

which shall be known as the Court of Constitutional Construction. All of the members of the Bar in Maryland who served as delegates to the Constitutional Convention of 1967 shall serve as judges of the Court. The Chief Stenographer of the Constitutional Convention shall be the Chief Judge of the Court.

The Court shall have exclusive and original jurisdiction to decide all justiciable questions of the construction and meaning, if any, of the Constitution of 1968, if any.

The Court shall also exercise all power and duty devolved upon the Rules Committee by the Constitution of 1968."

THE CHAIRMAN: Amendment No. 23.

The Clerk will read the amendment.

READING CLERK: Amendment No. 23, on Committee Recommendation LB-2 by Delegates Gallagher, Bard, Chabot, Clagett, J. Clark, Fox, Grumbacher, Hanson, James, Koss, Marion, Mudd, Needle, Scanlan, Sickles, Sollins, H. Taylor, L. Taylor, Wagandt, and Winslow:

On page 2, following line 42 of section 3.03a, Redistricting Procedure, add this new sentence:

"The State shall be divided by law into districts for the election of members of the United States House of Representatives. Each district shall consist of adjoining territory and be compact in form.

Due regard shall be given to natural boundaries and the boundaries of political subdivisions. The number of persons represented by each member of the United States House of Representatives shall be substantially equal. The boundaries of districts shall be re-established consistent with these standards in accordance with the most recent census for the apportionment of the House of Representatives under the United States Constitution. Upon petition of any registered voter, the Court of Appeals shall have original jurisdiction to review the districting and grant appropriate relief if it finds the districting to be unlawful."

THE CHAIRMAN: The amendment having been seconded, the Chair recognizes Delegate Gallagher.

Do all delegates now have a copy of the amendment? Amendment No. 23.

The Chair recognizes Delegate Gallagher.

DELEGATE GALLAGHER: Mr. Chairman, ladies and gentlemen of the house: You will remember last evening that we

had before us an amendment which would have created a congressional redistricting procedure.

That amendment failed at that particular time. You have now before you Amendment No. 23, which I think is a more simplified approach to the problem, which does provide that the legislature shall call for the redistricting into congressional districts under certain stipulated circumstances and with certain tests, all of which are precisely comparable to those which we have provided for the state redistricting.

I think this is a good approach to the problem of congressional redistricting. I think it shows an attempt to be uniform, both in congressional and in state redistricting, and consequently I do believe that it would be appropriate to adopt this particular amendment to the Committee Report.

THE CHAIRMAN: Are there any questions to the sponsor of the amendment?

Delegate Wheatley?

DELEGATE WHEATLEY: Would the Chairman yield at this time?

DELEGATE GALLAGHER: Yes.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: Would the Chairman tell us what if any of the existing congressional districts would not be in keeping with this proposed amendment?

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: Well, I can simply say this; that since the deviation in the present districts is less than two percent, that I would say that undoubtedly the number of persons represented in each of the districts is substantially equal. I think all of them are adjoining.

The only possible area of inquiry would be whether or not they are compact. The question of compactness is not one which I feel qualified to pass upon with respect to present congressional districts, and is one in which it seems to me courts can have differing opinions.

I do not see that this is an attack on any existing congressional district, as the federal court redistricted prior to the last election.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: A further question, please, Mr. Chairman.

THE CHAIRMAN: State the question.