

the legislature to redistrict immediately after the 1970 census. If the Federal Government holds consistent, we will have a census in '70 and in '80, so that would make it very consistent. We will have a good section without having the freezing language left in that would hamper and hamstring and make inflexible the law for the activity of the legislature in this field.

I urge adoption of the amendment, Mr. President, and hope that we can leave the legislature with something with which they can work.

THE CHAIRMAN: Are there any questions of the sponsor of the amendment? The Chair hears none.

Delegate Gallagher.

DELEGATE GALLAGHER: So that the record will be complete, will the reading clerk please read amendment No. 1, which was the amendment A?

READING CLERK: Amendment No. 1 to Committee Recommendation LB-3 by Delegates Gilchrist, Adkins, Carson, Fox, Freeland, Hostetter, Rollins.

On page 1 strike out all of section 3.03(b). Congressional Districts comprising lines 8 through 25, inclusive.

THE CHAIRMAN: That is the amendment already acted upon and rejected by a vote of 37 to 82.

Will the Clerk now please read Amendment No. 2. This is amendment C. Amendment No. 2 has been modified. Please follow the Clerk.

READING CLERK: Amendment No. 2 to Committee Recommendation LB-3, by Delegate Weidemeyer.

On page 1 section 3.03(b), Congressional Districts in line 13 after the period strike out the remainder of this line and all of lines 14 through "subdivisions" in line 21, and strike "according to these standards" in line 23.

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: I must respectfully oppose the amendment offered by Delegate Weidemeyer, who is concerned about freezing requirements in the constitution. I certainly am moved by the generosity which he shows by including the requirement that the State must be divided into congressional districts.

I would point out that the gentleman is really giving away ice in the wintertime,

because Congress already has established by law that the number of districts be equal to the number of representatives to which each state is entitled, and the representatives shall be elected only from districts so established. No district shall elect more than one representative.

In actuality Delegate Weidemeyer is only recognizing where Congress has already acted. It seems to me the section would take the guts out of section 3.03(b).

Let me read you what Judge Simon Sobeloff had to say in the case of *Maryland Citizens Committee for Fair Congressional Redistricting Tawes*.

In the course of the hearing the attorney general of Maryland, after consultation with the governor, advised the court that in the light of the unsuccessful efforts in the preceding 1964 session of the General Assembly to achieve a constitutional redistricting law, there was then no possibility of legislative action.

So I am suggesting to Delegate Weidemeyer even when all the flexibility in the world was available to the General Assembly of Maryland, it was of no avail, and there were three unsuccessful attempts in a five-year period to have the legislature pass a constitutional law, none of which ever saw the light of day.

It seems to me that the least we can do is to give them a constitutional set of standards to go by so they will know the area in which we think they are expected to act to discharge their duties responsibly to the people of Maryland.

I would urge you to defeat this amendment which in essence is no different from the one you just defeated.

THE CHAIRMAN: Any other discussion? Are you ready for the question?

(Call for the question.)

The Clerk will ring the quorum bell.

The question arises on the adoption of Amendment No. 2 to Committee Recommendation LB-3. A vote Aye is a vote in favor of the amendment. A vote No is a vote against.

Cast your votes.

Has every delegate voted? Does any delegate desire to change his vote?

(There was no response.)

The Clerk will record the vote.