

The Chair recognizes Delegate Powers, Chairman of the Committee on Calendar and Agenda.

DELEGATE POWERS: Mr. President, I move the Convention resolve itself into the Committee of the Whole in order to resume consideration of Committee Recommendation LB-1.

THE PRESIDENT: Under Debate Schedule No. 1?

DELEGATE POWERS: Under Debate Schedule No. 1.

THE PRESIDENT: Is there a second?
(Whereupon, the motion was seconded.)

THE PRESIDENT: All those in favor, signify by saying Aye; contrary, No. The Ayes have it. It is so ordered. The Committee of the Whole will come to order.

(Whereupon, at 2:37 P.M., the Convention resolved itself into the Committee of the Whole.)

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

THE CHAIRMAN: The Chair recognizes Delegate Gallagher, Chairman of the Committee on the Legislative Branch to resume his presentation of Committee Recommendation LB-1. Delegate Gallagher?

DELEGATE GALLAGHER: Mr. Chairman, ladies and gentlemen of the Committee, recognizing with Benjamin Franklin that a full belly maketh a dull brain, the presentation this afternoon will probably be more limited than that this morning.

I concluded my remarks on single member districts by saying that it is, of course, tied in with the bicameral recommendation in the earlier section and also with a relatively small-sized House and Senate. Any significant increase in the size of the House and Senate would do injury to the concept of the single member district, in view of the fact that it would considerably lower the number of people represented and make the districts much more parochial.

I turn now to consideration of section 3.05, the qualifications of legislators.

I should like to read it: "*To be eligible as a senator or delegate a person shall be a qualified voter of the State of Maryland at the time of selection or appointment, shall have been a resident of the State for at least two years immediately preceding his election or appointment, and shall have been a resident of his*

senate district for at least six months immediately preceding his election or appointment. If, however, any redistricting plan for senate districts has been adopted within one year before a general election for the General Assembly, he shall be eligible in that general election to run either in the senate district in which he resides, or in any other senate district containing 50 per cent or more of the population of the senate district in which he resided prior to redistricting. To be eligible as a senator, a person shall have attained the age of twenty-five years and to be eligible as a delegate, he shall attain the age of twenty-one years at the time of his election or appointment."

To dispose, I would trust, of the less controversial section of this recommendation, that is, the age qualification for both House and Senate, I would say simply that all four of the Maryland Constitutions from 1776 on have contained identical twenty-one years of age qualifications for the House, and twenty-five years of age qualifications for the Senate, without exception; the only really significant change was, of course, the property qualifications that existed in the 1776 Constitution.

Section 3.05 with respect to a two-year residency in the State of Maryland is a decrease of one year from the present requirement of the Constitution of 1867 that one be a resident for at least three years immediately preceding his election.

The significant aspect of the six months residence requirement in the senate district is twofold: There was considerable sentiment in the Committee for the Legislative Branch to have no residency requirement at all within either the senate district or the house district, and it was a rather large sentiment. In other words, if one were simply a voter, a citizen, and for two years a resident of Maryland, it had been proposed that one should be allowed to run for any senate seat or any house seat. However, it was felt that, although the charge of carpetbagging against one who came in from a district in which he did not reside would perhaps be effective most of the time, nevertheless there should be some residence qualification within the senate district. The compromise that was adopted, therefore, was this: that so long as one lives within the senatorial district, he can run for the Senate and no matter where he lives within that senate district, he can run for any of the three House seats. One need not be, therefore, a resident of the particular house district from