

We were informed that the amendment had to take in the entire article. It is not the intention of the signers of the minority report that the second sentence of that amendment be included in the amendment that is before the group at the present time.

THE CHAIRMAN: Let me suggest that we have the amendment reproduced the way you want it while you are presenting your report.

I think there will be time enough to do that.

Is Dr. Phillips on the floor?

DELEGATE GLEASON: Mr. Chairman, if I could suggest, we could consider this at the time the amendment is actually formally before the body, but I did want everyone to understand that this minority report does not deal with single-member districts; it deals with the single proposition that the size of the legislature shall be established by law by the legislature, period.

THE CHAIRMAN: You can present your report on that basis and I will see that the amendment is reproduced in the form you desire.

DELEGATE GLEASON: Thank you, Mr. Chairman.

THE CHAIRMAN: You may proceed with the report.

DELEGATE GLEASON: Members of the Committee of the Whole, we are meeting on this question at this time to decide a very critical issue, which comes before us in the background of two facts. One of those facts relates to the two Supreme Court decisions, one in 1962, the other in 1964, *Baker v. Carr* and *Reynolds v. Sims*. Those decisions, as all of us know, require that both houses of the state legislature from those dates forward be apportioned on the basis of population.

The second fact which is in the background, and of which we are all aware, is that political scientists all over the country, students of government, and institutions which study state government, unanimously testified to the fact that reform in state legislatures is critical, and effectiveness of state legislatures needs overhauling and revision.

The question that I would suggest we consider and face today is how we are to resolve those two facts, first, the necessity for periodic reapportionment, and second,

the necessity for making our legislative arm of the government effective and resolve them into the right solution.

Two groups, each studying this problem for a period of two years, came up with a single solution. One group, which studied this problem for a period of two months, came up with four different solutions. The first of the two groups that I refer to is, of course, the Constitutional Commission Report, and I would take the time of this body to refer to the language that is included in that Report, which is found on page 136 and continues over to page 137.

The Commission said the following:

"The decisions of the U. S. Supreme Court have made it clear that the United States Constitution requires that state legislatures be apportioned according to population.

"That is pursuant to the one-man, one-vote rule. Since the relative populations of the various districts of the state are constantly changing, any scheme of apportionment must provide for periodic reapportionment.

"It seems obvious that necessary changes can more readily be made by statute than by constitutional amendment. It is for this reason that the Commission recommends that the power over apportionment and reapportionment be conferred upon the General Assembly.

"The Commission's Committee on the Legislative Department recommended that limitations in the size of both houses be prescribed in the Constitution. It recommended that after reapportionment, following the 1970 Census, the number of senators not exceed 43, and the number of delegates not exceed 150. Other similar restrictions were discussed by the Commission. After deliberation the Commission rejected all the suggestions that a maximum size for either house of the General Assembly be prescribed. The optimum size of the House of elected representatives reflects a delicate balance between many factors, such as the size of the population represented, the number of divergent interests present in the electorate, the desirable number for effective debate in a deliberative body, and other factors.

"The balance between such factors changes over a period of time."

I think this is a very fundamental consideration for this body today. It continues:

"And the legislature should have the