

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: Since I did not feel that there were any substantive problems raised here by the various delegates, I merely sought to allay these problems; but I guess basically the difference between adopting Amendment No. 2 and defeating Amendment No. 1, on the one hand, or adopting Amendment No. 1 on the other hand is that by adopting it, you will have a statement that the people can see, an atmosphere which can be of some significance, both in terms of popular reaction to this document and in terms of later judicial evaluation of the importance of the referendum. By leaving out the matter entirely, perhaps some questions would be raised in the minds of many of the voters.

THE CHAIRMAN: Delegate Weidemyer.

DELEGATE WEIDEMEYER: I wonder if Delegate Chabot would yield for a question?

THE CHAIRMAN: Do you yield for a question?

DELEGATE CHABOT: Certainly.

THE CHAIRMAN: Delegate Weidemyer.

DELEGATE WEIDEMEYER: Do you agree that the right of referendum is so important to people on all levels of government that it should be clearly expressed in the constitution; and if so, do you not think that your amendment would have been better stated, instead of as set forth in this article, on all levels of government, and as to state laws, as provided in this article?

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: I guess that there comes a point when adding additional phrases for additional clarification ends up creating more confusion. I do not know whether this point was reached after Delegate Weidemyer's present proposal or after the proposal that I had offered that he has suggested co-sponsoring, or perhaps before we had gotten up, but I do not believe that at this stage, I can examine that question with sufficient clarity to give the delegate a yes or a no answer.

THE CHAIRMAN: Delegate Weidemyer, any further questions?

DELEGATE WEIDEMEYER: Would the delegate accept an amendment to his amendment along those lines?

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: No, sir.

THE CHAIRMAN: Thank you. Delegate Hutchinson, do you desire to speak in opposition to Amendment No. 2?

DELEGATE HUTCHINSON: Mr. Chairman, I would just like to say I think it is about the fourth down, and it is about time to punt.

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

DELEGATE NEEDLE: Mr. Chairman, I would like to speak in opposition to Amendment No. 2, and then direct a question to Delegate Scanlan. Because of the obvious question in the minds of the delegates at this time as to whether or not the phrase as set forth in this article raises—

THE CHAIRMAN: Delegate Needle, will you hold the microphone very close to your mouth, please?

DELEGATE NEEDLE: Because of the fact that the Committee on Local Government will recommend certain referendum procedures with regard to boundary changes and the establishment of regional governments, and the possibility that the inclusion of this phrase either raises an inconsistency or at least a serious question, I suggest that you vote against Amendment No. 2, and if I may, if it is in order at this time, I would like to ask Delegate Scanlan a question.

THE CHAIRMAN: Delegate Scanlan, would you yield to a question?

DELEGATE SCANLAN: Yes.

DELEGATE NEEDLE: Delegate Scanlan, if I understood your earlier comments, in effect the inclusion of Section 1 is that the people would have the residual powers so far as referendum is concerned, with the exceptions as set forth in sections 2 through 6, I believe it is, in the balance of S&E-1. Is that not correct?

DELEGATE SCANLAN: That is correct. I might say, Delegate Needle, that as I followed the debate on Delegate Chabot's amendment, I see that there is another source of trouble here. The local government area, for instance. If you eliminate the sections entirely, then the referendum powers that are authorized by the constitution with respect to state laws will be set forth in sections 2 and 6. The referendum powers that will be authorized,