

also the fact that section 10.02 provides the method by which proposed amendments submitted by the constitutional convention shall be approved by the electorate, this tends to confuse the entire matter. I am inclined to agree with him. But I certainly would like a little bit of explanation from the Chairman with reference to the necessity of having this last sentence in section 10.03.

THE PRESIDENT: Delegate Boyer.

DELEGATE BOYER: Mr. President, on reflection, and after talking with my legal eagle here, the intent of it originally was any proposal, recommended by the convention after the convention is called, calling for a change in the constitution shall be submitted to the voters. "Shall be submitted to the voters for adoption" is what we would prefer. This would refer it back to the people and let them act on it, either affirmatively or negatively, and let them make a final approval. This is the language I think the General Provisions Committee intended and had so recommended.

THE PRESIDENT: Delegate Gleason.

DELEGATE GLEASON: May I ask this, Delegate Boyer: Is it included within your concept of the word "proposal," for example, the transitional legislation? This is to be included?

THE PRESIDENT: Delegate Boyer.

DELEGATE BOYER: Yes, Delegate Gleason. The proposal was broader than an amendment. It would include schedule of legislation, transitional provisions, or any other matter which would have the force and effect of any constitutional provision.

THE PRESIDENT: Delegate Gleason.

DELEGATE GLEASON: Is the transitional legislation not actually a change in the constitution?

THE PRESIDENT: Delegate Boyer.

DELEGATE BOYER: Yes, it would be a change in the constitution, because it has the same force and effect as the constitution. The schedule of legislation is only a temporary arrangement until repealed or amended by the General Assembly itself.

THE PRESIDENT: Delegate Bamberger.

DELEGATE BAMBERGER: I am now concerned with the Chairman's response to Delegate Gleason's question because I would

not understand that the language in lines 47 to 52 covers that kind of legislation.

THE PRESIDENT: Delegate Boyer.

DELEGATE BOYER: I am sorry. Delegate Bamberger is confused. It is certainly the intent. We will soon have GP-13 before us, dealing with transitional provisions and scheduled legislation. If you could for a minute act in an invisible manner on this, consider the transitory provisions.

This, if recommended by this Convention, would be a proposal to this convention, in the broadest sense of the word; not a narrow proposal sense.

THE PRESIDENT: Delegate Bamberger.

DELEGATE BAMBERGER: Chairman Boyer, I do not consider those proposals for changing the constitution.

THE PRESIDENT: Delegate Boyer.

DELEGATE BOYER: Certainly if we adopt, it appears to me, anything in the transitional provision, it would make a drastic change in the constitution, because it would have the thrust of the constitution itself. It would have the same impact and same force and effect.

THE PRESIDENT: Delegate Gallagher.

DELEGATE GALLAGHER: May I address a question to Delegate Boyer?

THE PRESIDENT: Delegate Boyer, do you yield to a question?

DELEGATE BOYER: Yes.

THE PRESIDENT: Delegate Gallagher.

DELEGATE GALLAGHER: Mr. Boyer, with regard to these last five lines, "Any proposal recommended by the Convention for the changing of the Constitution shall be adopted in the same manner as an amendment", an amendment before the General Assembly requires a three-fifths vote of both the House and Senate, would it be your interpretation that if the Constitutional Convention were called that no provision recommended by the Constitutional Convention could be passed by a simple majority vote, but would require a three-fifths vote in the same manner as one adopting an amendment?

THE PRESIDENT: Delegate Boyer.

DELEGATE BOYER: Now I know Delegate Gallagher is not filibustering, and I think he does have a correct point here. The original language, if you refer to that