

constitutional provisions for lumbermen, oystermen, coal miners or even school teachers, and there are some state constitutions that have some special provisions for them.

I do not believe they belong in the constitution, but the consumer involves all the people. This action would tell the aged, the poor, the indigent, indeed all the people that we care.

The other day when we included the section on natural resources, there were some who said that this is not constitutional. It is hortatory. But over 100 of us felt that the natural resources were important because they belonged to the people. They were important enough because of the dangers to the land.

Now, the proponents and the Committee ask that the Convention do for the people's human resources what it did for the natural resources. In other words, that which belongs to the people is that which is God given, as much as natural resources are given to us via the state.

It is late in the afternoon and before a holiday, and I would urge you to support the consumer protection educational proposal so that many can give thanks this Thanksgiving as we who are here can give thanks for what we have done.

Thank you.

THE CHAIRMAN: Are there any questions?

Delegate Case.

DELEGATE CASE: Delegate Bard, does this requirement of this provision, this proposal, require state action? Will it require state action or is it merely —

DELEGATE BARD: I would like to read in answer to that question the short statement in the proposed New York Constitution. Before reading it, I would like to indicate that the debates that took place on the very question which is being asked by Delegate Case in New York, brought forth an affirmative answer and in all the dialogue in regard to the New York Constitution, there was little that was not affirmative in terms of this statement.

It read like this: "The protection and the education of the people of the state against unfair, inequitable or dishonest sales, marketing and financing practices are and shall continue to be state concerns."

Another sentence, "The legislature shall provide for the implementation of this section."

True, the first portion of this was hortatory, but the latter part of this did bring to the legislature a direct mandate for action in answer to your question, and the New York State Convention that went through this dialogue answered to the fact that it belonged in the constitution and secondly, that it could be enforced.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: What constitution was that that you were talking about?

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: I am referring to the New York proposed constitution: In all the debates with respect to the provisions of the New York State Constitution, this one particular section was commended on many occasions by the newspapers and it was said it was just too bad that such good proposals as this and other proposals within the constitution could not go through.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: That is, the constitution was defeated?

DELEGATE BARD: It was and it is going to be brought forth singly to the public.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: To get back to my question, because I have something I want to have you follow through with me, I take it then that you are telling us that this will require state action. This is a positive requirement of state action, is this correct?

THE CHAIRMAN: Delegate Key.

DELEGATE KEY: I would rather answer your question, because I was on the committee and as such I think I can let you know a little bit more about our thinking.

Yes, we feel this is a mandate of the General Assembly to act.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: I have to ask Delegate Bard to speak because he made the principal address. I hope you do not mind.

DELEGATE KEY: No.

DELEGATE CASE: He mentioned the fact that one of the examples was the fact that someone in his family had drug poi-