

whatever they may be, with respect to local government, will be set forth in that article, but in either event, you will not have the troublesome language of Section 1 to haunt you. If you leave section 1 in, although the Chabot amendment clarifies it as to statewide laws, the question still arises whether or not there are referendum powers reserved other than those set forth in section 2 through 6, and in the section dealing with local government. It is unnecessary, and I think this debate has made it manifest; it is troublesome and the language raises more questions than answers. The only justification I can see for it is that somehow the people will easier find in examining the constitution that there is a power of referendum, but even that is misleading, because other sections of the constitution, namely those dealing with local government, will deal with referendum again. I think even on the limited basis on which the section is justified it does not stand up under analysis.

THE CHAIRMAN: Delegate Needle, do you have a question beyond that lengthy answer?

DELEGATE NEEDLE: The answer went beyond the question. I wondered if Mr. Scanlan still feels this way: if we intend to restrict the right of referendum in the people, we should eliminate section 1, and I wonder if that is the case, in view of the first clause of section 2, which says, that every law is subject to referendum except—

Does that not do exactly the same thing that section 1 does?

THE CHAIRMAN: Delegate Scanlan.

DELEGATE SCANLAN: I think you are right. That makes Section 1 quite unnecessary, and superfluous.

THE CHAIRMAN: Is that the end of the question? Delegate Needle.

DELEGATE NEEDLE: Then if we were to enact section 2 through 6—

THE CHAIRMAN: Delegate Needle, the Chair suggests that you are not asking questions. You are carrying on debate. If you wish to speak either in favor or opposition, the Chair will recognize you. I think we can make better time than to continue it in this manner.

DELEGATE NEEDLE: Actually my inquiry goes to Amendment No. 1; so I will cease at this time.

THE CHAIRMAN: Delegate Storm, do

you desire to speak in opposition or in favor of Amendment No. 2?

DELEGATE STORM: Mr. Chairman, I was wondering if it might be in order, and I do hope Chairman Koss would not feel badly about this, but I wondered if it might be in order to refer this back to them to go over the local government provisions and the governor's lawmaking power. There are so many little questions that have arisen, and I am so worried, I think they can fix it up if they take it back.

THE CHAIRMAN: Delegate Storm, wisely or unwisely, the rules expressly forbid the Committee of the Whole from referring to any committee other than Style; so your motion or suggestion would be out of order.

DELEGATE STORM: I guess Style would not want this, would it?

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

DELEGATE MENTZER: I think I rise to speak in opposition, but I want to phrase it in a question to the Chair. Is it proper for us to ask if the Committee on the Preamble of Rights has a provision saying that people exercise the rights of referendum as set forth in this constitution, and then, secondly, to begin, "This section, No. 2, of law of the General Assembly"?

THE CHAIRMAN: I am not sure I understand your question. Was it, has the Committee on Personal Rights and Preamble considered such provision?

DELEGATE MENTZER: Can this Committee ask them to consider such provision?

THE CHAIRMAN: I think this is a matter for the Chair. The Chair has referred the subject matter of recommending to the Committee on Suffrage and Elections, I should not say the Chair, the President. I think it is properly a part of the province of that Committee.

Does any delegate desire to speak in opposition to Amendment No. 2?

*(There was no response.)*

Does any delegate desire to speak in favor of Amendment No. 2? Delegate Harry Taylor.

DELEGATE H. TAYLOR: Mr. Chairman, I rise to speak in favor of Amendment No. 2, but I can find no justification for it or any support except that if we