

interest, and declares that monopolies are odious.

Now that we are at the point of building a viable state government, we need to be able to meet the challenges and the needs of our citizens today.

I cannot think of any one single item that we could put in the new constitution that would affect more citizens in the State, nor can I think of any reason why we should exclude something which would make this constitution attractive to the people and at the same time make it clear to the General Assembly what we as a body, a constitutional body sitting here, propose for them to consider in an ensuing year.

I support this resolution.

THE CHAIRMAN: Does any other delegate desire to speak in opposition?

Delegate Carson?

DELEGATE CARSON: Mr. Chairman, I advocated and voted in favor of the section on natural resources. I did so in large part because the way that section was worded and the way it passed would permit the General Assembly to vary from area to area within the state with regard to conservation and natural resources.

As an item in point, for example, the deer season began last week and you can now shoot two deer in Dorchester County, I understand, while in the rest of the state, only one; in other words, there was recognition given to the fact that there was a large deer population in that county. I think that is a distinguishing factor between that section and this proposed section.

As Dr. Winslow, I, too, am a consumer. I feel these consumer protection clauses should be passed, but I suggest the constitutional provision here proposed would add nothing whatsoever and may also detract from the ability of the General Assembly to legislate in this area. Therefore, I urge you to vote against this proposed section.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the proposal?

Delegate Mason?

DELEGATE MASON: Mr. Chairman, I rise to speak in favor of this proposal. I realize that the constitutional purists will say that this matter is legislative.

I would like to call the attention of the Committee of the Whole to the judicial article that we just adopted, and I am sure that the same constitutional purists will say that this article contains a considerable amount of legislation.

I believe there are twenty-eight states that have consumer protection legislation, and New York which enacted this legislation in 1959, and recently in its constitution included a provision for consumer protection. I think this is something that we should also include in our constitution.

I concur with the delegate who said, let's put some heart in the constitution, and I suggest that not only should we put some heart, let's put some soul in the constitution so the voters can come out and pass the constitution.

THE CHAIRMAN: Delegate Singer.

DELEGATE SINGER: Mr. Chairman, fellow delegates, it is with the greatest reluctance that I rise to oppose this proposal.

It is not because I am a constitutional purist and it is not because I am opposed to the broad social policy which this provision establishes. I am partly in favor of it.

My objection to it is that it is too broad, and that it does not do what the proponents of this proposal say that it does.

I fear that it holds out a false promise to those who would support this constitution, possibly because of it, and yet this provision cannot deliver what it promises.

It says the General Assembly shall by law provide. This provision cannot be enforced. If we are to present this constitution with this amendment or proposal included in it, in all candor and in all conscience, we must indicate that this provision has no mandatory effect upon the General Assembly. It does not give nor detract from the powers of the General Assembly to enact legislation in this area.

In the past it has provided a Consumer Protection Bureau, which is a division of the attorney general's office. That division is functioning and the Committee heard testimony from its chief.

In certain instances the legislature has acted in this area and much needs to be done, but to say that this provision will guarantee that we will have super protection, super education against harmful and unfair business practices simply is not