

1 legislature onto a certain thing. It has been clear from
2 the testimony here and it is clear in the Court proceedings
3 that if the legislature should decide not to do those things,
4 there is no mandamus proceedings to force the legislature
5 to do it.

6 Now, as I understand the Delegate's suggestion,
7 it is that we do the same thing here with respect to these
8 provisions so to do it by rule, but if the fact they do not
9 do it, then there is no kind of recourse to force them to
10 do it. I think that would leave us in a procedure that
11 would be entirely from what the Majority of the Committee
12 has recommended, so I would like to get some clarification
13 of what the Chair has in mind.

14 THE CHAIRMAN: The Chair's principal suggestion
15 was to separate in two sections the portions which the
16 Committee has indicated quite clearly are not merely manda-
17 tory, but as to which they expect literal compliance, so
18 that there would be no question as to these. Have in a
19 separate section the other portions of the section, as to
20 something less than literal compliance might be possible or
21 to put it another way, that failure to have literal