

is left in the discretion of the General Assembly.

THE PRESIDENT: Delegate Sosnowski.

DELEGATE SOSNOWSKI: Delegate Gallagher, what you are actually trying to tell us is that the figures will be estimated unless given—

THE PRESIDENT: Delegate Sosnowski, the Chair suggests you are discussing a question that arises under the schedule of transitional provisions which is not before us now and most of the delegates do not have in front of them. That is not the question involved on the Amendment No. 15 which is now before us.

DELEGATE SOSNOWSKI: What I am trying to do is get an explanation of what the transitional factor is going to be in order to vote intelligently on Amendment J.

THE PRESIDENT: You are entitled to any information you desire. I merely suggest to you the answers to that will not tell you what the Committee of the Whole and ultimately this Convention may do as to the schedule of transitional provisions.

Delegate Sosnowski.

DELEGATE SOSNOWSKI: Was it not Delegate Gallagher who stated that the transitional provisions will clear up the understanding.

THE PRESIDENT: I think he was stating the reason why the year 1970 was limited in this amendment.

Delegate Gallagher.

DELEGATE GALLAGHER: You are correct, Mr. Chairman. In other words, the question of when we shall have redistricting between now and 1982 we attempt to take care of in the transitory provisions. However, that is subject to approval by this body and if the body wants another time or another avenue of determining those figures it has that right.

THE PRESIDENT: Delegate Malkus.

DELEGATE MALKUS: Mr. President, will the Chairman yield to a question?

THE PRESIDENT: Delegate Gallagher.

DELEGATE GALLAGHER: Yes, sir.

THE PRESIDENT: Delegate Malkus.

DELEGATE MALKUS: Mr. Chairman, in setting the date for the redistricting of the House of Representatives, the year 1972 was used. Yet in reapportioning the

General Assembly of Maryland you have used the year 1970. In order that we may prepare proper amendments for the traditional article, what is the philosophy in the change in difference between the two dates?

THE PRESIDENT: Delegate Gallagher.

DELEGATE GALLAGHER: I presume you want to know why we do not require, at least at this stage of the game, redistricting in 1972 for the state bodies, House of Delegates and Senate, as we do for the Congress of the United States, why we go to 1970 for the General Assembly but wait until 1972 for the Congress.

The reason primarily is this. Even though the General Assembly of Maryland was reapportioned a few short years ago, the existing deviation from mean population for each of the house districts and senate districts of the State is a 5 per cent deviation altogether.

This means, therefore, that even with redistricting and reapportionment, the present General Assembly using 1960 Federal Census figures, is grossly out of the area of a fifteen per cent deviation which we have already suggested is the ideal beyond which we would not want to trespass in the future. Take the federal congressional districts, take each of those districts of this State which were redistricted by the court decision two years ago—they have a deviation of less than two per cent. What I am suggesting is that the General Assembly of Maryland is in far greater need of redistricting because of the violation of the equal population formula than is the Congress of the United States.

So we would provide, therefore, that the General Assembly shall be reapportioned and redistricted as promptly as possible two years prior to congressional districts.

THE PRESIDENT: Delegate Malkus.

DELEGATE MALKUS: Will the Chairman again yield?

DELEGATE GALLAGHER: Yes, sir.

DELEGATE MALKUS: Is it not true that the same figures were used to establish the new congressional districts as were used for the creation of reapportionment?

THE PRESIDENT: Delegate Gallagher.

DELEGATE GALLAGHER: You are correct, Senator Malkus, but the deviations allowed for house and senate districts go sixty-five per cent from the average district, but the deviations for congressional