

1 one thing which has not been commented on today but  
2 may have been earlier. You withdraw from the referendum  
3 the law imposing a tax. That is not in the present  
4 Constitution. Am I correct?

5 PROFESSOR ASPER: We were directed again, as  
6 I recall, at Easton, to include revenue raising measures  
7 as we noted in the comment and revenue raising measures  
8 we thought that this was a better expression for what  
9 we thought the Commission had in mind with that directive.

10 THE CHAIRMAN: I raise the question because  
11 we didn't specifically discuss this language in July.  
12 Does anybody have comment?

13 MR. CASE: I remember what happened. I called  
14 your attention to the fact that the sales tax which was  
15 passed in 1947 was subject to a voluminous referendum  
16 petition. I think they had more signatures for that  
17 than anything short of the savings and loan bill, and  
18 that the court held in that case that twisting, I might  
19 say, the language of Article 16 considerably to reach  
20 the result in my judgment that a tax bill was a revenue  
21 bill within the meaning of what was here. It was my