

have that freedom fighter up there join us freedom fighters down here.

Delegate Weidemeyer.

DELEGATE WEIDEMEYER: Mr. Chairman and members of the Convention, I would like to ask the minority spokesman this question. Does the minority on this report feel that when the processes of referendum have become so restrictive as to make it almost prohibitive to the people of the State of Maryland that there is all the more reason for the people of Maryland to have a voice by the way of initiative?

DELEGATE BYRNES: I do not think there is any question about it, Delegate Weidemeyer. This concerns me greatly and I think it has been a great concern of the people, too.

THE CHAIRMAN: Delegate Gleason.

DELEGATE GLEASON: I wonder if I might direct the delegate's attention to page 6 of his report. As I read this provision, it provides that if the legislature does not in fact pass the law proposed by the initiative, the secretary of state shall provide for that proposal to be voted on at the first regular election held not less than 60 days after the end of the session which fails to enact it.

Do I take it that if there is no election in the ordinary course of our general elections here, we would have a special election for this proposal?

DELEGATE BYRNES: I would answer, no, to that. I think using the term "regular election" would negate that idea. If you think that is unclear, we would welcome a clarifying amendment. I think the term regular satisfies it.

DELEGATE GLEASON: Then I would suggest to you that the phrase not less than sixty days after the end of the session does need some modification.

DELEGATE BYRNES: Not less than.

THE CHAIRMAN: Delegate Pullen.

DELEGATE PULLEN: I would like to ask the gentleman if he is familiar with the right of free petition as exercised in the Commonwealth of Massachusetts?

DELEGATE BYRNES: Do I understand the term was free petition?

DELEGATE PULLEN: The right of free petition as exercised in the Commonwealth of Massachusetts, where, I believe, the legislature sits continuously.

DELEGATE BYRNES: My understanding of the Massachusetts procedure is that they have what we know as direct initiative. I am familiar with that, but not with the term "free petition."

THE CHAIRMAN: Delegate Miller. B. Miller.

DELEGATE BEATRICE MILLER: Is the maker of the minority report aware that of the nineteen states he mentioned which provide initiative, twelve of these have initiative by statutory law and only seven have initiative in their constitutions?

DELEGATE BYRNES: I was.

THE CHAIRMAN: Delegate Rybczynski.

DELEGATE RYBCZYNSKI: Delegate Byrnes, you stated that it required a petition of 90,000 signatures to bring a bill to the attention of the legislature. I am going to ask you a question partially in argument and partially as a question. What do you think would happen to any petition or any proposed bill or any letter delivered to the legislature today that had 90,000 signatures attached to it or 9,000 or even 900? Don't you think it would get immediate attention?

DELEGATE BYRNES: I think that there is no question that a petition presented to the legislature with 90,000 signatures would get a very great degree of attention but I think this begs the question.

The problem is how can we instill in the people the motivation to take that action? They will not do it if all it means is the legislature will give it due consideration. I think what prompts these people to move and what prompts us to give them the opportunity to move and involve themselves with self-government is the knowledge on their part that they will be effective in their ultimate aim is to establish that law as part of the law of this state, not simply to go to the legislature and visit Annapolis and watch debate on their topic and watch it perhaps die or be amended to death.

I think they have to have that balancing power so it has not only the advantages you suggest but also the second advantage of giving the people that extra weapon of going to the ballot if necessary. We think it will not be necessary in nine times out of ten but nevertheless we prefer to leave the power with them.

THE CHAIRMAN: Delegate Taylor. L. Taylor.