

AFTER RECESS

At 2:00 P. M., the Senate resumed its session.

Present at roll call were the following Senators:

Senators:

President, Barrick, Bertorelli, Buffington, Dean, Dorf, Dorsey, Gonder, Hall, Hepbron, Hughes, James, Johnson, Jones, Mach, Malkus, Nock, North, Parran, Phipps, Phoebus, Pine, Schweinhault, See, Shipley, Snyder, Weant and Wheatley. Total—28

MESSAGE FROM THE EXECUTIVE

EXECUTIVE DEPARTMENT

Annapolis, Md., May 31, 1962.

Mr. President and Members of the Senate:

I have viewed the events of the past few days with mounting alarm and saddening of heart. The people of Maryland, I know, are concerned about what has been done here at this special session.

On May 24, the Circuit Court of Anne Arundel County ruled that the Maryland House of Delegates was malapportioned and that Section 5 of Article III of the Maryland Constitution, which established that apportionment, was null and void. The effect of the court's decision should have been obvious. A constitutional void was created, and a clear responsibility for prompt action fell upon both the executive and the legislative branches of our State Government.

I, as Chief Executive of this State, moved as quickly as possible. I called the General Assembly into extraordinary session and laid before its members two bills designed to reapportion fairly the House of Delegates.

These bills have been emasculated by amendments. As amended, they bear little resemblance to this Administration's proposals and they should not be enacted in their present form.

The hour is late, but there is still time for the General Assembly to meet its responsibilities.

I want to make my position unequivocally clear. House Bills 1 and 2 as amended should not be enacted.

The alternatives now available to the General Assembly are three:

1. Enact fair and equitable reapportionment bills along the lines of the bills I submitted;
2. Enact the stop gap bill without crippling amendments and allow the General Assembly that meets next January to enact a proper constitutional amendment;
3. Fail to act and abdicate its responsibilities.

I expect and pray that every member of the General Assembly will measure up to his responsibility.

Sincerely,

J. MILLARD TAWES,
Governor

Which was read.