

I do not think the members of this Convention, upon learning that there was a minority report in process dealing with the subject that they were scheduled to take up the next day, would hesitate in granting any reasonable delay so that the minority could have its report printed.

DELEGATE JOHNSON: Mr. Chairman, under the existing rules, there is no cutoff date whatsoever for the receipt of the minority report. In your Report you speak of delay; but, inasmuch as the rules require the receipt of a minority report, can't the minority report follow the Report any time and wouldn't it have to be received then?

DELEGATE SCANLAN: No. You suggest that perhaps these rules protect the minority too much, as interpreted in one way. No. I think the answer would be that while there is nothing in the rules that now imposes a cutoff date on the submission of a minority report, sensible and prudent protection of minority rights would move the minority to try to get this report out as soon as possible, because there would be the contingency that if they did not act at all, or did not seek an extension of time from the Convention, the Convention would have reached the point in the Committee of the Whole where the majority report was being taken up but the minority report was not. The minority must be alert to protecting its rights, but I think that by the flexibility that is permitted, protection under these rules is probably greater than it is in other legislative bodies. From that point of view, I do not think the rules need apologize for their position with respect to what is required of the minority.

DELEGATE JOHNSON: No further questions. Thank you.

THE PRESIDENT: I was going to state for the information of Delegate Johnson and the Convention that although this is by no means an answer to the problems that he points out, it is hoped that the provisions of the rule providing for the Committee on Calendar and Agenda will go a long ways toward preventing the kind of problem from arising that the delegate suggests, because it is contemplated that any delegate could informally speak to the chairman of that committee, and since the chairman controls the scheduling of all general orders, he could probably move a postponement. If the chairman did not concur, every delegate, as you all know, has a right to bring the matter to the floor at any time.

Are there any further questions of the committee chairmen for clarification? If

not, the question arises on the adoption of Motion No. 2, notwithstanding the adverse report of the committee. Do the sponsors desire to speak in support of the motion, either of them? Delegate Rybczynski?

DELEGATE RYBCZYNSKI: Mr. President, Mr. Chairman, Members of this Convention, my proposition is still the same as it was originally, on either the first or second day of this Convention when we discussed these rules. The problem is not so much the filing of a minority report. The problem is what will be the effect of filing the minority report. If under these rules a majority report is filed, and it is then subject to debate and decision within three days thereafter, as we get closer to the end of this session, we will realize that these things will become more important, particularly when we might find ourselves on the short end of a report. None of us knows now just where we will stand on any one question, and whether we will be in the majority or the minority.

Now, once the issue is debated on the floor, and a roll call is taken on the issue, the purpose in filing a minority report will simply be historical. It will have very little effect. Suppose the issue is debated again on the floor and a new roll call is taken. Does anyone suppose that a substantial number of delegates will be in a position at that point to do a flipflop and say: Well, I was wrong on the majority report, I am willing to change now and change over to the minority report. As practical people, we know this just is not going to happen. So that the point again is that the matters should not be debated; the matters should not be subject to a roll call until both sides are heard. Both sides will be heard, it is true, on the majority report, but not in the same way. There are privileges attached for filing the minority report; you can assemble forces, you can assemble the argument. It will not be hit and miss. You will be just as solidified as the majority if necessary, so that I am speaking to you now as possible objectors; I am speaking to all of you now as possible dissenters to a majority report. I am suggesting that any report or any rule that depends on as many nebulous and uncertain items as the chairman of the committee has presented here today either deserves a serious consideration and a look favorable from you, or perhaps further study.

Look at the words that have been used: reasonableness, depends on the will of the majority of those on the floor—why should a minority report be subject to the majority vote of the Convention? Why should