clarity on the point in immunity statutes. In State v. Comes, 237 Md. 271 (1965), the Court (quoting from McCormick on Evidence), noted the "difficulties and miscarriages in the application of immunity statutes" that would disappear if Legislatures enacted "a well-planned and comprehensive Immunity Act." Id. at 277. The Court stated that:

> "Immunity statutes have as their purpose not a gift of amnesty but the securing of testimony which because of privilege could not otherwise be procured. If the witness is willing to give the evidence voluntarily, there is no reason for buying it with immunity. But the traditional language of early immunity statutes did not make clear the conditions of exchange. They merely provided that in certain proceedings the privilege did not exist, but the witness had the immunity. This vagueness has provoked disputes." Id. at 276.

In our view, Senate Bill 10 does not create vagueness on the point but requires the witness to assert the Fifth Amendment privilege before he or she can expect a grant of immunity. Because Senate Bill 10 and House Bill 10 differ so significantly, we regard them as inconsistent and irreconcilable.

Article 1, § 17 of the Maryland Code recognizes that if amendments to the same sections of the Code at the same session are irreconcilable and not possible to construe together, the latest in date of "final enactment", i.e. signing, shall prevail. See Elgin v. Capital Greyhound Lines, 192 Md. 303, 317 (1949). However, we believe there are ample reasons why both bills should not be signed and the effect left to a proper application of Article 1, § 17. First, if both bills are signed, the first issue to be addressed by the Court in dealing with the statute is not how it has been applied but what it in fact means. Moreover, a defendant might be expected to argue that by enacting both bills, the General Assembly wanted them construed together or as one modifying the other. This is so because the traditional rule against repeals by implication has especial force with respect to bills passed at the same session. In Mayor and City Council of Baltimore v. German A.F.I. Co., 132 Md. 380, 385 (1918), the Court of Appeals said that:

> "[I]t is not to be supposed; nothing short of expressions so plain and positive as to force upon the mind an irresistible conviction or absolute necessity would justify a Court in presuming that it was the intention of Legislature that their Acts passed at the same session should abrogate and annul one another."

To avoid litigation over the proper meaning of new section 9-910 of the Financial Institutions Article, we believe that it is advisable to adhere to the policy normally followed when confronted with inconsistent bills and to sign either the House or Senate Bill, but not both.