

That is new. That was not in the previous draft.

Rule 54 [58] was the order of consideration in the original draft. It had a 9 and 10. The 9 was tentative adoption, and the old and present line was old 10. We struck old 9 as superfluous, leaving open the question, however, as I think I indicated to you, that whether or not there should be additional debate permitted on third reading under the circumstances of the Constitutional Convention, or whether or not if permitted, it should be limited to new matter, was another question limiting debate.

I believe, Delegate Malkus, that I have covered all the changes, certainly all the changes of substance that our Committee agreed upon. Memory is a fallible thing. I do not have the marked up copy in front of me, but I think that is reasonably accurate. I hope that is satisfactory to the delegate.

THE CHAIRMAN: The Chair acknowledges Delegate Weidemeyer. Do you yield the floor?

DELEGATE SICKLES: Mr. Chairman, I suggest we ought to clarify some of the language discussed last night. I have a question about the document before us, in the light of our discussion the other night, and I would like to ask the gentleman to yield.

DELEGATE WEIDEMEYER: I will yield.

DELEGATE SICKLES: The gentleman from Montgomery County will recall that originally there was a Rule 19 which had to do with employment of employees, and it said, "Convention by resolution may designate employee descriptions, and may provide the president with salary scales for portions thus designated," and it was agreed the other night in our discussions that it would be impossible for the president, who was to appoint the employees in the interim period between now and September, to be able to appoint anybody unless he knew what the salary structure was, and it was our intention that the president have this authority. I find that in the document now before us that paragraph has been deleted. I see a partial saving factor in that Rule 6 says, "Otherwise provided the president may appoint and assign duties to all employees of the Convention." However, could you point out to me, because I cannot seem to find it, where he would have the authority to establish salaries. I think he

would have a difficult time employing anybody unless he had that authority.

DELEGATE SCANLAN: I think you are right. I think the rule you referred to clearly gives the president power under such salary schedules as this Convention might approve. I think the rule is now impliedly given, but perhaps the thing to do before we adjourn today if we do, is by specific resolution, to give whomever we elect president or whomever we determine, the right to hire a staff in the interim between now and September 12.

I will call the Chairman's attention to the language, "All officers, employees, other than honorary president, president, vice-president, shall be persons who are not delegates, and their compensation shall be fixed in such a manner as may be determined by resolution of the Convention." It is probably contrary to the decision of the Committee.

Now, before considering the amendments offered by Delegate Weidemeyer, I think it appropriate to ask the Secretary to read the amendments so that we will know what is before us.

DELEGATE MALKUS: A question of the Chairman of the Temporary Rules Committee.

THE CHAIRMAN: Will the delegate yield?

DELEGATE WEIDEMEYER: I yield.

DELEGATE MALKUS: I refer to Rule 64 [68], Mr. Chairman, and I wonder whether it was the Committee's intention to have us operate without rules altogether. It seems to me that throughout Anglo-Saxon law when we adopt rules, they are not subject to the trifling whims of whatever happens to be the course of action for that particular day, and when you adopt the principle as advocated by the Rules Committee, that a simple majority may amend or dispense and change these rules, that that group which has the power for that day or on that particular subject can do with these rules as it pleases. The rules of the present House of Delegates, and also the Senate of Maryland, call for three-fifths votes to change the rules of the House or the Senate, and it protects the body against arbitrary special rules because one particular group advocating a proposal happens to have the upper hand that day. I think it is very worthy of you to explore this. Perhaps you have been thinking about this, Mr. Chairman?