Exhibit N

secretary of state or such other person or persons as shall hereafter be authorized at least 2 months prior to such election. Any constitutional amendment initiated by the people as herein provided, shall take effect and become a part of the constitution if the same shall be approved by the number of qualified electors required in section 1 hereof for the approval of amendments proposed by the legislature, and not otherwise. Every amendment shall take effect 30 days after the election at which it is approved. The secretary of state or such other person or persons as may be hereafter authorized by law shall submit all proposed amendments to the constitution initiated by the people for adoption or rejection in compliance herewith. The petition shall consist of sheets in such form and having printed or written at the top thereof such heading as shall be designated or prescribed by the secretary of state, or such other person or persons hereafter authorized by law to receive, canvass and check the same. Such petition shall be signed by qualified and registered electors in person only with the residence address of such persons, showing street names and also residence numbers in cities and villages having street numbers, and the date of signing the same. To each of such petitions, which may consist of 1 or more sheets, shall be attached the affidavit of the qualified and registered elector circulating the same, who shall be required to identify himself by affixing his address below his signature, stating that each signature thereto was signed in the presence of such qualified and registered elector and is the genuine signature of the person signing the same, and that to the best knowledge and belief of the affiant each person signing the petition was at the time of signing a qualified and registered elector.] OR 300,000 SUCH REGISTERED ELECTORS, WHICHEVER SHALL BE LESS. SUCH PETITIONS SHALL BE FILED WITH SUCH PERSON AUTHORIZED BY LAW TO RECEIVE THE SAME, AT LEAST 120 DAYS BEFORE THE ELECTION AT WHICH SUCH PROPOSED AMENDMENT IS TO BE VOTED UPON. ANY SUCH PETITION SHALL BE IN SUCH FORM, AND SHALL BE SIGNED AND CIRCULATED IN SUCH MANNER AS SHALL BE PROVIDED BY LAW. UPON RECEIPT OF ANY SUCH PETITION, THE PERSON AUTHORIZED BY LAW TO RECEIVE SUCH PETITION, SHALL DETERMINE, AS PROVIDED BY LAW, THE VALIDITY AND SUFFICIENCY OF THE SIGNATURES ON SUCH PETITION, AND MAKE AN OFFICIAL ANNOUNCEMENT OF SUCH DETERMINATION AT LEAST 60 DAYS PRIOR TO THE ELECTION AT WHICH SAID PROPOSED AMENDMENT IS TO BE VOTED UPON.

Sec. b. [All proposed amendments to the constitution and other questions to be submitted to the electors shall be published in full, with any existing provisions of the constitution which would be altered or abrogated thereby, and a copy thereof shall be posted in each polling place. The purpose of any such proposed amendment or question shall be designated on the ballots for submission to the electors in not more than 100 words, exclusive of caption. Such designation and caption shall be prepared by the secretary of state or by such other authority as shall be hereafter designated by law within 10 days after the filing of any proposal and shall consist of a true and impartial statement of the purpose of the amendment or question in such language as shall create no prejudice for or against such proposal] ANY AMENDMENT PROPOSED BY SUCH PETITION SHALL BE SUBMITTED TO THE ELECTORS AT THE NEXT ELECTION AT WHICH ANY STATE OFFICER IS TO BE ELECTED, PROVIDING THAT SUCH ELECTION IS HELD MORE THAN 120 DAYS AFTER THE FILING OF SUCH PETITION. SUCH PROPOSED AMENDMENT SHALL BE PUBLISHED IN FULL, TOGETHER WITH ANY EXISTING PROVISIONS OF THE CONSTITUTION WHICH WOULD BE ALTERED OR ABROGATED THEREBY AND TOGETHER WITH THE QUESTION AS IT SHALL APPEAR ON THE BALLOT USED IN SUCH ELECTION, AND A COPY OF SUCH PUBLICATION SHALL BE POSTED IN EACH POLLING PLACE, AND SHALL BE FURNISHED TO NEWS MEDIA AS PROVIDED BY LAW. THE BALLOT TO BE USED IN SUCH ELECTION SHALL CONTAIN A STATEMENT OF THE PURPOSE OF SUCH PROPOSED AMENDMENT, EXPRESSED IN NOT MORE THAN 100 WORDS, EXCLUSIVE OF CAPTION. SUCH STATEMENT OF PURPOSE AND CAPTION SHALL BE PREPARED BY THE PERSON AUTHORIZED BY LAW SO TO DO, AND SHALL CONSIST OF A TRUE AND IMPARTIAL STATEMENT OF THE PURPOSE OF THE AMENDMENT IN SUCH LANGUAGE AS SHALL CREATE NO PREJUDICE FOR OR AGAINST SUCH PROPOSED AMENDMENT. IF SUCH PROPOSED AMENDMENT APPEARING ON THE BALLOT SHALL BE APPROVED BY A MAJORITY OF THE ELECTORS VOTING ON THE QUESTION, THE PROPOSED AMENDMENT SHALL BECOME A PART OF THE CONSTITUTION, AND SHALL ABROGATE OR AMEND EXISTING PROVISIONS OF THE CONSTITUTION 45 DAYS AFTER THE DATE OF THE ELECTION AT WHICH SUCH AMENDMENT WAS APPROVED.

