

DELEGATE SOLLINS: Mr. Chairman, members of the Committee of the Whole, just a few other facts that the other members of the Legislative Branch Committee have not brought to the Committee of the Whole's attention.

First of all, Maryland, Alabama and California are the only three states that have had ten or more special or extraordinary sessions of the legislature in the period between 1956 and 1965. I think it is instructive to note from this that obviously the time that the legislature has had in the past has not been adequate and the need for special sessions has been continual. The subcommittee of the Legislative Branch Committee that studied this particular problem, consisting of Delegates Scanlan and Gill, reported in their recommendations to the Committee of the Legislative Branch the following comments: after they first supported the model state constitution, the Committee for Economic Development pamphlet, "*Modernizing State Government*," which strongly endorsed flexible sessions, went on to say, "your Committee thinks that these friendly observers of state government are correct."

We were also impressed by the testimony of the several witnesses who appeared before the Committee on the Legislative Branch who urged that unrestricted sessions provide an absolute and indispensable flexibility which will be required if the members of the state legislature are going to fulfill their responsibilities that are increasing each year, and bring closer the day when membership in the General Assembly would be truly a full-time job.

I think this sums up the feelings of the minority, that we feel that flexibility sessions are required if the legislature is to be a truly coordinate and equal branch with the other two branches of government.

THE CHAIRMAN: The Chair recognizes Delegate Henderson to speak in opposition to the amendment.

DELEGATE HENDERSON: I would like to address a question to Delegate Bard if he would yield.

THE CHAIRMAN: He can do that. We have to see if someone desires to speak in opposition.

Delegate Clarke.

DELEGATE E. CLARKE: Mr. Chairman, ladies and gentlemen of the Convention, I favor the Majority Report because it does set deadlines and provides for ex-

tensions. The General Assembly would be in a position under the Majority Report then to handle additional legislation of a critical nature.

THE CHAIRMAN: The Chair recognizes Delegate Bard to yield to a question from Delegate Henderson if he chooses to do so.

DELEGATE BARD: I yield.

THE CHAIRMAN: Delegate Henderson, state your question.

DELEGATE HENDERSON: Delegate Bard, the question that is going through my mind is this: is it not essential under any plan that deadlines be fixed? What I have in mind is this: I believe under the existing law, June the first is the date on which legislation takes effect, and that is tied in with the referendum provision that you have until that date to obtain a certain number of signatures, and then others, in order to stay the operation. Also the fiscal year of the State begins on July first, and I believe all the localities have now conformed to that; so that isn't that a problem which would have to be faced and presents many difficulties if you operated on a year-'round basis?

THE CHAIRMAN: Delegate Bard?

DELEGATE BARD: Delegate Henderson, it is a consideration, but not necessarily a problem. The seventeen states' legislatively determined sessions are operations. They have worked them out that the fiscal year is much as we have it; the passage of bills is dovetailed with the fiscal year producing clear advantages in connection with the time periods. Let us consider Montgomery County, which had a problem not so long ago in connection with housing. They did not know whether under the state law they could pass such a county ordinance; if the legislature had been in session to dovetail into the general law and the local law, it would have taken place; so this, if anything, helps in terms of certain fixed dates. There are technical determinations that need to be set, but we do not see this as a factor in the debate.

You are right, Judge, that you must make these kind of adjustments, but the seventeen states have dealt with that problem.

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

DELEGATE MENTZER: The problem with open housing legislation was in Prince