

1 DR. MICENER: Your objection?

2 MR. SCANLAN: My objection to Mr. Case's
3 point?

4 DR. MICENER: To just specifying that they
5 shall draw up a document, new Constitution, which would
6 imply they had power to do the lesser thing.

7 MR. SCANLAN: No, I am not so sure that's
8 true. If this Commission is to draft a complete
9 Constitution, then the argument can be made that they
10 are commissioned to do no other thing, that they must
11 draft a new Constitution or they draft nothing.

12 THE CHAIRMAN: Any further question or
13 comment? Any motions as to Section 13?

14 MR. CASE: You are convinced in your own
15 mind based upon the research that you and your Committee
16 have done that the Constitution can be amended in this
17 way?

18 MR. SCANLAN: Let's put it this way. No
19 matter how you cut it, the questions you have raised
20 relate to the skepticism that some have -- and you
21 voiced it early in the meetings of this Commission -- of