

DELEGATE GALLAGHER: I do not so interpret it, Delegate Marion. As I read it, it says any county which is not entitled to at least one delegate elected completely within the boundaries of the county—now, if there is a delegate from the county, then there is such a county representative. If the county would not be entitled to a legislative agent—

DELEGATE MARION: The question was—

THE CHAIRMAN: Delegate Marion, the Chair suggests that you pursue the matter by debate rather than by further questions to Delegate Gallagher.

DELEGATE MARION: Thank you, sir.

THE CHAIRMAN: Do you desire to speak in opposition?

DELEGATE MARION: No, sir.

THE CHAIRMAN: Does any other delegate desire to speak in opposition? Delegate Bamberger.

DELEGATE BAMBERGER: Mr. Chairman, I rise reluctantly to make a point which Delegate Marion made, and which Delegate Fornos and Delegate Harkness made. This provision says that a county "which is not entitled" it does not say "which does not elect"; it says a county "which is not entitled to have at least one delegate elected within its boundaries shall" — it does not say "may" but "shall", and the effect of this can be that a county, as Calvert County, which does not have the number 1/120th of the population of the State within its borders, and therefore is not entitled to elect a delegate, may in fact elect a delegate who is a resident of that county, and would in addition be entitled to a half-baked delegate, if I may say that, a non-voting delegate. Now, that is obviously not fair to other counties which do not quite fall into that category. I suggest that this is unfair to the small counties, because what it offers the neighboring county which shares their delegate district with that small county, is the opportunity to say, "Now, look, we have the votes over here, most of the votes over here outside of our county. We are not really hurting you when we elect the delegate who lives over here because you are going to get this non-voting delegate."

If there is sense in this, if there is merit in having a voice for the smaller county, as I think there is, I suggest it is solved best by the Alabama method. Nothing prohibits the General Assembly from giving

the privilege of the Floor to anybody to whom it wishes to extend that privilege.

I suggest that this is a matter to be referred by this Convention to the General Assembly, which it may more easily consider after the election when it is known where the delegates come from. If it finds that there are counties which do not have a resident delegate, the General Assembly may then consider creating a position of a legislative agent and by some process of election or appointment, give the privilege of the floor to someone from that "unrepresented county" which is not in fact unrepresented, but which merely does not have within its boundary a resident delegate.

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

DELEGATE GLEASON: Mr. Chairman, I wonder if I could address an inquiry to the Chairman of the Committee, please?

THE CHAIRMAN: To Delegate Gallagher?

DELEGATE GLEASON: Yes.

THE CHAIRMAN: Delegate Gallagher, do you yield to a question?

DELEGATE GALLAGHER: Yes.

THE CHAIRMAN: Delegate Gleason.

DELEGATE GLEASON: I wonder in order to clear up the objection that has been raised here, and I think that it is with some substance, whether the delegate would not accept an amendment to his proposal which in effect would say as follows: "The General Assembly shall provide by law that any county which does not have elected at least one delegate completely within its boundaries, shall be entitled to a non-voting legislative agent in the House of Delegates."

DELEGATE GALLAGHER: Yes, I would, and as a matter of fact, there was an amendment prepared by Delegates Ritter and Grant which reads as follows: "The General Assembly shall provide by law for each county which does not have a delegate residing within its boundaries to be represented in the House of Delegates by a legislative representative.

I certainly would urge, if it be the will of those two delegates, that they submit this amendment as a substitute for the one which you have before you, which I think goes to answer Mr. Bamberger's objection.