

Would it not be better to deny the B&O in this constitution this right of subsidy, or tax break, and increase the welfare budget?

DELEGATE GALLAGHER: That may well be. The point is here we cannot take the exemption away from the B&O in the absence of its doing something which by law removes the exemption.

THE CHAIRMAN: Delegate Mentzer.

DELEGATE MENTZER: Delegate Gallagher, did your Committee consider whether this provision could have been in the constitution in the schedule, and although the schedule is primarily for the temporary items of transition it can also be used as an appendix to carry over those things which do not belong or which seem incongruent with the main body of the constitution?

DELEGATE GALLAGHER: We felt again that because of the importance of the subject matter and the fact that it had been handled on a constitutional basis in the past that we ought not to jeopardize our ability to remove this exemption by putting it in any secondary status, and consequently we determined to use the constitutional route despite the language and the length.

THE CHAIRMAN: Delegate Mentzer.

DELEGATE MENTZER: But the things in the schedule have the full force of the constitution, do they not?

DELEGATE GALLAGHER: Yes, they do, but again we are not certain, as I have said before, that the B&O is the only corporation involved. This is really a matter of principle, although it appears to apply to an individual case, and we simply felt that we did not want to confer some less than constitutional status. We considered putting it in the transitional legislation and decided we ought not to.

THE CHAIRMAN: Delegate Willis, do you have a question?

DELEGATE WILLIS: A point of personal privilege, Mr. Chairman.

THE CHAIRMAN: State the privilege.

DELEGATE WILLIS: I would like to announce to the group that in the balcony in the rear are 119 students from Harford County, 79 students from the Edgewood Junior High School, with their teachers, Miss Lois Merckle and Mr. Garlands Fuller, and 30 eighth grade students from our

North Harford High School with their teacher, Mr. Stephen C. Williams.

I would appreciate your all joining me in giving them a welcome.

*(Applause.)*

THE CHAIRMAN: Delegate Ritter.

DELEGATE RITTER: Has your Committee gone into the far-reaching effect that if this exemption was taken out of the constitution what effect it might have on railroad employment on the B&O in the State of Maryland as well as effect on the Port of Baltimore by them having their tentacles into the coal fields of West Virginia whence most all our coal is shipped abroad from Curtis Bay?

DELEGATE GALLAGHER: No, we have not. I should say it is not punitive or penal legislation. This is merely an attempt to regularize and to make uniform corporation statutes and the handling of corporations chartered by the State of Maryland. We did not seek to weigh the economic impact of the loss of the exemption.

THE CHAIRMAN: Delegate Ritter, do you have a further question?

DELEGATE RITTER: You will admit that there would be quite an economic impact, though, if the merger of the B&O-C&O would take place or would not take place, and if they would decide to do away with this exemption. They would probably ship a lot of the commodities to ports south of here, which is Newport News and Norfolk, Virginia, rather than through the Port of Baltimore.

DELEGATE GALLAGHER: The question of the desirability of the merger between the B&O and C&O has already been decided. Now they are merely in the implementation stage, and I do not feel that the question of the loss of the exemption should be considered in any other aspect than the State viewing corporate entities which it has created, and that is the area in which we restricted ourselves.

THE CHAIRMAN: Delegate Kathleen Robie, did you have a question?

DELEGATE ROBIE: Mr. Chairman, I would like for the Convention to join with me in welcoming a group of elementary students with the Oxon Hill Elementary School.

*(Applause.)*

THE CHAIRMAN: Are there any other questions of the Committee Chairman?