

1 be prescribed in each State by the legislature thereof, but  
2 the Congress may at any time by law make or alter such  
3 regulations except as to the places of choosing Senators.

4 By that section, the Federal Government has  
5 preempted the field of Congressional elections.

6 By the section which is proposed to be included  
7 in the Constitution, the convention is being asked to  
8 invade a field that has already been preempted. We believe  
9 that this section is not necessary, the fact that it is  
10 unnecessary is demonstrated by the omission of such a  
11 provision from the model State Constitution.

12 If we adopt the section, we may very well find  
13 ourselves in a position where the standards and procedures  
14 which are prescribed in this proposed section will freeze  
15 into our Constitution standards and procedures which are  
16 inconsistent with the Federal Constitution, or with law  
17 which might be adopted pursuant to the Federal Constitution.

18 If we adopt such a thing as the fixed percentage  
19 of a ten percent variance permitted under the proposed  
20 sections, we may well find ourselves freezing into our  
21 Constitution a percentage which is inconsistent with that