Mr. Erickson, chairman of the committee on miscellaneous provisions and schedule, submits the following reasons in support of Committee Proposal 65:

History: The 1908 convention provided for an indirect initiative, which was subject to veto by the legislature. This initiative required signatures of not less than 20 per cent of the electors voting for governor.

The present section 2 was added by an amendment proposed in the legislature in 1913 and approved by referendum in April, 1913. Further amendments were made, again by a proposal of the legislature, which were approved by referendum April 7, 1941.

Section 3 was added to the constitution by amendment proposed by the legislature in 1917 and approved by referendum in November, 1918. It was further amended by legislative proposal in 1941.

Committee recommendations: The committte has undertaken a rather extensive rewriting of these sections 2 and 3, with the aim of eliminating matters which we were convinced were statutory detail, and with the aim of rearranging these 2 sections into what we believed is a more logical sequence. In this new draft, we tried to include in the first section, section a, all provisions concerning the initiative petitions, and have tried to include in the next section, section b, all necessary provisions relating to the submission of such amendment to the electors.

It is admitted that these 2 proposed sections still include many provisions that ordinarily would be part of an election code or statute. The committee, however, felt that this method of constitutional revision should be spelled out in some detail because of the nature of these sections. Section 1 of this article provides a method of constitutional revision that the legislature can use, and, as a matter of fact, most constitutional revision amendments have been proposed by the legislature. These proposed sections, sections a and b, then, would ordinarily be used only where the legislature has failed or refused to act. For that reason, the committee felt that essential detail ought not be left to the legislature to enact.

The committee believes that these proposed sections do not substantially affect the ease or difficulty of proposing constitutional changes. A minimum of 300,000 signatures has been inserted, as an alternative to the requirement that initiatory petitions be signed by 10 per cent of the total vote for governor, which figure was approximately 360,000 in the 1960 election. This seemed desirable to the committee to provide for possible rapid increase or decrease in the population of the state. A great increase in population could result in a situation where the sheer bulk of

Explanation—Matter within [ ] is stricken, matter in capitals is new.

petitions signed by 10 per cent of the electors could pose serious problems. The committee felt that it was sufficiently difficult to get 300,000 signatures so that hasty revision of the constitution would not result.

The first section, section a, was adopted by the full committee by a vote of 9 to 1, and the second section, section b, was adopted by the committee by a vote of 10 to 2.

CHAIRMAN YEAGER: The Chair will recognize Mr. Erickson. The Chair would like to inquire, do you want to take section a by paragraphs, Mr. Erickson, or as a total?

MR. ERICKSON: Let's take it as a total, because this all ties together.

CHAIRMAN YEAGER: You are recognized, then.

MR. ERICKSON: The Constitutional convention of 1907 and '08 had 3 subjects that took up most of its time: they were wine, women and initiative, (laughter) and the constitutional convention did not do anything on any of those 3 subjects — (laughter) liquor was not included and the vote for women was let go by for a later date, and so was initiative.

Even today Michigan is only 1 of 14 states that permits the citizens to amend its constitution, and after the other constitution it was not until 1913, by joint resolution of the legislature, that people voted to have this in. Mr. Habermehl has asked that I yield the floor to Delegate Durst for the presentation of this interesting subject.

CHAIRMAN YEAGER: Mr. Durst is recognized.

MR. DURST: Thank you, Mr. Erickson. Mr. Chairman and members of the committee, after what happened to Mr. Habermehl I am a little apprehensive but I shall proceed nevertheless.

