or House, regardless of whether or not there be a vacancy, that that is his position. I so interpreted all these amendments to mean that, although I quite agree, there could be a little more apt phraseology to make that clearer.

THE CHAIRMAN: Delegate Marion.

DELEGATE MARION: No further questions.

THE CHAIRMAN: Is there any further discussion?

Before calling for the question on Amendment No. 16, the Chair's attention has been called to the fact that Delegate Boyce's switch is still not operating and that I perhaps incorrectly announced the vote on Amendments No. 14 and No. 15.

Delegate Boyce, will you announce your vote on Amendment No. 14?