

to see the cause for all this fear. This is clearly a matter that is discussing only acts of the General Assembly. The present Constitution has a number of provisions in those parts of the Constitution dealing with local government where it permits the referendum to be used for acts of certain types of local governments. It would seem to me that there is no reason why the general powers that may be given to local governments cannot include referendum, no reason to believe in view of the colloquy that we have had that Section 1 in S&E-1, with my perfecting amendment, would in any way restrict the grant of power to the various local governments. At the same time, however, I think that it would make clear that there is no amorphous power lying about to petition referenda, to referendum things other than legislative acts, such as executive orders or decisions of minor officials, which might otherwise be construed as coming within some general referendum power. Consequently, I think that this perfecting amendment will accomplish the purposes for which it was offered, and will not create the dangers that have been spoken of.

THE CHAIRMAN: Delegate Koss, will you yield to a question from Delegate Mason?

DELEGATE KOSS: Yes.

THE CHAIRMAN: Delegate Mason.

DELEGATE MASON: Delegate Koss, did you say that you do approve this amendment of Delegate Chabot?

THE CHAIRMAN: Delegate Koss.

DELEGATE KOSS: I said I had no objection, and if he will clarify it as he has done, I would accept it.

THE CHAIRMAN: Does any delegate desire to speak in opposition to Amendment No. 2? Delegate Wheatley.

DELEGATE WHEATLEY: Mr. Chairman, I desire to ask a question of the Chairman. I will yield for debate prior to that.

THE CHAIRMAN: Delegate Child, do you desire to speak in opposition?

DELEGATE CHILD: Mr. Chairman, I really see this matter this way: if we leave the article as written, the people reserve unto themselves the power of referendum. We have it. If we need it for anything other than we have put in in the succeeding paragraphs of this section, we can put it in there. If we limit it to those sections when

we need it for local government or something else, it would be reversed as set forth in this amendment.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: I had a question either for the Chairman or the proponent of the amendment. In interpreting his remarks—

THE CHAIRMAN: Just a second; Delegate Chabot, do you yield for a question?

DELEGATE CHABOT: Yes.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: As set forth in this article, it seems to me the words in this constitution would be the broader constitution to which he would speak.

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: As I indicated before, I believe the appropriate place for taking care of referenda of laws passed by local governments is in those parts of the constitution dealing with local governments. This part of the constitution deals with statewide actions.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: Would Delegate Chabot yield for a further question?

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: Yes, sir.

DELEGATE WHEATLEY: In interpreting this section, it would seem to me this is a broader section than just state law, and it seems to me that we would be talking about anything that would come under the superseding power of local governments in the entire State. I just cannot see how, unless we provide in separate articles another referendum section, which to me seems a little laborious; it would seem to me we are just duplicating our work.

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: I must confess to being a bit confused about this. I am not suggesting that the procedures that we have set forth here—time limits and everything else—must be applicable to the enactments of every local government. It would seem quite appropriate that either the General Assembly or this constitution or the local governments themselves might set different percentages, different time limits and different procedures, and I do