

ing to include this and other matters in the constitution, but does our duty to our citizens not override this and other similar considerations?

Now, aside from the question of what all this means, consider the additional bureaucratic agency that will not only be created, but be perpetuated under this particular section. Regardless of its size and scope, it will never protect people from themselves, but it will turn an agency of our government into a complaint department that may be forced to advertise "your money cheerfully refunded."

I urge you to vote for the reconsideration, and then delete this section.

THE PRESIDENT: Delegate Boyer.

DELEGATE BOYER: Mr. Chairman, I would like to yield to Delegate Bard.

THE PRESIDENT: I will recognize Delegate Bard afterward. You do not desire to speak?

DELEGATE BOYER: No, sir. We had this worked out.

THE PRESIDENT: Very well. Delegate Bard.

DELEGATE BARD: Mr. President, speakers are arranged in terms of speaking time. I have talked with Mr. Boyer about this, and Delegate Sickles is to speak for two minutes.

THE PRESIDENT: This is not a control period of time. There is no controlled debate.

Do you desire to speak? If so, I suggest you do so now.

DELEGATE BARD: Yes, I do. I do.

THE PRESIDENT: I say this because it is possible for only five speakers, and if somebody gets ahead of you—

DELEGATE BARD: All right.

Mr. President, we have had four hours of debate previous to Thanksgiving, and after Thanksgiving, on this consideration, and three votes. The proponents in this regard have made it clear that this is of constitutional status, and the reason why it is of constitutional status is because it is true that Maryland has operated in this area. In this whole general area there are about six categories. Those who are authorities tell us that we would be able to operate with great force if the constitution stated something in regard to areas such as drug

abuse, truth in lending, and stronger acts in regard to safety and honesty in packaging.

Voluntary actions do not work. The concept of caveat emptor is dead. The chemical and technical nature of the world makes it impossible for him to understand his purchases. The greatest number of purchasers say we cannot compete with the few people who are not honest. Those of us who are honest can compete more firmly if there is force behind what we are doing.

THE PRESIDENT: Thank you.

Any other delegate desire to speak in favor of the motion to reconsider?

Delegate Henderson.

DELEGATE HENDERSON: I would urge this Committee to reconsider, and delete this proposal from the constitution. I am disturbed at the breadth of the proposition, protection and education, which are the broadest words that I can imagine.

I think it will lead to endless litigation before its exact scope is determined by the courts. If it has any legislative effect, if it is not purely oratory and not self-executing, and I assume that it is not, I assume that it would require legislation to implement it, and then it really furnishes no guide. All that it says in effect is that we should protect the people against fraud. That is what it amounts to, and fraud has infinite variety and it denies what is really the basic principle of law and order, that is self-help. For all of those reasons I think it would be a mistake to enshrine this kind of a general proposition in the constitution.

THE PRESIDENT: Delegate Koger.

DELEGATE KOGER: Mr. Chairman and ladies and gentlemen: No provision at this Convention has received greater praise in the local and national newspapers, and radio and television, than consumer protection. It was the very first thing we did that directly benefited the people.

Everybody is a consumer, and a measure of this kind will interest the people. The main question we will be asked is: What did you do for me? You will be saying something, and it will appeal to everyone, your neighbor and secretary, and certainly your wife, when you can say "You know, we added something to the Bill of Rights, a right in the marketplace, consumer protection."

I certainly hope you will stand your ground and support this measure.