

THE CHAIRMAN: Following the next speaker for the proponents.

Delegate Gilchrist.

DELEGATE GILCHRIST: I yield three minutes to a man who has probably had more experience with the machinery of legislation than any other man in the room, Delegate Della.

THE CHAIRMAN: Delegate Della.

DELEGATE DELLA: Mr. Chairman, delegates of the Convention, I think we are on the right path of trying to create a legislative body that is going to have a good image with the public. In a 40-member Senate it would take 11 of those members to pass a bill because 21 is a quorum and a majority of 21 is 11. Now ordinarily under our present procedure and under our present Constitution, it would take 21 members to pass a bill to make it constitutional.

In the House, we have 120, a quorum is 61, and under the proposal by the majority of the Committee it would only require 31 members out of a body of 120.

My good friend, the Chairman of the Committee, mentions one bill. It so happens I happened to be up in the country over the weekend and I have, I suppose, a fairly decent house, but I had a squirrel in it. Now am I supposed to burn my house down to get the squirrel out? We have a good procedure under the present Constitution and it has been working for the last hundred years, that a majority of the elected members of the body shall be the necessary constitutional majority.

We in the Convention are operating under a 72-vote majority of the body.

We also passed in the executive branch just yesterday, that on the return of vetoed bills from the governor's office the bill to pass must be done by the affirmative vote of three-fifths of all the members of each house.

THE CHAIRMAN: You have one-half minute, Delegate Della.

DELEGATE DELLA: I think we have to be consistent. If we are going to permit three-fifths vote on vetoed bills of all the members then I think it ought to be three-fifths vote of all the members of both bodies to pass a bill that required three-fifths vote, or a majority.

I would like to see, for good government, to adopt all three amendments that have

been offered by the Minority Report. I do not think the majority recommendation is workable. It will create a lot of sculduggery, I am sure of that, and if you want responsible leaders in the General Assembly, give them the tools to work with, and make it a fixed number that is required to pass a bill, so that he knows and the members know what is required.

THE CHAIRMAN: Delegate Gleason.

Delegate Gallagher.

DELEGATE GALLAGHER: Mr. Chairman, if this amendment passes I want to make it clear that I withdraw my opposition to the other two amendments.

THE CHAIRMAN: Very well.

Delegate Gleason.

DELEGATE GLEASON: Mr. Chairman, I would hope that the mover of this amendment will say the same thing if his amendment is defeated.

It seems to me, fellow delegates, that at any time and on any occasion when there is a minority, which there always is, which resists a majority recommendation of the Committee there is a constant reference and allusion to the historic traditions and requirements embodied in the present and past constitutions of Maryland. I know at least the primary mover of this amendment has often voted to remove things that have been embraced in the ivy halls of tradition of past constitutions. I would suggest to him that this is not a case where he should change his past voting record.

The majority of the Committee did not consider this as any great significant change in the protection of the rights of the people. We considered this simply as a method for simplifying the procedures when the legislative halls of the state government, and here in Annapolis.

The Chairman of the Committee has already referred to the record around the states and I think that record has been a little bit distorted by the Minority Report. It is true that twenty-six states require a majority of the members elected to each house, but there are eleven states that do not even have a requirement in the constitution at all, majority or just a majority of those present; five require approval as we are suggesting it here.

The United States Congress has operated for decades and decades without any problem whatsoever about a minority of its members passing major legislation.