

could not muster any more than 28,000 votes for the office of mayor.

Now, I would sum up my entire feeling about this subject of referendum and the number of signatures: ladies and gentlemen, if you are going to offer the law of referendum to the voters of Maryland in the form of a crab cake, do not put the crab cake in a casing made of unbreakable plastic. Do not put the thing out of reach of the voters. Please vote for three percent.

THE CHAIRMAN: Delegate Koss.

DELEGATE KOSS: I want to oppose the amendment offered by the minority to change the percentage and set it at three percent.

The general philosophy of the Committee on Suffrage and Elections is, as has been stated and restated, that we do not want to permit challenges to the General Assembly that are fantasies or that represent the challenges of an insignificant number of our citizens. The argument has been made that from 1962 when the petition requirement was raised from 10,000 to the current three per cent requirement, the use of referendum has been sparse; since only 12 laws were petitioned to referendum, why increase the requirement.

I submit that in considering and evaluating the use of the referendum, you must consider not only the referendum that actually appeared on the ballot, but also those which met the signature requirements, but were not considered valid for other reasons, such as the absence of the required financial information or that the law was not constitutionally susceptible to referendum or that the courts or the legislature had rendered the issue moot.

It is difficult to determine how many were successful in gathering the required number of signatures but failed on other grounds.

I know that in 1963 I participated in a petition campaign and before the 1st of June we presented to the secretary of state petitions containing around 46,000 signatures, about the number that the Committee Recommendation would now require. That was four years ago, when I assume our population was less and the number of registered voters was less and the number of people who voted was less. We did get the signatures but not easily, and because this was an issue that a significant number of voters were interested in.

In terms of the population, I could not deny Delegate Hutchinson's statement to the effect that there will be a tremendous increase, but I would like to remind you that that increase has coming with it a concentration of population, so that the gathering of signatures and the proximity of people would make it a great deal easier than it would be now under our present population.

I, therefore, urge you to reject this amendment.

THE CHAIRMAN: Delegate Hutchinson.

DELEGATE HUTCHINSON: I would like to delegate three minutes to Delegate Byrnes.

THE CHAIRMAN: Before Delegate Byrnes rises, for what purpose does Delegate Miller rise?

DELEGATE B. MILLER: I would like to submit an amendment to the amendment if I may.

THE CHAIRMAN: Wait until the debate concludes and then we will recognize the amendment to the amendment.

DELEGATE BYRNES: Mr. Chairman, I think the basis of my support for this amendment is simply that the increase in population will satisfy the objectionable things that we now have. I think it is well to keep in mind that what we are talking about is some display by the citizenry of support not for the law but rather for putting it on the ballot so that it may be responded to by the citizenry.

I think the population will increase. We are designing a document that is supposed to last for a hundred years. I think we can recognize the population increases over the next decades will accomplish our objectives.

THE CHAIRMAN: Delegate Scanlan, for what purpose do you rise?

DELEGATE SCANLAN: I wanted to speak against the amendment if that is permissible. Are we still under controlled time?

THE CHAIRMAN: We are still under controlled time?

DELEGATE KOSS: I would like to yield three minutes to Delegate Burdette.

DELEGATE BURDETTE: Mr. Chairman, I believe in representative government and therefore I speak in favor of the Committee provision for five percent. By the