

1 THE CHAIRMAN: Delegate Scanlan.

2 DELEGATE SCANLAN: Delegate Mitchell, isn't it  
3 fair to say that the problem of where state action ends  
4 and the private sector begins, that you were discussing  
5 with Delegate Hostetter, would remain equally, equally  
6 remain under your language as well as the equal protection  
7 language?

8 In other words, whatever language is used, whe-  
9 ther the protection is only one that speaks in terms of  
10 the equal protection clause or whether it speaks in  
11 terms of the more specific language that you recommend,  
12 the courts are still going to have the problem of marking  
13 out where state action ends and where truly private, --  
14 where the truly private sector begins.

15 So in that sense, your amendment doesn't change  
16 that problem one way or another, does it?

17 THE CHAIRMAN: Delegate Mitchell.

18 DELEGATE MITCHELL: That is correct.

19 THE CHAIRMAN: Any further questions of the  
20 minority spokesman?

21 Delegate Morgan.