matters, namely, the fractional voting, so the Chair would rule that the amendment is in order. However, Delegate Clark has said he does not object to the amendment being made typographically. He desires to offer as an amendment to your amendment the amendment in its original form. This is properly a substitute, I take it?

DELEGATE J. CLARK: Yes.

THE CHAIRMAN: You have this printed?

DELEGATE J. CLARK: Yes.

The members have a copy.

THE CHAIRMAN: This would be Amendment No. 1 to Amendment No. 9.

In the absence of objection, the Chair will not have it read, inasmuch as the form of the amendment is exactly the same as the amendment as originally typed.

Is the motion of Delegate Clark for Amendment No. 1 to Amendment No. 9 seconded?

DELEGATE LORD: Second.

THE CHAIRMAN: The Chair recognizes Delegate James Clark.

DELEGATE J. CLARK: Mr. Chairman, ladies and gentlemen of the Committee of the Whole, this puts us back where we were a few minutes ago, and it places the issue squarely before us, and it leaves no doubt that when we vote for the smaller number, we are also voting for the fractional vote.

I believe that there are some delegates in this assembly who would prefer this situation, in which we now find ourselves. I would certainly hope so.

Suppose that I should explain fractional votes more thoroughly so that it might be understood by all, and that we would have questions if there are some.

When you divide the 105 into the proposed population of Maryland in 1970, you get an average figure, a mean of 37,700 per delegate. Now, when you look at the population of the counties, there are nine counties which do not meet this minimum. Therefore, there are nine counties which will not have a Delegate which they will be able to call their own.

This amendment would say that there will be 105 votes in the House of Delegates, and that in each of these five counties the vote which the delegate would be entitled

to cast would be in proportion to the population of that county, and the lowest of any of these decimals is one half of a vote. They go up as high as seven-tenths, in the case of Dorchester, I believe, so when I divide the sum of the proportions, proportional vote, this comes to five.

Therefore, you must add four delegates, so actually you have 109 members of the House casting 105 votes.

In the Committee we considered the proposition that perhaps a legislative agent might be made available to these counties which would not have a resident delegate.

THE CHAIRMAN: For what purpose does Delegate Case rise?

DELEGATE CASE: A point of order, Mr. Chairman.

THE CHAIRMAN: State your point of order.

DELEGATE CASE: It is my understanding that what is before the Committee of the Whole right now is Delegate Clark's amendment to Delegate Sherbow's amendment.

THE CHAIRMAN: That is correct.

DELEGATE CASE: And that amendment merely seeks to change the numbers back from 120 and 40 to 105 and 35.

Now, if that is true, it seems to me that the debate, if debate there has to be, should be limited to that and not to the question of fractional voting.

THE CHAIRMAN: Well, I think that is true, but it seems to me that Delegate Clark is entitled to explain why he thinks the amendment should be made, and I understand that that is what he is doing at the present time. You may proceed, Delegate Clark.

DELEGATE J. CLARK: When we vote on this amendment, we will be voting for the 35-105 with the fractional vote. That is all together in this amendment. This was a disadvantage which we labored under in the last vote.

I think that I would not say that there are not some problems presented by the fractional vote, but they are not problems which cannot be overcome. If it is the desire of this body to take this step as a compromise to meet the situation in which we find ourselves, I think it is a good compromise and we will at the same time accomplish the objective of keeping