DELEGATE WINSLOW: Thank you, Mr. Chairman.

Ladies and gentlemen of the Committee, may I begin with an apology to all of those delegates whose names do not appear at the head of this proposed amendment. This amendment was printed at an earlier stage when it was supposed we would be debating this matter ten days or so ago, and those who have expressed agreement with it since that date do not have their names appearing here.

May I point out, secondly, that in the list of names on the amendment is that of Delegate James Clark. I point this out especially because I was depending upon Delegate Clark to present argument for this, and the only thing that I can think to do is ask the Chairman to stop the debate for three minutes at some proper time and let us listen to Delegate Clark by whatever device we have the possibility of reaching him at the hospital.

A very brief word of explanation of the amendment. As Delegate Boyer suggested, there are three normal ways of proposing constitutional amendments, two of them which are to be found in the Committee Report, and the third one which is being here submitted.

This is a third method of proposing amendments to those in the Committee Report: three-fifths of both Houses or by constitutional convention when held.

This amendment adds a third one to propose an amendment by popular action, by a petition which shall require ten percent of the voters at the last gubernatorial election and demand a geographic spread so that not more than one-fourth of those signers may come from any one county, leaving it to the General Assembly to fix the details of petition and procedure.

This is the kind of constitutional initiative which is to be found in one form or another in 13 states. I am sorry to say that I cannot give you the list of them, because I loaned my material to one of the research staff a few days ago. It has not been returned, and I do not know which one it was or where to find him.

Delegate E. J. Clarke has a list, so if we need a list we can get at it. They do include Michigan, Ohio, Oklahoma, North Dakota. There are thirteen of them.

Now, the purpose of this amendment, the purpose of the initiative for constitutional amendments is that in extreme cases a change is possible, but notice that it is only in extreme cases, for the provision requires that there be ten percent of the qualified voters.

When we were debating a general referendum procedure earlier it was suggested that a five percent referendum across the State would make it almost impossible to get a law referred to the people.

You will note I am making it twice as difficult with ten percent. There is a total of a possible 92,000 signers through the 1966 gubernatorial election.

Note also the amendment requires, with respect to a geographic spread, that not more than one-fourth of the signers may come from any one county. This is also twice as difficult for we have provided that not more than half should come from one county.

I suggest that under this provision, neither the ultra-liberal people in Baltimore County nor the ultra-conservative people in Montgomery, or both of them combined, could possibly produce enough signers.

These two congenial groups would, of necessity, get at least two more counties to go along with them before they could produce an amendment.

Now, the reason for this is stated rather succinctly in an article which appeared in a metropolitan newspaper not too far away on Sunday morning last which reads:

> "The difficulty of this method is intentional. It is not desired by the sponsor that frequent amendments should arise by petition. On the contrary, it is their intent that amendment by the petition method should be most infrequent, and occasioned only by the seeming impossibility of getting the wanted change by either of the other two methods. This would be the shotgun behind the door. Beside the petition, the geographical spread required would avoid the danger of its promiscuous use, but had such a provision been in the 1867 Constitution it would not have been necessary to wait forty years for legislative reapportionment."

I might add, further, that had this kind of constitutional procedure been in the 1867 Constitution we would not have had to wait until 1967 to get a Convention, for, once the attorney general's opinion had been expressed in 1930, it would have been possible for the people of the State to