

less you move to a point where the legislators are also available when doing their research, because there needs to be an interplay between staff and legislators. In fact, this is a key point. As a matter of fact, 17 states use the flexible calendar, and they like it. Indeed, some who just re-wrote their constitutions have adopted the flexible session.

The flexible legislative session permits intensive study and analysis. It permits returning to constituents to get their opinions during a break in the period. It permits the bifurcative session if the legislature thinks this is valuable and profitable to have discussions with constituents.

Most important of all, the legislative session permits adjustments to emergencies. Interestingly enough, the majority report recognizes the solution does not lie in settling on one fixed date. If you were to read the majority report you would note that it sets forth three or four fixed dates, 90 days, then 30 more if needed, yet 30 more again if needed, that is, a number of special sessions if required

Moreover, there was recognition during discussion in the Legislative Branch Committee that there would even be an organizational session, and there is such organizational session.

Now, I ask you, is it not redundant to have an organizational session, one regular session, two more regular sessions, first called by majority, secondly by three-fifths vote, then a number of special sessions which the governor may call or which may be called by three-fifths vote or by the presiding officer? If your Minority Report passes, we shall ask that there be some discussion on that one.

Now, you have to agree, the majority did not know how to fix the number of days. In fact, they themselves were so mixed up on this that in the compromise there was a confusion of redundancy. Read the section of the Majority Report on this matter and come to your own conclusion as to whether there were any fixed ideas.

Would it not be much easier and more logical to say that each year the legislature will take the time that it needs and set the date of adjournment as soon as the task seems to be heading toward completion; and it can set it in March or April or May, or for that matter, February, if they are finished?

Incidentally, this point has not been made too often, the salaries for legislators

for various states are such that no state with a fixed legislative sessions pays as much as \$6,000 a year. Go over these salaries. I find it true that while those with flexible sessions tend to pay something above \$8,000 a year, under a legislatively determined session, a yearly salary is set with full knowledge that the legislator is accountable during the entire year.

As you know, our Committee recommended \$8,000 a year salary. Will this be interpreted as salary for 90 days. I am not saying here we should have a flexible session in order to enlarge the salary. What I am saying is that now that the salary is raised, let's schedule the session so that it is clear that responsibilities are year-round and that if need be, committee meetings and plenary sessions will take place as required.

It is interesting to note the first Constitution of Maryland in 1776 did not set definite closing dates, recognizing that the public interest would interfere. Our first Constitution merely stated under Article XXIII in 1776 that the General Assembly meet annually starting the first Monday in November. They had differing sessions, if you study them.

Furthermore, the Maryland Constitution of 1851 noted the problem we discussed today by saying in Article II, section 8, "The General Assembly may continue its first two sessions after the adoption of this Constitution as long as, in the opinion of the two houses, the public interests may require it."

I want to pause here for an historical parallel that is highly important. They said this. We have just finished the Constitution. When you finish a constitution there are adjustments by the legislature that require statutory law to dovetail with constitutional law. Therefore, the first years immediately after a new constitution are highly important to be flexible.

The 1862 Constitution said after the first year you may fix them, but particularly after the first few years, particularly after the first few years, they said, it is highly important not to fix the date. Otherwise you lose the whole point of the new Constitution.

The 1864 Constitution reads: "The General Assembly shall continue its session so long as in their judgment the public interest may require."

We were then at war. We are now in the midst of problems that are as serious