

DELEGATE CHABOT: Certainly.

DELEGATE WHEATLEY: Delegate Chabot, I would like to pursue Delegate Hutchinson's question a little further on the advisability of the issue. It seems to me that you have two very good principles involved, one, the extension of time and the other, the question that you put to a second category, I think, as to the base for calculation. Now, I would think it would be difficult, perhaps, to vote on one without the other, as you see it, but on the other hand, not knowing what further amendment might be offered, I wonder; I can see where you have the two interwoven so closely that they could not be voted on separately.

DELEGATE CHABOT: Delegate Wheatley, it is obvious, as I said, that we were not intending to make a referendum ballot more difficult. Consequently, we would not have simply proposed an increase in the number of signatures. At the same time, we were not intending to cross the border to make the availability of the referendum easier. Consequently, we would not, without any other change, have proposed an extension of the time period.

The two are put in conjunction here, and the effect of both the extension of time and the increase in number of signatures are jointly intended, it would have the effect of, simply changing who, what part of our population, what part of those who try to work with and for the people, could most easily use the referendum. A change of one of them, but not the other would have a completely different effect.

DELEGATE WHEATLEY: If I may pursue the question, if the percentage itself were changed, would you feel this would have a devastating effect on your proposal? I have in mind the question that might arise as to the lower percentage based on the number of registered voters.

DELEGATE CHABOT: Certainly, it would. As I indicated, the percentages that we have indicated here, and the time, are in more or less proportion. Any significant change, any change which would be significant enough for this body to take its time away from it would significantly change the effect of the entire package.

DELEGATE WHEATLEY: I gather from your remarks then in answer to my question, you would feel preferable to defeat the amendment rather than possibly divide the issue; is that correct?

DELEGATE CHABOT: I would feel that it were preferable to support the amendment rather than divide the issue.

THE CHAIRMAN: Delegate Burdette.

DELEGATE BURDETTE: Mr. Chairman, I should like to ask Delegate Chabot a question, more properly a series of question. Delegate Chabot, in your language explaining the Minority Report which is in the form of the proposed amendment, you speak, as I understand it, of registered voters; in the language proposed in the amendment, there is used the words "persons qualified to vote".

It may very well be that these are intended to be the same, but I ask first, is it not correct that under the Constitution of 1867 that they are not the same, and by getting to the second one that comes from that, if this is a hint of the report of the Committee at a later stage, are we not introducing a new principle of constitutional law in Maryland? I am informed only from reading the Constitution, and I do not know the decisions of the Court of Appeals.

DELEGATE CHABOT: Dr. Burdette, I had not been aware that there was a clear distinction under the current Constitution between the use of those terms. When LB-1 was before us, I am not sure if I specifically asked a question of the Chairman of the Legislative Branch Committee on this point, but in any event, the qualifications for running for the House of Delegates were stated in terms of qualified voters, except for the matter of age requirement for the Senate, and as our next Committee's proposal will indicate for the House of Delegates also. I had assumed that anyone who was a qualified voter under the requirement for running for the General Assembly, was a person who had met all of the requirements, including the requirements of registration. If there is a difference between the meaning of those terms, I would like to know what it is, and I think that the other members here would like to know what it is.

DELEGATE BURDETTE: Mr. Chairman, it seems to me that this may be the most important question, and I should indeed like to be enlightened by some of the members of the Bar who may have been familiar with the matter. As a standard textbook matter in this country, there is a distinction. The distinction generally made is that registration is proof of the qualification, but our Constitution of 1867 seems to make this very clear, for it is Article I, Section 1, which specifies the qualifications, but Article 1, Section 5, which specifies the registration is in this language: "The General Assembly shall provide by