

1 Amendment and, indeed, what the Commission has provided  
 2 here, shall by law protect the rights of witnesses. If  
 3 the General Assembly wants to pass a statute that defines  
 4 germaneness more narrowly than is constitutionally under-  
 5 stood, that is perfectly all right with me, but I don't  
 6 think we should tie the Legislature's hands in advance in  
 7 the Constitution. I don't think there is any dispute that  
 8 we're doing that.

9           Even if you concede that the Legislature has  
 10 the inherent power to investigate, and we have nothing else  
 11 in there and they attempt to subpoena somebody and the  
 12 fellow raises the defense there is no legislation pending,  
 13 nevertheless, the Legislature has embarked on an investiga-  
 14 tion in an area that could give rise to legislation, say  
 15 like in the savings and loan field, no Court would sustain  
 16 that defense, but if this provision is in the Constitution,  
 17 he has a better defense.

18           MR. CLAGETT: I remember we put in the words,  
 19 exercise its power, in order that we indicate we recognize  
 20 its inherent power and, by taking them out, we're reversing  
 21 what we did at that time.