

which he seeks office as long as he resides anywhere in that senate district. In other words, if one is a resident of any one of the three house districts which compose a single senate district, he may qualify to run for the House; in order to run for the Senate he must naturally have resided within the district itself for at least six months.

Now, recognizing that reapportionment and redistricting is going to cause and continue to cause hardships, a provision was added to try to take care of those who found themselves districted out of their old seat, or districted out of their old district if one were not an incumbent but merely one who sought office following a redistricting. What the Committee agreed upon was the compromise that if after redistricting one found that his old district were gone, and he no longer resided in it, he would have the option of running either in the new district in which he found himself or in his old district if his old district or portion thereof contained 50 per cent of the population of the old district.

This does not take care of all the inequities because if the old district were divided into three even parts, 33 and $\frac{1}{3}$ per cent would be spread around, and the option would not apply. Similarly if the old district were divided into four equal parts, and there were a 25 per cent spread, there would be no option because there would be no former place of abode, so to speak, for office-seeking purposes, which contained 50 per cent of the old district. However, by and large it was thought impossible to go into the minutiae and detail in the Constitution to the point where one could guarantee everyone who was dislodged as a result of redistricting an opportunity to run in more than one district. Under some circumstances, and perhaps ideally it may represent 90 per cent of the time, if one finds oneself in a new district, one would have the choice between running in that new district or in the old district, providing that it has retained at least 50 per cent of the population of the old district.

By the way, it was the problem with respect to redistricting and reapportionment which caused the Legislative Committee to veer away from any serious consideration of staggered terms. In actuality, the suggestion of staggered terms met with a great deal of appeal by the members of the Committee on the Legislative Branch, but the practical difficulties in deciding who would get staggered out and who would get staggered in, after every ten

years, was just too much to try to overcome. Consequently, we, as you see later in the report, decided to go with four-year terms in both the House and the Senate.

Turning now to section 3.06, the election of legislators, "a member of the General Assembly shall be elected by the qualified voters of the legislative district from which he seeks election to serve for a term of four years, beginning on the second Wednesday of December following his election."

As I made allusion to earlier, it had been the practice in Maryland for many years to stagger the senate terms. We had also had some experience with two-year House terms. However, we have found in the little over a decade that we have had the four-year term that it has served quite well in both the House and the Senate. One of the great difficulties in imposing a two-year term upon the lower House or any house as far as that is concerned, is that the members are always running for reelection, as is the case with the Congressmen of the United States in the House of Representatives. So the Committee felt that there should be some period of time during which members of the General Assembly should not have to worry about the business of campaigning, and the four-year term for both House and Senate was adopted. It seemed quite attractive. I might say that Maryland shares the distinction of using the four-year term for both houses, only with three other States of the Union.

An examination of the Constitutions of the other forty-nine states indicates that nowhere is there a six-year term comparable to the upper chamber of the national Congress.

Another change from the present Constitution contained in section 3.06 is that the term will commence at a different time. Under the present Constitution the term commences from the day one is elected. The Committee felt that because of the uncertainties and vagaries that arose with respect to certification, recount, official canvass, and challenge, it was somewhat unrealistic to have a term commence immediately with the day of election—tie votes and things of that nature—and it thought it a much more appropriate practice to begin the term from four to five weeks after the election. You will note, therefore, that we used the second Wednesday of December following the election as the commencement of the term.