

pension of legislation: we just passed, approximately two hour ago, a provision which would allow the General Assembly to pass special legislation, which would not be suspendable. If the legislature, if our elected officials, members of the General Assembly, so feel that a proposal or a bill is of such major importance that it should not be suspended, then they can do so by calling it non-suspendable, or by calling it special legislation and passing it by  $\frac{3}{5}$  vote, and if they do not do so, then we must only feel that they do not feel that it needs to be suspended or that it can be suspended.

THE CHAIRMAN: Does anyone wish to speak against on uncontrolled time? Delegate Case.

DELEGATE CASE: Mr. Chairman, ladies and gentlemen of the Committee, I rise in opposition to the amendment, and in so doing, apologize to my good friend, Delegate Scanlan and to Mr. Justice Holmes. I suggest that on this issue a page of history is worth a volume of logic.

It has been said here that the referendum has never been the subject of abuse, either before 1962 or after. Reluctantly, I must inform my colleagues who have made this statement that this is just not true.

In 1959 and 1960, there came into this State one of the most vicious groups of profitters that we had ever seen. They mounted a scandal which rocked this State and rocked the nation. They were the savings and loan crew.

To meet the situation as it then obtained, Governor Tawes appointed a commission to study long and hard and bring in a regulatory bill. The bill was presented to the General Assembly of Maryland, and after a great deal of debate, and compromise, a meaningful regulatory act was passed. Immediately a group of people financed by the savings and loan crowd, mounted a campaign in Baltimore City and elsewhere to bring in a petition for referendum. They were well financed, they were unscrupulous in their methods, and they mounted a sufficient number of petitions to suspend the law. As a matter of fact, they brought the petitions to Annapolis in an armored car and had television people and radio people here to greet them when they came.

Now, this was a dire situation in this State, and what it required was drastic action. Governor Tawes was equal to this occasion, and he called a special session of the General Assembly for the sole and avowed purpose of passing a new regula-

tory act, which would not be subject to referendum. Such an act was prepared, and was not nearly as good as the first act, but it was adequate.

The result of this was clear: the opponents, the petitioners, wanted one more year to loot the people of this State. This they did not get, and when the final vote was taken, as you will see on your memorandum, the bill won by 5 to 1, but they would have had another year if Governor Tawes had not called the special session.

I say to you that the five per cent is a meaningful compromise between those who would like to foreclose referendum and those who feel that it is, as it has been, subject to abuse.

THE CHAIRMAN: Does anyone wish to speak in favor. Delegate Rybczynski.

DELEGATE RYBCZYNSKI: Mr. Chairman, in answer to Delegate Case's argument, would it not be fair for us to assume that any group as unscrupulous and as well financed as the group in that particular instance could very well raise three per cent, five per cent, or even ten per cent of the signatures if they had the capability that we think that they had. I strongly suggest to you that a bad case makes for bad law, and if we were to base the figure in the future constitution on one bad instance, or even two bad instances, I think we would be doing a disservice.

THE CHAIRMAN: Does anyone wish to speak in favor?

*(There was no response.)*

DELEGATE PULLEN: I would just like to remark that I think Dick has made his case.

DELEGATE RYBCZYNSKI: I have been informed that the word "case" did not fit in very well in my comments, and I apologize for that remark. Let me see if I can rephrase that.

THE CHAIRMAN: We understand.

DELEGATE RYBCZYNSKI: A bad set of pleadings makes for a bad law. How is that?

THE CHAIRMAN: Now, is there anyone opposed to the amendment? Delegate Miller.

DELEGATE B. MILLER: Mr. Chairman, I have prepared an amendment to the amendment, which I am not going to submit at this time.

*(Applause.)*