

the Union have for a period of 130 to 140 years found the bicameral system quite satisfactory.

I might point out here, too, that there have been several occasions presented since the Supreme Court decision in *Baker v. Carr*, and *Reynolds v. Sims*, establishing the one-man/one-vote principle, when State constitutional conventions could have departed from the bicameral General Assembly and did not do so. We have before us as documents provided for our study both from the Constitutional Convention of the State of New York, which may either be ascending or descending at this very hour, and the State Constitution of Rhode Island, which also adopted a bicameral general assembly, and bicameralism has prevailed thus far, despite the one-man/one-vote rule.

I would like now to move from a consideration of section 3.01 to a consideration of section 3.04, the composition of the legislature. If you will indulge me, I would like to read the precise language of the Committee recommendation.

*"The number of members of each house of the legislature shall be as prescribed by law, but the number of Delegates shall not exceed 105 and the number of Senators shall be one-third of the number of Delegates. Each Delegate shall represent one Delegate District, and each Senator shall represent one Senate District. Each Senate District shall be composed of three whole Delegate Districts."*

Within that single section 3.04 are several subdivisions, all of which are equally controversial, so I should like to address myself to each of them.

In arriving in effect at the maximum limitation of 35 Senators and 105 members of the House, the Committee in actuality settled on a compromise between 40 Senators and 80 Members of the House of Delegates on the one hand, and 120 Delegates and 40 Senators on the other. The Committee heard testimony at great length to the effect that the present legislature, particularly the House of Delegates, with 142 members, was too large and cumbersome and unwieldy to do an effective job of legislating.

If one recognizes that the really important committee work done in the General Assembly, in the House of Delegates in particular, is carried on in two major committees, the Ways and Means and the Judiciary, and if one recognizes that it is

virtually impossible to have more than 34 or 35 members on each of these committees, it becomes perfectly apparent that only about 70 members of the House of Delegates are being fruitfully and fully used to their full and utmost potential. And when one addresses one's self to a question of how large the House should be, recognizing this difficulty, and taking into consideration that perhaps the House could, if it so desired, amend the committee structure so as to provide a third significant substantive committee, which one would presume would not exceed 30 or 35, it appears quite apparent that the most beneficial and fruitful procedure and structure for the House of Delegates would be three major committees of approximately 30 to 35. Moreover, this would provide the rationale for setting the limit of the number of members of the House of Delegates at 105.

Certainly those of us who served in the House when it was 123, much less than those who serve in it at 142, are cognizant of the fact that if one does not get an appointment to one or two major committees, one feels that the time expended is not well spent.

It may well be that the House, like the Senate, could form a third significant committee, and consequently make use of up to 105 members in a full and satisfactory fashion.

The adoption of 35 as the figure for the Senate was also a compromise in the various packages which were presented to the Committee. While it was generally agreed that the old Senate of 29 was a little too clubby, in the sense that one dealt on a much more personal basis than one would in a larger Senate of 43, it was felt by those who testified and by the Committee generally in its majority recommendation that 35 would serve as an ideal number because of the happy proportion which is provided on a three-to-one ratio.

Here we felt that the three-to-one ratio was quite significant, and would provide, as has been recommended by a great number of students of government, the best possible correlation of House to Senate.

I might point out to the members of the Committee of the Whole that an examination of the structure of both the House and the Senate under all four Maryland Constitutions, would show that never has the State of Maryland through its Constitution allowed the General Assembly to have within its own hands the determination of the ultimate numbers which would serve in