

THE CHAIRMAN: Does he yield?

DELEGATE SCANLAN: Yes, I yield.

DELEGATE WEIDEMEYER: I wonder if it is the position of the sponsor that by having larger salaries for the legislature and having fewer in number that we are entrusting them with more trust than in the past?

DELEGATE SCANLAN: I do hope we trust them more in the future than in the past and hope they are worthy of the trust. I for one trust them.

THE CHAIRMAN: Delegate Byrnes.

DELEGATE BYRNES: I would like to speak in opposition to the amendment if I may. I might reflect some of the thinking of the Committee. That is, we do have a problem with power. There is a question whether or not the legislature has the power Delegate Scanlan presumes it has.

I do not find in the Commission draft and do not recall in the S&E-2 Report any specific reference to the power of the legislature to deal with this kind of question, that is 5 percent or 3 percent or the like. The provisions all go to the integrity of the process itself. I do not think we can take things out and say this seems to be statutory but this does not. It is suggested that all these things in composition amount to the thing we call referendum. None of them are less important or more important than any other part. For us to detract from any segment of that whole process, I suggest, is a derogation of the process. I think that is why we had in our report all these provisions.

If we want to delete this or any other section, I suggest it is imperative we make clear somewhere else in the constitution that the legislature does in fact have the power which I think Mr. Scanlan presumes it has but which I doubt it has.

THE CHAIRMAN: Let's take a vote on this one. The question arises upon the motion of Delegate Scanlan to strike out paragraph 4 on page 2. The clerk will call the roll. We have a very diligent sergeant-at-arms who wants everyone to vote on this.

Has everyone recorded his vote? The Clerk will take the vote. The amendment is adopted.

There being 77 votes in the affirmative and 44 in the negative—78 because Governor Tawes' button is stuck, the amendment is adopted. Section 4 has been stricken.

The Chair recognizes the Chairman of the Committee on Calendar and Agenda.

DELEGATE POWERS: So we may recess, I move the Committee of the Whole rise and report to the Convention that it still has under consideration Committee Recommendation S&E-1.

THE CHAIRMAN: All in favor of the motion that the Committee of the Whole rise say Aye, contrary, No. The Ayes have it. It is so ordered.

The Chair would like to report that the Committee of the Whole is still working on Committee Recommendation S&E-1.

(Whereupon, at 5:59 P.M., the Committee of the Whole rose, and the Convention reconvened.)

(The mace was replaced by the Sergeant-at-Arms.)

PLENARY SESSION

NOVEMBER 13, 1967—5:59 P.M.

SECOND VICE PRESIDENT

JAMES,

PRESIDING

THE SECOND VICE-PRESIDENT: The Chair has to make a mental adjustment. The Chair recognizes Delegate Powers.

DELEGATE POWERS: Mr. President, I move we recess until 7:30.

THE SECOND VICE-PRESIDENT: All in favor of the motion say Aye, contrary No. The Ayes have it. It is so ordered.

(Whereupon, at 6:00 P.M. the Convention adjourned to reconvene at 7:30 P.M. on the same evening.)

PLENARY SESSION

NOVEMBER 13, 1967—7:40 P.M.

SECOND VICE-PRESIDENT

WILLIAM S. JAMES,

PRESIDING

THE SECOND VICE-PRESIDENT: The Convention will come to order. The Clerk will take the roll. Those who did not get recorded this afternoon will be given