

1 DR. BARD: I would like to call the Commis-
2 sion's attention to the fact that the vote/was taken
3 last time was reached by a single vote, really. The
4 decision was reached by a single vote and then only after
5 some of the members had left. This is one reason why we
6 wanted to open up this thing again. Another point that
7 was raised on this matter, and I hope that other members
8 of the Committee will talk to this point because on this
9 issue, our Committee was unanimous. There were other
10 issues in which we were divided, but on this particular
11 issue there was unanimity.

12 MR. SCANLAN: I, for one, felt that to leave
13 this open would just continue the generation of litigation
14 which has been going on about this issue, and moreover,
15 would insure that that litigation would now be transferred
16 to the Federal courts. I was hoping that whatever the
17 standard, whether it be five per cent, ten per cent or
18 just leave it blank at this time in terms of percentage
19 points, we at least would be given a standard certificate
20 for the Legislature in future and for our own State courts,
21 because as you see a little later on, we come to the