

come a nonsuspendable type of law, it could take such appropriate action. As you know, and as most of people in this room know, if there is such a proposition that needs attention immediately, a new bill can be submitted, with the word, either "emergency" or "nonsuspendable", or whatever the word is going to be, placed through the General Assembly, so that there would be no frustration, simply by insisting that the public know that it is a nonsuspendable type of bill being put through.

THE CHAIRMAN: This would be true possibly except during the last twenty-eight days, if you had a limitation, where you had to suspend rules.

The Chair recognizes Delegate Hickman.

Does the delegate wish to speak for or against?

DELEGATE HICKMAN: I want to ask a question of Delegate Koss, please.

THE CHAIRMAN: Will the Chairman yield?

DELEGATE KOSS: Yes.

DELEGATE HICKMAN: Does not a bill which is an emergency bill in the legislature at the present time have to have emergency from its inception?

DELEGATE KOSS: No. It can be amended in the process.

DELEGATE HICKMAN: And you understand that Delegate Hostetter's amendment would do the same thing?

DELEGATE KOSS: That is one aspect.

THE CHAIRMAN: Is there any further discussion?

*(There was no response.)*

Does everyone have a copy of the amendment?

*(There was no response.)*

The question arises upon the adoption of the amendment offered by Delegate Hostetter. All in favor say Aye; contrary, No.

The Chair is in doubt.

*(A roll call vote was taken.)*

THE CHAIRMAN: Has everyone registered his vote? The Clerk will take the roll.

There being 60 votes in the affirmative and 62 in the negative, the amendment is rejected.

Are there any further amendments to section 2?

*(There was no response.)*

THE CHAIRMAN: Now, in the absence of objection, we will go to section 3 of the Committee Recommendation S&E-1.

There is a Minority Report by Delegate Schloeder. The Chair recognizes Delegate Schloeder.

Does Delegate Schloeder wish to come forward to make his presentation?

DELEGATE SCHLOEDER: Thank you, Mr. Chairman, but at this time I am hoping that Delegate Chabot, who shares part of this Minority Report, will regain his form of early Friday when he pitched 15 to nothing. I know that he did not do as well later in the afternoon and lost 100 to 15, but I hope this time he will regain his early morning form. I will yield to him to present the Minority Report. Delegate Chabot will carry the ball for the minority in this proposal. Will you come forward? You have fifteen minutes of controlled debate.

DELEGATE CHABOT: This time is not part of the measured time.

THE CHAIRMAN: That is right. This time is not controlled.

DELEGATE CHABOT: Mr. Chairman, fellow delegates, the referendum has been described variously as a method for engineering popular consent to a provision to enactment of the legislature, or as a shotgun behind the door to keep the legislature from enacting improper legislation by the danger of its use, or as a safety valve in case the public is so disenchanted with an action of the legislature that they feel they must have an effective voice to complain about the action.

In any case, whichever view one takes, it would appear that the key question in this is whether or not the referendum provisions are such that the people, and by the people I mean some significant part, some in effect mass movement of the people, have an opportunity to take effective action to oppose what the legislature has done.

At the same time, I believe substantially all proponents of a legislative procedure recognizes that the law contains within it the danger of abuse.

We respectfully submit that the major potential for abuse, at least as the refer-