

the constitutional guarantee that it purports to be.

In the case of *Watkins v. Watkins* 2 Md. 341, it was held that the judiciary may not compel action on the part of a coordinate branch. To say that our Court of Appeals or any court of this State would compel the General Assembly to enact legislation in this area is simply misleading those who would put their faith and trust in this provision. It is for these reasons that I think that this provision should be defeated; not because of what it states or what its object is, but because it does not in truth deliver what it purports to deliver.

THE CHAIRMAN: Is there any further discussion?

Delegate Marion.

DELEGATE MARION: Mr. Chairman, I have listened carefully to the arguments on both sides, and it seems to me that there have been some good arguments made. Had I been required to cast my vote on this proposal last Wednesday before we adjourned, I think I would have voted against the proposal.

I have come to the conclusion that we ought to support it, that this provision ought to be in the constitution, and I have come to that conclusion by this process of reasoning. I think there are basically two arguments that can be raised against the inclusion of a provision like this in the constitution. One is that you are not in favor of consumer protection legislation at all. I cannot accept that because I am in favor of the consumer protection legislation, if and where appropriate.

The second argument is it ought not to be in the constitution, and I think that is a close question; but I resolve that question in favor of putting the provision in the constitution because I believe that by putting it in the constitution it will set to rest the argument which I first advanced in opposition to it. It will set to rest the argument which is bound to be made in the General Assembly that we ought not have or should not have a particular piece of consumer protection legislation. I think if we can set that to rest by spelling out in this constitution that the people of the State want this sort of legislation, it destroys one of the biggest arguments which is bound to be presented against legislation of this sort when it will come to the General Assembly.

I support the proposal.

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

Delegate Needle.

DELEGATE NEEDLE: Mr. Chairman, I rise to a point of information. A resolution was introduced before this body some time ago, which I cannot put my finger on at this moment, pertaining to presentments to the General Assembly. I would be curious to know with regard to this and many other questions if the Chair could inform this body where that resolution is at present, and if acted upon favorably by this body, just in what manner such presentments would be made to the General Assembly?

THE CHAIRMAN: I think you are probably referring to Resolution No. 16 or No. 21, I am not certain. I do not have it in front of me. The resolution is still before the Committee. I think it will be withdrawn by the sponsor if it has not already been withdrawn, on the ground that it poses problems for the Convention, and for the staff, that we cannot meet. It would be virtually impossible for the staff of the Convention or the Committees to comply with that resolution.

Delegate Bard.

DELEGATE BARD: May I rise to a point of personal privilege on that question?

THE CHAIRMAN: You may proceed.

DELEGATE BARD: Since I was the sponsor of Resolution No. 16, I would like to add that after conferences with a number of individuals here, including those in leadership roles, it was determined that it would be best to withdraw the resolution, with all the wisdom that it might have had behind it, because of the time pressure, because it was believed that it might not have been in order for us to leave a memorialized statement for the General Assembly. Therefore, it is withdrawn.

THE CHAIRMAN: Delegate Jett.

DELEGATE JETT: Mr. Chairman, fellow Delegates:

I rise to oppose this suggestion. I feel that it is absolutely my duty to do so, having sat on the General Provisions Committee and listened to the testimony and heard the debates concerning this matter.

It is my sincere feeling, and has been, that this is not a constitutional matter. It is a matter that belongs in the statutes.