

opportunity they have. If they came to us with a suggestion for a constitutional amendment, we put it forward, we get it through, then they don't go out and have a petition drive. The reason they have a petition drive is because we haven't done it here, just like...

SPEAKER WITHEM: Time.

SENATOR WITEK: ...like we're talking about the property taxes.

SPEAKER WITHEM: Senator Chambers.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, this concept of initiative and referendum does not exist in every state's constitution. It is not something that is deemed to be an essential part of state government or any government for that matter. The Legislature, whether at the federal level or the state level, has from the beginning of this country been deemed a part of the governmental structure. The Legislature is the body which is supposed to represent the interests of the people. Many times what the people deem as in their best interest is not deemed by the Legislature to be so, and the Legislature will not simply do everything the people say do. Our job is to be better informed. Our job is to have information, then our job is not to be carried along by the whim or the hysteria of the moment. But because legislatures cannot be trusted to behave in a responsible manner, courts check and balance the legislatures. And the Supreme Court has said, on a number of occasions, that constitutional rights are not to be submitted to a popularity contest or a polling to see which way the majority of the people want to go. There are certain principals which should be held inviolate, even if a majority of the populace says, do away with them. For example, if put to a vote of the American people at large, I believe slavery of black people would be reinstated, I believe that. And Senator Witek is over there saying oh, no, no. Well, see, she hasn't walked in my shoes. She doesn't even believe probably that there is racism and discrimination when issues are raised before the Judiciary Committee. I see some of my colleagues looking like, well why do we have to even listen to this, this is not what America is about, but it's what my life is about, the life of the people that I represent is about and the purpose of a constitution is to protect the rights of the minority against and from the tyranny of the majority, which often is racist, bigoted and unfair. And this is why minorities have to rely on