The proposal that has just been read by the secretary eliminates a great deal of material that was previously in the constitution. We have tried to include the bare skeleton of the provision in order to still keep it self executing without providing all the varied material as to how names are to be set forth and all of this type of thing which is presently provided for in the statutes of this state. It was the opinion of the committee that in the event the legislature refused to act to provide the things that are called for here by this constitution that in one way or another it would still be possible to get an amendment on the ballot with the amount of material which is still left, which is still greatly statutory in nature. But since this is a provision in derogation of the power of the legislature, so to speak, it seemed desirable that it be self executing in nature, and that is why there is still a great deal of material here but far less than there was before.

As far as I know, there is not too much conflict with elimination of this material. However, there is one very substantive change here which has occasioned some conflict of opinion and a split in opinion, and that is the provision that provides that the petitions either be signed by 10 per cent of the total vote cast of all candidates for governor in the last preceding general election in which a governor was elected or 300,000 such registered electors, whichever shall be less. Now the net effect of this provision is to place a ceiling on the number of signatures that are necessary to place a constitutional amendment on the ballot.

Now I think it is desirable here to review just a little history of this provision. As Mr. Erickson has pointed out, it was not included in the constitution of 1908 but was added by amendment and placed on the ballot by the legislature in the year 1913. Now it is significant to note that the 10 per cent figure at that time and for many years prior thereto had averaged around 40,000. In the year 1898, 421,000 people voted in this state, making a requirement of approximately 42,000 signatures. In 1902, it was 402,000 or 40,000 signatures. In 1906, 373,000, so there was a drop to 37,000 signatures required. In 1910, 383,000, the requirement, 38,000. So this was the history and these figures go back to about this level even prior to this time. This was the history which the legislature had before it when it proposed this amendment with the 10 per cent figure in it in 1912. Now what has happened since?

There has been a very, very slow rise in the requirement up till very recent years: in 1920, a presidential year, a little over 1 million people voted in this state, meaning that you would need 105,000 signatures to put an amendment on the ballot. In 1930, a nonpresidential year, only 850,000 people voted, so there was a drop of 250,000 and only 85,000 signatures were needed. In 1940, another presidential year, the vote count rose to 2,030,000, so 203,000 signatures were needed. And in 1950, a nonpresidential year, 1,819,000 people voted, so 187,000 signatures were needed. In 1958, just 4 years ago, 2,312,000 people voted for governor, so 231,000 signatures were needed. And in the 2 year span to 1960, the vote count increased in this state by almost 1 million, to 3,281,536 people, so that you now would need, to put a constitutional amendment on the ballot today — if you were to try it, you would have to collect 328,153 signatures on the petition in order to put the amendment on the ballot. As you can readily see this is quite an increase from the 40,000 which the legislature experienced for a great number of years prior to the time this amendment was adopted to what we have today.

Now it is the contention of the committee that as this figure rises — and it is conceivable that it will rise quite a bit more in the years to come as the percentage of people voting increases, as well as the population increases — what you do in effect is erode the very right that is created by this particular section. I say that because as the figure gets larger, you make it virtually impossible for anyone else to use this particular provision except a large, well organized organization. Now I don't think there is any doubt that no matter how high this figure gets — even if you have to get millions of signatures in the state of Michigan — that the UAW-CIO would be able to put an amendment on the ballot if they so desired. Sure, it may cost them a little more. It may take a little more time and a little more effort, but they can do it. By the same token, Mr. Powell's organization, the farm bureau, if it really wants to put an amendment on the ballot has got the membership and also, I presume, the money — that I am not so sure of — but at least they have the facilities to put an amendment on the ballot if they really want to. I suppose there are other organizations that are similarly well organized. Probably the school groups, if they had an amendment they were particularly interested in, would be able to organize the manpower and the funds to put that particular amendment on the ballot. But I submit that the great bulk of the rest of the people in this state, who belong to none of these well organized organizations, would not be able to significantly participate in a drive to put an amendment on the ballot when this figure gets so high that it becomes too costly. Now I am concerned about this because I do not belong to either one of the large organizations I mentioned — as a former member of the teamsters union they probably wouldn't let me in the UAW-CIO — and when they see the "young radical" badge that Mr. Brake gave me, they probably wouldn't let me in the the farm bureau back home either. (laughter)

Now I know a little bit — not a great deal — about the difficulty of putting an amendment on the ballot. I participated back in my home area in a drive to fluoridate the water supply, and I know how long it took to go out and get 30 signatures on a petition, because everybody wanted to know everything about it before they signed — and I don't blame them for that — but it was virtually impossible if you went out at 6:00 o'clock at night and got done at 10:00 to get more than 30 signatures, and most people hardly got more than 10 or 15. It is a time consuming, very difficult job. And as the issue gets more complex, of course, it gets more difficult. Now I think we only need to look at the drive that was put on to enable the calling of this convention to see how difficult this situation is. I participated in that drive as a member of the junior chamber of commerce and I know Mrs. Judd participated and perhaps some others did as members of other organizations. And I say this without consulting with members of the league of women voters here: that I am convinced that the league of women voters and

for that reason, it should reflect more of a general, all over policy rather than a policy of one particular area.

