

perfectly correct, and I think section 5 on page 3 can be stricken.

DELEGATE JAMES (presiding): Any further comments on section 5?

DELEGATE HARDWICKE: Section 5, page 3, is unnecessary.

DELEGATE JAMES (presiding): Section 6, referendum for public local laws.

Delegate Chabot?

DELEGATE CHABOT: I just would like to know to what the January 6, 1971 date refers to? Does that refer to laws enacted prior to that date or petitions filed prior to that date or referenda held prior to that date?

DELEGATE HARDWICKE: This date, January 6, 1971, ties into the time that all of the counties will have charters, and the idea is that there shall be no referral prior to that date except in accordance with this provisions, and it does not make any difference when the law was passed. That is to say, that the referral, the mechanism for the referendum, must be completed and done prior to this time at which time this goes out of effect.

DELEGATE JAMES (presiding): Delegate Koss.

DELEGATE KOSS: Chairman Hardwicke, I think that the point that Delegate Chabot raises is a valid one because a law might be petitioned. I think that the January 6 date refers to the date of enactment of a law, that any law enacted prior to that date shall be subject to the provisions in the present Constitution. It is not that the referendum procedure in terms of voting has to be completed by that date.

DELEGATE JAMES (presiding): Delegate Hardwicke.

DELEGATE HARDWICKE: I think that is correct. I think this conforms to the other referendum procedure which relates to enactment.

DELEGATE JAMES (presiding): Is the language clear on that, Delegate Hardwicke, or will this require amendment?

DELEGATE HARDWICKE: I think we should amend section 6 so it will read in the same way the other referendum provision reads with regard to laws enacted prior to January 6, 1971.

DELEGATE JAMES (presiding): Public local law?

In other words, it would probably read, "A public local law enacted prior to"? Is that correct?

DELEGATE HARDWICKE: Yes. That is the correct answer to you, Delegate Chabot. My answer was incorrect.

DELEGATE JAMES (presiding): If there is no objection, the language will be considered so modified.

All right, any further questioning concerning section 6? If not, we will proceed to section 7. The Chair hearing no questions will proceed to section 8.

The Chair hearing no questions, we will proceed to section 9, executive branch, election of officers.

The Chair, hearing no inquiries, it will proceed to section 10, terms of office of incumbents.

Delegate Byrnes.

DELEGATE BYRNES: Delegate Hardwicke, where will I find a provision which would continue the powers of the current comptroller, et cetera, until 1971, if the current constitutional powers cease with the Constitution? What does he continue to do? I notice, according to your memorandum, your intention is that you shall continue with these powers, but where do you effectively give them to him?

DELEGATE JAMES (presiding): Page 19?

DELEGATE HARDWICKE: Page 19, with regard to the treasurer and comptroller, and section 13 and section 14, for the Board of Public Works.

DELEGATE JAMES (presiding): Delegate Ulrich.

DELEGATE ULRICH: Mr. Chairman, I suggest an absence of a quorum.

DELEGATE JAMES (presiding): The Clerk will ring the quorum bell.

The members will record a vote on a quorum call.

Has every member recorded his presence?

*(There was no response.)*

The Clerk will record the vote on the quorum call.

There being 103 members present, a quorum is present and the Constitutional Convention may continue in operation.