

two-thirds of two-thirds, which is a quorum; it would require approval by a majority of the members to which each House is entitled, which would include in the computation of members any vacant seats. Eleven state constitutions do not mention majority requirements for the passage of bills, and of those eleven, all but two have rules of their legislative bodies which require certain majorities.

It is interesting to note that a couple of those states which have no majority requirements for passage of bills mention in their constitution, required two-thirds for a quorum.

We believe that this thing is such a revolutionary step that it cannot be adopted by the Committee of the Whole or by the Convention without doing a great disservice to the people of Maryland.

In the majority recommendation there are opportunities for political trickery and political chicanery that we have never had. There has been a great deal of talk in this Convention about the advisability of legislators. We suggest that advisability of legislators will disappear if you have a situation in which 11 people in the Senate and 31 people in the House can pass bills.

An example of what might happen is a day like today, or like yesterday, a nice wintery day, in which the attendance is likely to be low. A committee chairman can line up his people for early that day, call a bill up, and get it through with a very limited number of people. Another thing which can happen under the majority recommendation is that in those instances in which there is a great deal of pressure on members to vote in a particular way, he can get by with passing in many more circumstances than he can under the constitutional majority rule.

In one of the sections, three-fifths votes are required for the expulsion of a member. That is tied also to a present voting rule, so that if you have a quorum present, for example, in the Senate of 21 people, three-fifths of the 21 people could expel a member. The same is true in the House.

This step, which the majority would have us take, is so far out of practice with most American states, I find it incredible. The present Maryland Constitution requires the constitutional majority. The draft prepared by the Constitutional Convention Commission requires a constitutional majority. All but a very few, five of the states in the United States, require a greater majority than this, and it seems to us that the only

way in which the people of Maryland can be adequately protected against their legislators being invisible and against their legislators becoming involved in political trickery is to stay with that which we have had and that which has historically worked exceptionally well in this State and in other states.

We respectfully urge the Committee of the Whole to support each of the three amendments relating to 3.13, 3.16 and 3.17 which will be submitted.

DELEGATE CLARK (presiding): Are there any questions of Delegate Gilchrist?

Delegate Scanlan.

DELEGATE SCANLAN: I rise to a point of personal privilege, Mr. Chairman.

DELEGATE J. CLARK (presiding): State your privilege.

DELEGATE SCANLAN: I am glad to return Delegate Storm's compliment of last night by pointing out in the gallery above us the lovely wife of Delegate Rybczynski, along with five of their large family of nine, Paul, Thomas, Carol, Mary and Philip. I think he was afraid to bring the others for fear of overcrowding the gallery.

*(Applause.)*

DELEGATE J. CLARK (presiding): Are there any questions of Delegate Gilchrist on the minority report? The Chair recognizes Delegate Bamberger.

DELEGATE BAMBERGER: Delegate Gilchrist, the language that is proposed by the majority report is that the vote shall be by a majority of all the members of that house. I thought in your presentation you suggested that this would have the same effect as the language of the present Constitution, which is that it be the majority of the whole number of members elected, but the Commission's report indicates that there was a different intention. Do you intend to follow the view, or do you adopt the intention of the Commission's report?

DELEGATE GILCHRIST: The number of members in the House is defined by, I think it is 3.04 of the Committee's original recommendations, and I do not see very much distinction between the number of members and the total number of people used in your language.

*(At this point, President H. Vernon Eney resumed the Chair.)*

THE CHAIRMAN: Delegate Bamberger.