Now as to the 3/5 provision: this is the matter I wish to speak to at this point. I would like to remind the members of this committee that a constitution contains in it some items that are not contained in laws, and there are some very definite differences between a law and a constitution. First of all, a law imposes the will of the state upon the individual. It imposes the will of the majority upon each individual within the state. A constitution does not have the same function. It has a contrary function. It protects against the imposition of the will of the state upon the individual. In other words, a law imposes the will; a constitution protects against the imposition of the will.

Now it should be remembered that, for instance, article II of our constitution contains the declaration of rights, and this declaration of rights sets out in written form certain specific, named items which are protection for the individual against the imposition of the will of the state. In other words, the constitution is the boundary line from which the legislature may not stray in the imposing of the will of the majority or the will of the state upon the individual. And I would like to liken a constitution to a football field. The constitution is actually the boundary line of a football field and once you go outside those boundary lines, the constitution provides that the game must stop and the legislature must get back inside those boundary lines. Now what is actually proposed when you say that a majority may change the boundary lines is to say that one team when they go outside the bounds may change those boundary lines so that they will be within those boundary lines. And I submit that this is not fair, that this is not a proper way to handle those boundary lines.

You have here, actually, 2 different basic concepts: you have some people who believe, as was so expressed, that the general will should always control. Other people feel that the majority should be checked and that the state should not be able to impose its will upon any minority group. Those of you who are lawyers would not, I believe, allow any client of yours to enter into a corporation which would allow a majority to change the constitution of that particular corporation. You would want some added guarantee to your client who would become a member of that corporation, and one of those guarantees which is always in a constitution of a corporation or the bylaws of a corporation is to provide that the constitution may be changed by something more than a simple majority. It is usually a 3/4 or a 3/5 or some other type of a majority more than a simple majority.

I would like to make this one further comment in closing: it appears as though those people who favor a simple majority are favoring the concept that was once expressed back in old English times, that the king could do no wrong. What they are saying at the present time is that the majority can do no wrong. In other words, they are saying that we have a divine right of the multitude to control. I say, when we are dealing with something as fundamental as a constitution, which is a protection against the imposition of the will of the state, that we should be very careful in the allowance of those particular guarantees to be changed because the constitution is a compact with the people. It represents not only what the position of the people is for the present day but also for the future, for those yet unborn children. I feel that it is very necessary to make it more difficult to change and alter the basic law and constitution of the state. I would urge the adoption of this substitute.

CHAIRMAN YEAGER: The Chair will recognize Mr. Habermehl.

MR. HABERMEHL: Mr. Chairman, I believe the committee will have to oppose the substitute as offered. I find some of Mr. Brown's ideas rather interesting myself and had they been submitted in some other form than an entire substitute I think they might be given more serious consideration. I think Mr. Brown has overlooked, however, that this is, by its very nature, a self executing proposal. This assumes that the legislature has failed or—thanks to our action in the past proposal—has been unable to act in this field and some other method must be provided for amendment of the constitution. For that reason the detail that is contained in it is essential. We have tried to limit it. You will note from the proposal that we have been able to eliminate 2 full pages of detail from this section, leaving only such items there as would make the proposal self executing. It cannot be subject to the failure of the legislature to act, as the Brown-Boothby substitute would have it. If the legislature did not act in this field, initiative would be useless. The committee, therefore, must oppose the substitute.

CHAIRMAN YEAGER: The Chair will recognize Mr. Marshall.

MR. MARSHALL: Mr. Chairman and fellow delegates, I rise to oppose the Brown-Boothby substitute and I would point out just a few simple figures as to what this actually means.

