

very reason that Delegate Scanlan mentioned, that it is a matter of style. I cannot imagine any document as important as a constitution being composed by references to other documents, especially when the adoption of this one will put the other one out of business.

Number two, what we will be doing is voting on something which we already have in identical language. It will be a duplicate vote. In other words, the amendment Delegate Scanlan wants us to vote on section 3.17(ab) is worded exactly the same way with no changes whatsoever. The substance is exactly the same.

I suggest that it is out of order.

THE CHAIRMAN: The Chair would rule that the amendment is out of order.

Are there any further questions?

Delegate Case.

DELEGATE CASE: Delegate Scanlan, I cannot agree with Delegate Rybczynski's statement that section 48 of Article III is exactly the same in substance with the proposed section 3.17(ab). And I think in this there may lie the flaw in your amendment.

Section 48 in the present Constitution contains an exception for laws dealing with municipal corporations. That was taken out by the Committee's Recommendation. If we vote to keep old section 48 in the new constitution, will it not fly in the teeth of the local government provisions which we have already passed?

THE CHAIRMAN: Delegate Scanlan.

DELEGATE SCANLAN: I must confess on that point that Mr. Case is right. I had forgotten that we had eliminated the municipal corporation provision that was formerly found in section 48, and that matter would have to be handled somewhere else if my amendment were adopted.

My amendment is not directed at that particular problem, and I think it could be rectified by other language.

THE CHAIRMAN: Delegate Chabot.

DELEGATE CHABOT: Delegate Case asked my question.

THE CHAIRMAN: Very well. Delegate Weidemeyer, do you have a question?

DELEGATE WEIDEMEYER: No. I have a question to ask Delegate Scanlan.

One redeeming feature of his amendment is this: that it will require all those who

have spoken so disparagingly of our old Constitution to take another look at it.

DELEGATE SCANLAN: It would have that incidental benefit. I thank you for bringing it to my attention.

THE CHAIRMAN: Delegate Gleason, do you have a question?

DELEGATE GLEASON: Yes.

THE CHAIRMAN: State the question.

DELEGATE GLEASON: You understand this provision was also amended in 1891?

THE CHAIRMAN: Delegate Scanlan.

DELEGATE SCANLAN: I understand that, and the intention of the amendment is to embrace in this constitution the provisions of section 48, Article III, as they stand as of the date of the enactment of this constitution. That will be my intention.

THE CHAIRMAN: Delegate Gleason.

DELEGATE GLEASON: No, but I think the Chairman of the Committee on Style ought to be informed of that fact.

THE CHAIRMAN: The Chairman of the Committee on Style will please note that it is the intention of Amendment No. 3 that the reference to the Constitution of 1867 means the Constitution of 1867 and all amendments in force as of the date of the adoption of this constitution.

Are there any further questions to the sponsor?

Delegate Gullett.

DELEGATE GULLETT: Perhaps this question might be directed to the Chairman of the Committee of the Whole. If this amendment is adopted as written, would anything prevent the Committee on Style from lifting bodily Article III, section 48, and putting it right back into the present Constitution, or is it your intention by this motion that we instruct the committee not to do that?

DELEGATE SCANLAN: May I at this point make a modification to my amendment? I ask for unanimous consent to amend it as follows. In short, I would strike all of the lines beginning with the word "all" on line 35 on page 1 —

THE CHAIRMAN: What are you addressing our attention to? Your amendment, or the Committee Recommendation?

DELEGATE SCANLAN: I am addressing your attention to the effect of my modi-