

sumptuous as to deny them a method of amending their own constitution.

The safeguards which are provided for in this amendment are good. These provisions are in effect in many states of our Union. The framers of our federal Constitution provided several avenues for amending the constitution, for the calling of a convention, which we are familiar with. Certainly there have been times in the history of Maryland when the General Assembly, the chosen representatives of the people, have refused to act in the best interest of the people. And we do not have to look back very far to find examples of this.

Had this provision been in the present Constitution, we could probably have had reapportionment of our General Assembly about ten years sooner. We are all familiar with the refusal of the General Assembly to call a constitutional convention for many many years, and I would think that this is little enough to do for the people of this State, to give them an alternative, a way to bypass their General Assembly if the need arises. I urge you as strongly as I can to support this amendment.

DELEGATE JAMES (presiding): Does anyone wish to speak against the amendment?

Delegate Chabot.

DELEGATE CHABOT: Mr. President, if this body adopts this amendment, then we will have created an inconsistency far more serious than many of the others we have already adopted.

We have turned down an effort to have an initiative procedure for the adoption of legislation. When we have the initiative for legislation, if things go through that ought not have gone through, at least the General Assembly is there to provide an amendment, a correction, and if the people do not like that correction, that correction can be petitioned to referendum.

Here, if something goes through, and the number of signatures required is no greater than that which was proposed for initiating legislation, say ten percent, and if an amendment goes through that ought not have gone through or that ought not have gone through in that particular form, the General Assembly is powerless to make any change unless it goes through what we have deliberately intended to be a cumbersome method of amending the constitution.

I suggest that for that substantive reason we ought not to approve this amendment.

There is another, you might say, technical reason. There is no indication in this as to the period of time during which these signatures must be gathered. It is true, there is no indication with regard to referendum at the present time but, as a practical matter, the signatures cannot be gathered until after the bill becomes law, so we have a 60 day period.

Presumably if this amendment before us is adopted, we can have a group that can proceed over a period of many years to gather signatures, and finally to come up with a petition signed by many people who are no longer alive or who no longer live in the State, or for some other reason are not registered voters, and nevertheless that thing is going to go before the voters.

I suggest that we do not adopt this amendment.

DELEGATE JAMES (presiding): Does anyone wish to speak in favor?

Delegate Scanlan.

DELEGATE SCANLAN: I believe the matter has been debated fully and fairly on both side. I move the previous question?

DELEGATE JAMES (presiding): All in favor, say Aye; opposed, No.

The Ayes have it. The Clerk will ring the quorum bell.

The members will record their votes.

Has everyone recorded his vote?

The Clerk will record the vote.

There being 41 votes in the affirmative and 74 votes in the negative the amendment fails for want of a majority.

The Chair would like to recognize President Eney.

(President H. Vernon Eney resumed the Chair.)

THE PRESIDENT: The Chair recognizes Delegate Powers.

DELEGATE POWERS: Mr. President, I move the adoption of today's Calendar and Agenda.

THE PRESIDENT: Is there a second?

(Whereupon the motion was seconded.)

THE PRESIDENT: All those in favor, signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.