

tence, "if any county entitled to more than one delegate in completely surrounded by counties so insufficient in population that all their delegates cast a percentage vote, that county shall be entitled to the full number of delegates, with one vote, plus one delegate casting a percentage vote," which would be, as far as I am able to tell, only applicable to Wicomico in 1970.

THE CHAIRMAN: Delegate Chabot?

DELEGATE CHABOT: If I may continue, are you sure that it is .8 rather than .79, or .785, or at what point do you determine when to round off the figures?

THE CHAIRMAN: Delegate Gallagher?

DELEGATE GALLAGHER: The staff came as close as it could in coming up with a number.

We did not get into hundredths. We got into tenths. Whether this would be good practice when you are actually allocating the percentages, I am not certain.

THE CHAIRMAN: Delegate Chabot?

DELEGATE CHABOT: I am trying to find out what the Constitutional command is, rather than what we do here for the moment to give a brief illustration.

I find nothing in this draft language which would authorize whoever makes the official computations to stop at any particular number of decimal points.

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: That is quite true. A percentage vote can be carried out to four or five places, I suppose. The only thing I know is that it might have to be delimited at some point constitutionally to decide how far it would go.

One of the problems that you might find yourself in if you really mean that you only have 120 votes is a situation where you really could not project the percentages to a point where you had exactly 120 votes, and you would always fall either short of 120 or be over 120

I suggest the way to remedy that is to allocate percentage votes to the members of the Court of Appeals.

THE CHAIRMAN: Delegate Hickman?

DELEGATE HICKMAN: Mr. Chairman, I think in answer to the last question, the Supreme Court did expect some deviation, and I do not think it will ever come to an exactness, as the question implies.

I thought someone else would answer Delegate Rybczynski. The first question was, would the people in the small county on one side of the street who had only a half vote and no representative be satisfied if the person on the other side had a full representative?

I think the smaller counties would believe so. I might say that the person who has a half vote might have more influence in the legislature than the person on the other side who has a full vote. I do not think the Supreme Court will ever be able to reach a certainty, where everybody who comes here has the same ability, the same IQ and everything else, though the smaller counties would prefer that.

THE CHAIRMAN: Delegate Gallagher?

DELEGATE GALLAGHER: Mr. Chairman, there is another answer to Mr. Rybczynski's question, which perhaps might be helpful. Some counties might have more than one delegate, so that if I live in County A, I would be represented by two delegates; if I lived in County B, I would be represented by one, so you could say theoretically that a resident of one county has twice as much voting power, because he has got two votes in the house than the man who lives in the one where there is only a single representative. It is not really entirely out of line to say that a regular voter in one county has more or less of an impact; it is just a question of what you do with the fraction and how significant it becomes.

I do not know how you would break ties, whether if you have 60.3, that would be good enough to get over a majority, if you need 120.5. I just don't know.

THE CHAIRMAN: Before putting the question, the Chair would like to announce that we are proud to have with us in the gallery today the Honorable William Houck, Chairman of the House Ways and Means Committee. We are delighted to have him here.

*(Applause.)*

Are you ready for the question.

*(Call for the question.)*

The question arises on the adoption of Amendment No. 9 to Committee Recommendation LB-1.

DELEGATE KEY: Mr. Chairman.

THE CHAIRMAN: Delegate Key.

DELEGATE KEY: I have just one thing