

It says in section 3.01, as follows: "The legislative power of the state is vested in the General Assembly." That is basically the same language from the Commission draft. That language is not in the present Constitution, but the Court of Appeals of Maryland has held that the General Assembly of Maryland has plenary legislative power. Was it the intention of the Committee to preserve that construction of the powers of the General Assembly?

DELEGATE GALLAGHER: With the acquiescence of the Committee on Local Government, the answer is yes.

THE CHAIRMAN: Delegate Wagandt?

DELEGATE WAGANDT: In section 3.12, Delegate Gallagher, is there any intention to limit the length of a special session?

DELEGATE GALLAGHER: No, there is not. In the present Constitution, I believe it may go to the length of 30 days. We did not provide a limitation on the length of the special session.

THE CHAIRMAN: Delegate Chabot?

DELEGATE CHABOT: I would like to advert to the language referred to by Delegate Scanlan. The Court of Appeals has held that under the present language, the General Assembly is not permitted to refer general public laws to referendum on its own motion; that this would be an improper delegation of the legislative power.

Is it your understanding that this language would continue that interpretation?

DELEGATE GALLAGHER: I have not had as yet an opportunity to study the referendum language from the Committee on Suffrage and Elections, but I do not believe that this intends to make a change in that.

THE CHAIRMAN: Delegate Chabot?

DELEGATE CHABOT: As to section 3.05, the language, "To be eligible as a senator or delegate, a person shall be a qualified voter. . ."

By this do I take it, since there has been some discussion on that point in the Suffrage and Elections Committee, that if registration is one of the matters needed to qualify to vote, then the person must have been registered to vote?

DELEGATE GALLAGHER: Yes, I would believe that to be the interpretation.

THE CHAIRMAN: Delegate Chabot?

DELEGATE CHABOT: Sections 3.06 and 3.12 would make significant changes—well, 3.12 a significant change, and 3.06 a small change with regard to the legislature.

Is it intended that those sections would take effect with regard to the present legislature?

DELEGATE GALLAGHER: Yes, they would.

THE CHAIRMAN: Delegate Hardwicke?

DELEGATE GALLAGHER: Of course, there would be no organization session in the ordinary sense of the word as far as I can see.

DELEGATE HARDWICKE: Mr. Chairman, the question that I have relates to the interdependence of the various features of the Committee's Report, and specifically I would like to have a comment on whether the Committee would have felt the same way about bicameralism if all of the features of reform that you envision were not adopted. In other words, may I ask you whether or not the recommendation for bicameralism is not predicated upon, first, your recommendation that the size of both houses be decreased, and second, the belief that if you have the new legislature, it will reform itself to some extent by spreading the committee load, et cetera. I support to pinpoint this question, may I ask you, sir, whether or not if these reforms are not adopted, or if we do not reduce the size considerably, would your committee still be in favor of bicameralism?

THE CHAIRMAN: Delegate Gallagher?

DELEGATE GALLAGHER: First of all, I want to thank you for characterizing the document as one that seeks reform. I would say to the best of my ability that the Committee was in an agreeable frame of mind about bicameralism because of these other features.

I would not on any given day, indeed at any given hour, suggest to you what the exact vote on bicameralism or unicameralism would be if some of these significant features were eliminated.

I would agree, however, that the majority vote we did receive was predicated on considering each of these items in their totality.

THE CHAIRMAN: Delegate Hardwicke?

DELEGATE HARDWICKE: Then, Mr. Chairman, is it possible, if this Convention does not go along with the suggestion as