I will take Mr. Boothby's own county of Berrien county with a population of slightly less than 150,000 or approximately 150,000. They could produce, could register 20 per cent of the total signatures out of this 150,000. There are 25 counties in the state with less than 30,000 people. They could produce up as high as, could get signatures of—take a county with 70 per cent—might register 70 per cent or 80 per cent of the total registered voters in that county. This would mean, also, that out of the total required, 4 counties, which have well over a majority or approximately 60 per cent of the total state population, would only be able to produce 120,000 signatures based upon the last gubernatorial election. The county of Wayne, based upon the Brown-Boothby substitute, would be restricted to 30,000, only contributing 30,000 signatures and this would be less, slightly less than 1 per cent. This is completely and totally—I had not intended to speak on it, frankly. I want to point these figures out, but I had not intended to speak because I thought it was so ridiculous that the delegates probably would not give much consideration to it anyway.

I think everyone is well aware of what the substitute means, what it is intended to do, that it would practically make it impossible for — you could conceivably have a minority, an extreme minority of the population in a large percentage of the thinly populated counties who would have complete and absolute control over whether or not there would be any constitutional amendments submitted to the people. I oppose the Brown-Boothby substitute.

CHAIRMAN YEAGER: The Chair recognizes Dr. Nord.

MR. NORD: Mr. Chairman, I believe also, along with Mr. Marshall, that this substitute is not entitled to a great deal of discussion, but I take the floor for one reason, and that is because there is one point which I believe is well taken and I would like to isolate that from the others if I can. There is one point the proponents of the substitute have made which I think is a good point, but I do not think it is good enough standing with the rest of the amendment to be able to support the amendment. Mr. Boothby made the point that I refer to and that is, as I understood him to say, that the constitution ought to protect the minority from the majority. Particularly that is so with respect to the bill of rights and, therefore, the majority ought not to be able to change the bill of rights; it ought to take more than a majority to change the bill of rights. I agree with that myself. I think that point is absolutely correct. I think it is dangerous for the majority to be able to change the bill of rights; that is to say, to change it in the sense of removing the rights of minorities or individuals. And on that point, if that were the only point here, I would certainly go along with the amendment. In fact, I personally think that 2/3 is the right amount of the people to change, to derogate from rights guaranteed in the bill of rights. But, unfortunately, that is not the amendment that is before us. It has a great many other features each of which, I believe, previous speakers have pointed out to be quite unsatisfactory.

For example, the one about the counties has been discussed. I think it is clear that that is wrong. As to the fact that they have reduced the amount of language, I think that is completely a fallacy. This is not a matter for the legislature or legislative detail; this is supposed to be self executing. Without laboring the point as to the rest of the substitute, I believe that too many things have been put together and although there may be one thing, as I see it, that is good, there are too many

things that are bad in it. If the sponsors of the substitute wish to submit at this time or later, possibly, each one of the ideas in a separate package they might be able to get some of them through, but as it stands now I agree with many of the previous speakers that the substitute just cannot be supported as is.

CHAIRMAN YEAGER: The question is still on the Brown-Boothby substitute. The Chair recognizes Mr. Garry Brown.

MR. G. E. BROWN: Mr. Chairman, members of the committee, at the outset I would like to point out—in derogation of what Mr. Habermehl has said that this is not a self executing provision—I want to direct your attention to the comparable language in the provision of the constitution relative to recall. If you can say that this is not self executing in providing the right of recall, then you are probably correct in saying that the present language, the language in the substitute, is not self implementing.

I would only remind the people that when you provide that an amendment may be initiated by the people, this is a constitutional directive upon the petitioning of a certain number. If the legislature fails to implement it, there is nothing to stop that number of people from circulating petitions, signing them, and filing them with the secretary of state, and I will challenge anyone to say that mandamus action will not apply. So it is self implementing. Further, I appreciate the support of Dr. Nord with respect to the final paragraph. I thought that probably he might support the idea of taking out the legislative language, since I think that he would agree as a matter of constitutional interpretation that the first paragraph does make it self executing and only implementation is provided in the second paragraph.

I would also like to point out that there is not—at least this proponent of this substitute does not hold a great brief for the 10 per cent provision. If that is too limitive, conceivably 20 per cent would be better. But I think the point is that we should make sure that these petitions to put an amendment on the ballot to amend the fundamental law of the state should not come from a single county. They could very well come from Kalamazoo county or maybe Kent county or some other county, but the point is that at least 3 or 4 counties, or 5 or 6 counties should have some knowledge of the matter before it is actually put on the ballot through the circulating of petitions. This is a good way to campaign. It gives the proponents of the measure a chance to get out and to circulate on behalf of their proposition and, at the same time, it informs the electorate where they are circulating the petitions.

