

DELEGATE BENNETT: Do you interpret this amendment, Delegate Hostetter, as making it easier to frustrate the actions of the legislature than the language you suggest?

DELEGATE KOSS: Yes.

DELEGATE BENNETT: I am against it.

THE CHAIRMAN: Does everyone have his amendment now? Does anyone desire to have a copy of the amendment? If so, please raise your hand.

For what purpose does Delegate Bamberger rise?

DELEGATE BAMBERGER: I desire to direct a question to the Chairman of the Committee.

THE CHAIRMAN: Does the Chairman yield?

DELEGATE KOSS: Yes, I do.

DELEGATE BAMBERGER: I think the Chairman has pointed out that this amendment has one other effect, and that is, as I read the Committee suggestions, legislation which would not be suspendable would have to be introduced as special legislation, and if in the course of its passage through the houses of the General Assembly a committee decided that it was legislation which deserved to stay in effect, even if a referendum petition were filed, a committee could not add the usual emergency clause to it.

Would you tell me why the Committee decided to adopt that procedure?

DELEGATE KOSS: Well, since the referendum is a process that is used by voters and not by members of the General Assembly, it was felt that any additional time or information that would be made available to citizens would be helpful, and that by requiring that the law be identified as such upon introduction would alert people to the possibility that this, not to the possibility, to the probability that this was nonsuspendable legislation.

Now whatever anybody else has to say about the General Assembly, I maintain that as a citizen it is very difficult to find out what goes on in committee, and even to sit in the gallery and watch the action on the floor, so that we felt that by insisting that it be so identified upon introduction, this was in a sense a guaranty to the people that they would know what was going on.

DELEGATE SCANLAN: Mr. Chairman?

THE CHAIRMAN: Delegate Scanlan.

DELEGATE SCANLAN: A question to the Chairman of the Committee.

THE CHAIRMAN: Will the Chairman yield?

DELEGATE KOSS: I yield.

DELEGATE SCANLAN: I understood in response to a question put to the Chairlady by Delegate Bennett, she answered that the amendment proposed by Delegate Hostetter would present a greater danger of frustrating the will of the General Assembly, but then in answering the question put to her by Delegate Bamberger it seems to indicate to me that her answer to Delegate Bennett should have been no, rather than yes, because under Delegate Hostetter's proposal, if the General Assembly during the course of the legislative history decided that legislation which had not been nonsuspendable upon its introduction suddenly assumed the quality of some emergency, it could amend the statute by putting in the necessary magic clause, whether you call it emergency or special legislation, and thus make it nonsuspendable. So is it not true, Mrs. Koss, that Delegate Hostetter's amendment presents the situation where there would be less likelihood that the will of the General Assembly in enacting legislation could be frustrated by the referendum process?

DELEGATE KOSS: Delegate Scanlan, I would suggest that the will of the General Assembly could be frustrated in more than one way, and I think it was unfair to put those two answers together and come out with one conclusion.

It seems to me that under the terms of Mr. Hostetter's amendment, the term "emergency" and the accompanying limitation in terms of a definition for immediate preservation of public health or safety would in those terms frustrate the General Assembly if they were bound by that.

That was the context of my answer to Delegate Bennett. I still would stand by it.

THE CHAIRMAN: Delegate Rybczynski.

DELEGATE RYBCZYNSKI: Mr. Chairman, I would like to add still another thought to the question on Delegate Bamberger's point, as to whether or not after a committee decided that a bill should be