

For what purpose does Delegate Koger rise?

DELEGATE KOGER: For a special privilege.

I would like to ask the convention to welcome my baby daughter, Miss Mary Koger, who is a student at Ohio University.

*(Applause.)*

THE CHAIRMAN: The amendment which is before you is Amendment No. 2. It has not been distributed. It is an amendment by Delegate Weidemeyer to strike all except the first sentence of section 3.03(b).

The Chair recognizes Delegate Weidemeyer to speak to the amendment.

DELEGATE WEIDEMEYER: Mr. Chairman and members of the Committee. I would like to amend my amendment so as to strike everything after the word "-sentatives" on line 13 down to and including the word "subdivisions" in line 21, and then strike from the last sentence in line 23, "-according to these standards-".

THE CHAIRMAN: Is this in a printed form of amendment?

DELEGATE WEIDEMEYER: It is not, but on second thought I would like to amend my amendment to that extent.

THE CHAIRMAN: Is there any objection to considering amendment No. 2 modified so that it will provide for striking in line 13, after the fraction of the word, "-sentatives", all of lines 14 through 20 inclusive, the first three words of line 21, and to strike from line 23 the words "according to these standards"?

*(There was no response.)*

The Chair hears no objection. The amendment will be considered as so modified.

Mr. Weidemeyer, you may speak to the amendment.

DELEGATE WEIDEMEYER: By leaving in the first sentence of section 3.03(b), we assure the State that there will be congressional districts, and that they will not require congressmen to run at large, and also by striking out in line 13 the following: "The difference between the populations of the largest and smallest congressional districts. Each congressional 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."

To take out this language from this provision takes out these freezing provisions which would make it, if left in there, almost prohibitive for the legislature to act in many areas, and anyone who has had experience and worked on the congressional redistricting bill, knows what a tremendous job it is to keep within due bounds and to try to please everybody.

When you say that they have got to be compact in form and they have got to be contiguous, they have got to have adjoining territory and they cannot exceed ten percent then sometimes you might get a very good congressional district with everybody in the State happy where you had 11 or 12 percent variance, or you might be able to get them with as much as 15. And when we were first working on this, a lot of them thought that 15 was a fair basis for variance, between the norm, either 15 percent under or 15 percent over, and the Supreme Court, as has been pointed out, has not acted and has not said that it has to be a certain percentage. I think it would be doing harm and violence to the freedom and flexibility of the legislative processes if we froze in a percentage.

Likewise, it is dangerous to try to say that in every instance the areas should be contiguous because, as you know, we now have southern Maryland, southern Anne Arundel County with Calvert and St. Mary's tied across the Chesapeake Bay with the counties of the Eastern Shore.

If you get into that, and that language is construed that you cannot have the intervening water area in the congressional district, then that would mean that we would have to start at the tip of the southern end of the Eastern Shore, and work northward there. We would get a complete revision in the next revamping, and it would upset our State again.

All of these redistrictings for new congressmen and new areas and bringing in new people creates a lot of trouble, and I think the more flexibility we can give to the legislature in this tremendous job, the better off we will be, and therefore I think that the language that I have asked to strike from line 13, after "-sentatives" on down including the word "subdivisions" in line 21, will leave this section where the legislature must set up congressional districts. Then if we leave in part of the last sentence, to read "the boundaries of congressional districts shall be established immediately prior to the state-wide congressional election in 1972, and every tenth year thereafter", we will have a logical mandate to