

There is one specific point to which I would like to direct my remarks. Although not mentioned in my distinguished colleagues' remarks, though in the addendum they make the point, the principal ground for the bicameral system has been cut away as a result of the Supreme Court decision. They quote that distinguished reporter, Bradford Jacobs of the Evening Sun, "The Supreme Court decision cut away the ground upon which the two-House system stood from the beginning".

Mr. Jacobs is a distinguished reporter, his credentials as a constitutional historian are something else.

From the beginning both houses were supposed to be on a population basis in this State. I would like to quote Woodrow Wilson, before he was President of the United States, and while he was one of the great professors of government and political scientists in his work on state government where he makes the basic point on which bicameralism stands: "Reasons for Two Houses in State Legislatures . . . There is, consequently, no such historical ground for having two houses in the states as exists in the case of the federal government. The object of the federal arrangement is the representation of the two elements upon which the national government rests, namely, the popular will and a federal union of states. The state legislatures have two houses simply for purpose of deliberateness in legislation, in order, that is, that legislation may be filtered through the debates of two coordinate bodies, representing slightly differing constituencies, though coming both directly from the people, and may thus escape the taint of precipitation too apt to attach to the conclusions of a single all-powerful chamber. The double organization represents no principle, but only an effort at prudence."

I will not take the time to quote here, the remarks of Chief Justice Warren's opinion in *Reynolds v. Sims*, the companion case of our own Maryland case. However, that citation from Woodrow Wilson was in our brief representing the view that bicameralism can flourish when both houses are maintained on a substantially equal population basis.

The majority of the court agreed with that argument, and in its opinion, which I will not quote now, except for the first sentence, said, "*We do not believe that the concept of bicameralism is rendered anachronistic and meaningless when the predominant basis of representation in the two state legislative bodies is required to be*

*the some—population.*" The opinion continued with quotations from Wilson explaining why bicameralism can work well on a substantially equal population basis.

THE CHAIRMAN: You have one minute.

DELEGATE SCANLAN: Thank you. I did want to reply to the specific argument the unicameralists made. Quoting Mr. Jacobs, it is not true that it has no basis in historical fact. I did think it important to point that out. Other arguments have been well covered by those who spoke in favor of bicameralism. It is a close case, but I do not think the game is worth the candle. For the more important reforms which we seek in the end, I stake my case with Woodrow Wilson, Earl Warren, and George Washington.

THE CHAIRMAN: Delegate Hanson?

DELEGATE HANSON: Mr. Chairman, I yield two minutes to Delegate Bryson.

THE CHAIRMAN: Delegate Bryson:

DELEGATE BRYSON: Mr. Chairman, I should like to speak briefly on the issue of the two-house versus the one-house General Assembly. I appreciate and respect the fact that the Committee on the Legislative Branch voted 3 to 1 in favor of a two-house Assembly. I am afraid, however, that this vote represents a failure to take advantage of an opportunity which may not come again for a long time to move forward to a better system, a failure that is largely the produce of a human ingrained resistance to change.

We have recently witnessed a basic change through the enforcement of the one man, one vote principle in the structure of our election system. With this should come in my opinion realistic adjustment to the new principle that elected officials represent people, not places.

The second house historically represented places rather than people and so under changing circumstances, its functions have disappeared. We can make theoretical arguments that serve to hide our reluctance to recognize the change. But it is impossible to hide the fact, obvious to those who wish to see, that the two-house system is cumbersome, expensive, and inefficient, and that it limits our continuing power to adjust to change as rapidly as circumstances require.

The plan reported by the Committee contemplates one hundred and five election districts—