

I believe that the matter of policing, if you want to put it that way, non-resident voting is an almost impossible task to perform.

I submit to you that permitting people to vote on the basis of property is no longer, if it ever was, an American concept.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate Rybczynski.

DELEGATE RYBCZYNSKI: Mr. Chairman, a brief explanation of this point. As has been pointed out by way of question by several other committee members, there was absolutely no objection from the people who are now directly involved in this matter who now have this same type of provision within their city charters.

As a matter of fact, the opposite occurred. Where the people have advanced this right of suffrage to non-resident property owners, they came in and vehemently defended their right to do this. And at least one other area that does not have this provision came in and indicated that it wants to do so in the future and certainly wants it provided for in the constitution or at least not prohibited.

We have to take things as we find them, not as we would hope them to be. We find today there is dual home ownership and along with this dual home ownership comes an interest in two communities, not just the home community, but also the second community. The people who spoke on behalf of this proposal told us about how it increases not only social interest in a community but economic. That is, people feel they are literally participating in the government, literally participating in the future, and help to structure the government and roads and schools and everything else that goes along with it so that they are very much interested in the community and conduct themselves accordingly.

As to this business we had the other night concerning the farm assessment, we voted along with the farm assessment because we felt that it was good for the farm, good for the community, good for the counties. You have to think of this in the same light. This is something these communities want and we are not forcing this on anyone. What we are saying is that those municipalities who want to take advantage of the situation can do so. There is nothing here which says anybody has to take this on, only that those communities that want it will take it on.

The residents retain control through their city council. At any time they become dissatisfied with the arrangement, they need only revoke it or they can revoke it by merely passing an ordinance saying it is no longer applicable. But in the meantime, they are enjoying this privilege under the present Constitution and want it continued.

Also you have heard about the Attorney General's opinion. I will read the last paragraph. "It would appear, therefore, that the extension of voting rights to non-resident property owners by municipal or special taxing district, providing all residents the right to vote whether or not they own property, does not violate the equal protection clause or the one man, one vote rule. It is our opinion, therefore, that the right to vote may be extended to non-resident property owners in municipal elections and that in so doing there would be no violation of the fourteenth amendment." Signed by Francis B. Burch and Edward F. Land, Jr.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate White to yield some more time.

DELEGATE WHITE: I yield three minutes to Delegate W. W. Gullett.

DELEGATE J. CLARK (presiding): The Chair recognizes Delegate Gullett.

DELEGATE GULLETT: The striking of the last few words here would also affect section 9. I think everybody should be acquainted with section 9, where the same words are repeated.

There is a problem there as to whether this is an extension or not. The problem of giving this constitutional permanency is really what worries me. I think by writing this in we are simply advertising that we are extending this as a right to a municipality rather than leaving it to those who have it.

Whether it is actually a problem or not now is one question and whether or not it will be a problem in the future is perhaps a much more serious question. I do not object to this procedure in resort communities, but perhaps there is a time when it will come under control for other types of new tariffs particularly. I therefore think these words should be stricken from section 2.

Just dealing with the taxable property owners is not enough. I think it has already been covered. But what about the person who pays a \$25 taxicab fee or a