

Ultimately the federal district court had to do the job. I do not say that the best elements of the three unused plans were not contained in the federal district court plan. Perhaps the worst elements were, but all the federal district court succeeded in doing was to keep the population variance at a minimum and it succeeded in chopping up Anne Arundel County and Baltimore County into ways which the residents of neither of those counties are pleased with.

I understand, and I agree with them and I sympathize with them. This might help with some of these significant jobs that you are complaining about.

THE CHAIRMAN: Delegate Weidemeyer.

DELEGATE WEIDEMEYER: Do you not think there ought to be a little language in here similar to what you suggested yesterday, as near as practicable, or something like that, so that we are not frozen with hidebound language of, "shall consist of adjoining territory," when in some instances in order to work out the job, we may have to get away from adjoining territories in order to work the thing out equitably?

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: If the gentleman is displeased with it he always has the privilege of voting against it or offering an amendment to delete it.

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: Mr. Chairman of the Committee, I would like to have you yield for a question, please.

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: Yes.

THE CHAIRMAN: State your question.

DELEGATE HARDWICKE: I would like to draw your attention to the difference in language between your congressional districting provision, redistricting provision and your legislative districting provision.

In line 18, on page 1, you provide with regard to legislative districts, that natural boundaries and the boundaries of political subdivisions shall be followed insofar as practicable.

When you drafted the congressional redistricting language, you modified that to read, reading in lines 8 and 9, "due regard should be given to natural boundaries and the boundaries of political subdivisions."

Now, let me ask you, do you mean something less, some less attention with regard to congressional districts, or the same attention?

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: May I point out to Delegate Hardwicke that last evening we amended section 3.02 to have it read, as is proposed in Amendment No. 23, which was, "due regard shall be given to natural boundaries and the boundaries of political subdivisions," so that the proposal in Amendment No. 23 is identical to what we adopted last night in 3.02 as amended. Those two are now the same.

The reason for not using the word "practicable" and going to "due regard" was that we wanted the primary consideration to be the substantially equal representation, and the due regard to natural boundaries and the boundaries of political subdivisions to be of less consequence than the attempts to achieve substantially equal representation.

THE CHAIRMAN: Delegate Hardwicke.

DELEGATE HARDWICKE: Thank you. I was not aware of the amendment. Thank you for calling it to my attention.

I would like to phrase one further point with regard to this. In the present congressional redistricting drawn by the district court, and I am familiar with it as some of the suggestions I made are in there, one of them in particular relates to the beltway around the city of Baltimore. There, Mr. Chairman, the beltway of the City of Baltimore or around the City of Baltimore forms the boundary for certain of the metropolitan congressional districts.

Would you not permit in your language such artificial boundaries to be used in congressional redistricting?

In other words, would you upset the present plan, since your language does not permit a boundary such as the beltway to be taken into account?

THE CHAIRMAN: Delegate Gallagher.

DELEGATE GALLAGHER: No, I think the gentleman misunderstands the intent of the section.

Constitutionally, this much the legislature is required to do, namely, to give due regard to natural boundaries and the boundaries of political subdivisions.

This does not eliminate the right of the General Assembly to consider other arti-