

stitutional convention. We sincerely hope that this particular amendment will be adopted.

THE PRESIDENT: Delegate Boyer.

DELEGATE BOYER: Mr. President and fellow delegates, I think that Delegate Johnson has very adequately and fairly presented this question. It is a very clear-cut issue. If you believe that the constitutional convention should be accomplished by a vote of twenty-one senators instead of twenty-four, then you would vote against this amendment. If you believe on the other hand something as important as calling a constitutional convention should be accomplished by a three-fifths vote then you would vote against it. Same thing in the House. If you believe a three-fifths vote instead of a bare majority, you would vote for it. I leave it to your judgment.

THE PRESIDENT: Does any other delegate desire to speak in favor of the amendment?

Delegate Case, do you desire to speak in favor?

DELEGATE CASE: I would like to ask Delegate Johnson a question.

THE PRESIDENT: You will have to wait until he has the floor.

Delegate Mentzer.

DELEGATE MENTZER: I also wanted to ask a question.

THE PRESIDENT: Does any delegate desire to speak in favor?

Does any delegate desire to speak in opposition?

Delegate Gallagher.

DELEGATE GALLAGHER: Mr. President and ladies and gentlemen of this house, I spent too many frustrated years in this General Assembly trying to get even a majority vote out of the House and Senate to have a constitutional convention called and I assure you the probabilities of calling a constitutional convention even when you need only a majority vote are not very great because of a number of built-in difficulties when you are dealing with the General Assembly itself which is not anxious to risk its security to a constitutional convention.

I cannot think of a better way of stultifying the opportunity for a constitutional convention, no matter how badly it is needed by this requirement that there be

a three-fifths vote. If you had been in this General Assembly in the early 1960's and had seen the time and effort that went into attempting to get a constitutional convention to do something about reapportionment you would have a far different view about some of the people who are dissatisfied with the work of this Convention.

Now, you will also feel perhaps that had they had this constitutional convention that the rigors of reapportionment would not have been as heavy upon them as the courts have proved to demonstrate. I simply say on the basis of experience that this is an opportunity to bottle up the popular will, that this is an attempt, it seems to me, to keep the status quo as long as possible, and I would urge you to defeat the amendment.

THE PRESIDENT: Does any other delegate desire to speak in favor?

Delegate Johnson, would you take the floor to yield to a question? This will be your second and last opportunity to take the floor.

DELEGATE JOHNSON: I will be glad to yield to any question. I would like to have a moment to close.

THE PRESIDENT: You have a total of three minutes including time for question. If you want to say anything, perhaps you better say it before you yield. It is up to you.

DELEGATE JOHNSON: If Delegate Case will give me just a moment. I want to point out in answer to Delegate Gallagher's argument that this particular amendment in no way changes the fact that the legislature at any time may by majority vote call a constitutional convention. It may do so, but the only proviso is that that question by majority vote must be before the people on a referendum. We also have a proviso in section 4.03 if no action is taken within twenty years, then, of course, a constitutional convention will be called and put on the ballot.

We are writing a constitution that we hope will last for some period of time. A constitution should require something more than a majority vote of the General Assembly to change it. I think this is simply good constitutional writing.

I do not like the idea that there may be a constitutional convention, whether it is necessary or not, two or three or five years from now, and I submit that the vast majority of all the other states in this country