

1 have such strict requirements it won't be used at all.
2 It is better not to have it in there taking up the space.

3 MR. SCANLAN: May I ask a question? In
4 earlier drafts of the model state Constitution, did they
5 not have a referendum provision and they do not have it
6 in their latest draft or am I wrong about that?

7 MR. BROOKS: I think it is in the appendix
8 again.

9 MR. SCANLAN: In the appendix?

10 MR. BROOKS: With the initiative for the same
11 reason that Mr. Sayre reported, that the response to
12 our inquiry by the League of Municipalities was that
13 this was thought to be the only way out of the problem
14 of reapportionment until the courts broke that barrier
15 and now they don't really see any other problem where
16 they think this is necessarily required.

17 THE CHAIRMAN: Mr. Mindel?

18 MR. MINDEL: Does the Committee know whether
19 referendum was in the original Constitution of 1867?

20 MR. CASE: No, 1914.

21 MR. MINDEL: I wanted to find out when it