

they shall be located,—the total—and I am speaking here of the lower house, now—has been reduced overall throughout the country from 5,913 members in 1963 to 5,630 members in 1967. That is a decrease of 283 members, but 75 percent of that decrease has occurred in two states: Connecticut, which has gone from 294 to 177; and Vermont, that has gone from 246 to 150. And both of those states—and I think this is important for an understanding of the issue that we are involved with today—both of those states meet once every two years, as does the State of New Hampshire, which, incidentally, people try to raise as the bugaboo, that nobody wants a legislature of 400 members in size. Theirs is the only such legislature. During that same period, nine states reduced the size of their lower house and six increased it.

Let us take a look at what has happened during this period in the Senate. During this period, three states have reduced the size of their membership in their upper chamber or their senates, fifteen have increased them. New York, of course, in their constitution had decreased it, but they put it back in the new constitution which was defeated, so I guess we still have to put it on the net decrease. In both of the other states that have decreased their senates, Montana and Idaho, they meet once every two years, far different from what we do in the State of Maryland. For the total for all the states, there has been a net increase in the members of the upper chamber from 1913 to 1980. That is a net gain of 67 senate seats, and in no case where the size of the lower house has been decreased has the senate size been decreased at the same time.

Compare that with the majority Committee's recommendation.

I think it is clear from the foregoing that there once again is no uniformity in the way that people around the country are handling this delicate problem.

The population of Maryland as we know today is approximately 3.6 million people. As the Chairman of the Committee on the Legislative Branch has already informed the group, the projected estimates of the population in 1970, is 3.9 million. By 1980 that population will reach a figure of 5 million.

I do not intend to argue the merits today, and neither does the minority report, of the *Baker v. Carr* and *Reynolds v. Sims* decisions. These are the law of the land for the moment. However, we do intend to

argue that during this period of great change, during this period when the finality of the law has not covered the field, during this period when the exact deviation that can be expected from district to district has not been finally established by the Supreme Court, during this period when the slot system of elections, and other proposed systems which give broader representation to smaller groups are still having their merits tried out in the courts, we say this is no time to write into the Constitution of Maryland a 105 to 35 figure, which is going to significantly reduce the representation in our State legislature.

We know, and I think the figures that are before you in the majority report show, that if this 105-35 ratio is carried out, by 1970 there are going to be nine counties of our state that are going to have to share five members somewhere and somehow in the lower house of the legislature of Maryland.

The presiding officer, or Chairman, as he is wearing his hat at the present moment, has already mentioned the fact that by a considerable majority, the Constitution of New York was repudiated by the voters in the election yesterday. I am not one who is ever going to stand before this chamber on any kind of issue and say to the delegates here assembled, do not do what you should do because if you do not do it the way people want it, they are going to repudiate that document when it comes before them next May, but I think it is a fair question to ask: how can you expect nine or ten of our 23 counties in this great State to support a document that is going to deprive them of representation in at least one chamber of their legislature?

That seems to me a very relevant question.

I am not saying, and I do not make the case—maybe other members of the minority report do—that we can assure each county one seat at all times in the future. I do not say that we can or cannot. I say that if we cannot, let us make that pain as easy as we can, and the only place to do that is in a legislative group, and not in a Constitutional Convention delegation as we have here today.

I would like to take just a few final concluding moments with respect to some of the comments mentioned by our distinguished, jovial, always humorous Chairman, if I can find them. I may have to ask him for his text.