

where the Committee of the Whole could preclude committees from finishing up their important business by not permitting them to sit. I think it received the unanimous support of our Committee, proposed amendment to Rule 28 [29], the rule that deals with the committees. Delegate Chabot had different language, but I think the basic idea was that all committees should give reasons for their reports and their recommendations. The language we have recommended as the last sentence to Rule 28 [29] states, "All committee recommendations shall be accompanied by a concise written explanation of the reasons for the committee's action."

I think that such an amendment is meritorious, for two fundamental reasons. In the first place from the point of view of the legislative history of this Constitutional Convention, most of you have had occasion to deal with problems arising under the 1867 Constitution, and the Convention delegates, especially those of you who are members of the bar, have been distressed by the paucity of legislative history that accompanied the recommendations of that historic body. They did not even have in those days written committee reports, and if it was not for an enterprising reporter of *The Sunpapers*, we would probably have no record; but there is no reason why committees should not give reasons to preserve the record for posterity. There is an equally important and more contemporaneous reason. That is for the education of the delegates. After all, we are only members of one substantive committee, which will occupy most of our time and attention, and when a proposal comes to us from a committee, if all we had was the bare proposal, how in heaven's name would we be enlightened as to what it really meant and what the reason for it was?

On the other hand, we do not necessarily want *Ulysses* or the *Holy Bible* to accompany every committee report, and upon the suggestion of Senator James, we have put in the word, concise, which fortunately, while the word concise means concise, it is capable of being given a broad and flexible interpretation. In any event, I always thought that the rules as originally drafted implied that all the substantive committee reports would be written; and I think a number of the members of the Committee are of the same view. When we discovered that other members of the committee did not read the rules that way at all, we all agreed. I think it was practically unanimous, possibly one slight dissent, which was not really a dissent. We all agreed that

the rule should make it perfectly clear that reports of the substantive committees of this Convention on matters pertaining to possible amendment of our Constitution, should be in writing and should be giving reasons.

Then we proposed an amendment to Rule 28 [29], Rule 28A [30]. Again, this is a matter of some substance. It reads, "Except upon the affirmative vote of a majority of the delegates present and voting, the Committee of the Whole will receive no final report of a substantive committee after November 17, 1967."

This rule is a reflection of the fact that we operate under a statutory deadline. The most recent precedent we were able to find is the New York Constitutional Convention which has imposed upon its delegates a similar deadline. It is slightly different language than the New York proposal as opposed to the way we propose it. The New York Convention is not under a statutory deadline. They imposed a deadline on themselves because they wanted to get the proposed new Constitution on the ballot in the November elections. We have a statutory deadline, whether it is December 12, 1967, on January 12, 1968, and this rule would act as a prod to the substantive committees to get their reports to the Committee of the Whole by that date, which is just a little over two months after we have begun here on September 12; but I think there was some feeling initially in the Committee that this date was maybe a little too soon. With more reflection about it, the more we found it was a sound date; that all this rule would insure would be that the report would get to the Committee of the Whole. Then we would have extended debates, but there is, of course, an escape clause. Obviously some committees will want to go back and look at something else, or other committees for good and sufficient reason will not be able to meet the deadline; and if there is a good reason why a substantive report should be received belatedly, the majority of the delegates present and voting would have the power to receive it. I believe, again, that that recommendation was unanimous.

Our proposed amendment to Rule 36 is a clarifying amendment to eliminate an inconsistency. At the present time Rule 54 [58] provides in the order of proceeding that when the report of the Committee of the Whole is approved, it would go to the Committee on Style. Rule 36, however, as it is now written, indicates that the Committee of the Whole can refer a report to any