

limit from three minutes to five minutes. A vote No is a vote against.

Are you ready for the question?

(Call for the question.)

All those in favor of the motion to amend signify by saying Aye; contrary, No. The Ayes have it. The motion carries. The amendment is adopted.

Is there any further discussion of the motion to resolve into a Committee of the Whole and to adopt Debate Schedule No. 1 as amended?

(There was no response.)

Are you ready for the question?

(Call for the question.)

A vote Aye is a vote in favor of dissolving into the Committee of the Whole and a vote in favor of Debate Schedule No. 1 as amended. A vote No is a vote against. All those in favor, signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.

(Whereupon, at 12:42 P.M., the Convention resolved itself into the Committee of the Whole.)

(The mace was removed by the Sergeant-at-Arms.)

COMMITTEE OF THE WHOLE

NOVEMBER 7, 1967 — 12:42 P.M.

PRESIDENT H. VERNON ENEY,
PRESIDING

THE CHAIRMAN: The Committee of the Whole will now come to order.

The Chair recognizes Delegate Gallagher for the purpose of presenting Committee Recommendation LB-1.

DELEGATE GALLAGHER: Mr. Chairman, ladies and gentlemen of the Committee:

In presenting the first report of the Committee on the Legislative Branch, I deem it appropriate to say that this Constitutional Convention, unlike the General Assembly of Maryland, does not carry with committee reports an affirmative presumption in favor of these reports. Consequently, the chairman cannot expect fidelity on the part of the majority of the members of his committee with respect to the committee reports.

I would hasten to point out, however, that despite this lack of a presumption and the lack of necessity for fidelity to the committee report, if the Committee of the Whole would seek to do what each of the committees has done, that is, to examine in the same detail, to reargue all the arguments, to set forth the full presentation of witnesses, that we would well be here until January, 1969, and consider ourselves lucky to go home then.

What I say here I say not for the purpose of being spared honest debate and reflection and consideration. It does seem to me, however, that the hundreds of hours that have gone into the consideration of these matters by the Legislative Branch, the careful consideration of the testimony of 68 witnesses who appeared before us in connection with these matters, the evaluation of questionnaires which were submitted to many persons who did not testify, certainly suggest that the decision and the recommendation of the Committee carries with it, if not some presumption of validity or an affirmative stance, certainly some additional substantive margin in its favor, which can really be overridden, as it is admitted by the members of this Convention. I place these ideas before you in the interest of accomplishing what we must do by the stipulated deadline.

The report of the Committee on the Legislative Branch represents the maximum concerted efforts of that body to outline the structure for a modern General Assembly. The Committee itself is composed of seven present or former members of the General Assembly, three professional educators, a former judge, a former President of the Maryland Senate, and I might say, a generous representation from the minority party, not to mention three from the disstaff side. Ten of our twenty members are lawyers, one has served as an aide on Capitol Hill, and two of the Committee members were leading figures in the five-year fight for reapportionment in Maryland. Virtually all 20 of the Committee members have had contact with state government and some are long-time professional students of state legislatures, including Maryland's.

The aim of the Committee was to structure a legislature which provides the maximum practicable representation, with the utmost efficiency. The Committee recognizes that at some point the overemphasis of one would unduly restrict and limit the operation of the other. Wherever possible, the Committee strove to achieve a full self-