With respect to the matter of the 3/5 vote, I would only remind the delegates here that in order to amend the federal constitution it takes a 3/4 ratification of the states, and I would further remind the delegates here that in many states there are certain issues which may not be subject to the initiative or the initiated amendment and that, therefore, when you are permitting all provisions of the constitution to be subject to initiating amendment that a 3/5 vote is not too difficult a provision.

CHAIRMAN YEAGER: The Chair will recognize the last speaker on his list, Mr. Hodges.

MR. HODGES: Mr. Chairman, we have seen various attempts through the legislative apportionment to gerrymander this state but now we seem to be getting some "garrybrowning" in terms of the question of petitions, and I think that gerrymandering or "garrybrowning" is all the same; that it is unjust and, therefore, we should defeat the substitute.

CHAIRMAN YEAGER: The question is on the Brown-Boothby substitute. As many as are in favor will say aye. As many opposed will say no.

The substitute is not adopted. The secretary will read the next amendment.

SECRETARY CHASE: Messrs. Rush, Hutchinson, J. B. Richards, Rood and Powell offer the following amendment:

1. Amend page 4, line 19, after "voting" by striking out "on the question" and inserting "in the election"; so the language will read:

If such proposed amendment appearing on the ballot shall be approved by a majority of the electors voting in the election, the proposed amendment shall become a part of the constitution. . . .

CHAIRMAN YEAGER: The Chair will recognize Mr. Rush on his amendment.

MR. RUSH: Mr. Chairman, fellow delegates, when I proposed a similar provision, it was pertaining to an amendment that would be instituted by the legislature, by a 2/3 vote of the legislature. Now we are talking about an amendment that might be proposed by initiatory methods. We do not have in this case the protection of the 2/3 vote of the legislature. I would point out to you that the constitution could be amended by a 51 per cent vote. This is indeed making it rather easy to amend our constitution, and I do not think that we should adopt a proposal or put in our constitution a provision that would make it so easy to amend the constitution. In this case it will make it much more difficult to amend the constitution and I think that this amendment should be given serious consideration.

CHAIRMAN YEAGER: The Chair will recognize Mr. Durst.

MR. DURST: Mr. Chairman, I will yield to Mr. Hutchinson, one of the proponents of the amendment, if he desires to speak.

MR. HUTCHINSON: Mr. Chairman, I am not—it doesn't make any difference to me. I will be very happy to wait my turn. However—

CHAIRMAN YEAGER: You may proceed, Mr. Hutchinson.

MR. HUTCHINSON: Mr. Chairman, I was happy to lend my name to the support of this amendment because of the fact that here, again, is a situation where—and I agree with Mr. Nord in this—I believe conscientiously that constitutions are for the protection of minorities and that simple majorities of people voting upon questions and so on and a very small percentage of the electorate initiating questions without the benefit of the debate of any forum is something that should be made difficult. Consequently, I think that in the case of an initiated constitutional amendment, one that is initiated by petition, that it would be wise to require a greater percentage of the electorate to approve such an amendment than would be required to approve a constitutional amendment submitted by the legislature, the legislature submitting a constitutional amendment to be adopted by a majority of the people voting on the question; but I think that if there is to be an initiated petition, then we should require a greater percentage of the vote to carry it.

While that was a feature of Mr. Brown's amendment, which you have just defeated, this puts the same problem to you but in a different form and one which I hope that you will adopt because we, after all, are interested in protecting minorities in constitutions and we do not want to make it possible for a simple majority to trample over the constitutional rights of the individual citizens of this state, namely, the minority.

CHAIRMAN YEAGER: Mr. Durst.

MR. DURST: Mr. Chairman and members of the committee, on behalf of the committee on miscellaneous provisions and schedule, I feel that I must oppose the amendment which is on the wall. We did not particularly discuss or vote on this issue, in regard to this provision, but we did, in Committee Proposal 66, discuss the same question. The committee almost unanimously disapproved an amendment of this type.

Mr. Hutchinson brings up the question of protecting minorities and certainly this is a laudable ambition and certainly should be considered. However, in this regard, I think we should keep one thing in mind; that is this: at least in the past—I am going to make a rash generalization—there has been a sizable group of the electorate in this state which votes no on anything. I know some of them in my district. They are naturally suspicious—perhaps with justification—but anyway, there is a general lethargy on the part of the people that must be overcome before any constitutional amendment is approved, and to point this up I think it is important to review just once again that of the 34 amendments proposed to this constitution, the one of 1908, by initiative, only 10 of them have obtained the approval of the people.

Mr. Brown was using the argument a few minutes ago that this was a good point for making the unusual majority,