

the House within reasonable bounds for all the reasons we have been stating over the past two days.

I am not from one of the smaller counties, but if I were, I would find this amendment to the amendment much more to my liking than the 120, even if you had the fractional vote connected with that.

There is a degree of boldness to this step.

THE CHAIRMAN: You have one minute, Delegate Clark.

DELEGATE J. CLARK: I think the situation that we find ourselves in calls for some boldness.

I would hope that this decision will be made by the people from the small counties who have a good case, and I hope that they will cast their lot with this proposition, because it is my sincere belief that in the long run they will profit by it, and the people of this State will profit by it, also.

THE CHAIRMAN: Does any delegate desire to speak in opposition to the amendment to the amendment?

DELEGATE CASE: Mr. Chairman, I rise in opposition to the amendment to the amendment.

I think the Chair has established that what we are doing here in effect is reconsidering the vote which we took on Amendment No. 8.

What I understand is before us is whether or not there shall be 120 members of the House or 105, and whether there shall be 40 members of the Senate, or 35.

A few minutes ago we voted on this very question.

The vote was 94 to 36 in favor of 120 and 40.

I submit, Mr. Chairman, that we have had enough debate on this question. The question is single before us now, and I urge we vote the amendment to the amendment down so that we can get on with the consideration of fractional voting.

THE CHAIRMAN: Does any delegate desire to speak in favor of the amendment to the amendment?

DELEGATE ADKINS: I should like to raise a parliamentary inquiry.

Am I correct in assuming that if Delegate Clark's amendment to the amendment

passes, and Delegate Sherbow's amendment as amended fails, the earlier vote establishing the House as we have just done, at the 120 figure, would still be in full force and effect?

THE CHAIRMAN: That is correct; regardless of the action on the amendment to the amendment, if Amendment No. 9 fails, whether in its original form or as amended, that leaves the action of the Committee of the Whole as it was before the amendment was offered.

DELEGATE ADKINS: Thank you.

THE CHAIRMAN: Delegate Scanlan.

DELEGATE SCANLAN: I reluctantly rise to support Senator Clark's amendment.

THE CHAIRMAN: Just a second.

Is there any other delegate who desires to speak — I am sorry, you are quite right. I thought it was open session.

Delegate Scanlan is speaking in favor.

DELEGATE SCANLAN: The Committee on the Legislative Branch tried to achieve a number of goals, some of them almost mutually exclusive.

We tried to adhere to the one-man, one-vote principle, a substantial population principle.

We tried to provide for a small, effective, efficient General Assembly.

We tried to the maximum extent possible to see that where it could be done that all areas would be represented, certainly at least in one house. We also, of course, had in the back of our minds the fact that there were limits beyond which we could not go without risking repudiation by the voters in May.

Where we broke down was the clash between the substantial equal principle and the desire to give each county as much representation as it was entitled to.

Later in the game, one of the suggestions made after we completed our report, was the one you now have before you, originally sired by Senator Clark and rather hastily adopted by Judge Sherbow.

Personally, I think it is messier than a seabag of a Chinese sailor and I think it is an invitation to litigation, for one thing.

What about it, say Montgomery County, that might be entitled to 11/12ths but is not given a half; in other words, the classi-