

STATEMENT OF HON. GUY R. BREWER

Mr. BREWER. I don't have a prepared statement, Congressman, because the call came to me when I was down in the country, and I was told on my way to Albany to stop by here and share a few of the things we are trying to do there with your Committee, in the hope that it might be helpful.

Let me say, first of all, sir, that I am very happy to be here with you and, of course, Congressman Halpern, from my own borough.

In further identification of myself, in addition to being Chairman of the Subcommittee on Consumer Protection at the New York State Constitutional Convention, I have for a number of years been a Director of the Congressional Educational Institute, and I regret to say that over the years I have developed some cynicism as to whether the consumer can ever be educated. It seems to me that it is almost impossible in our type of society to educate people to be smart consumers and not to rush out and buy every sort of trivia.

Mention has been made by Deputy Mayor Costello concerning the great disadvantage suffered by the poor and the fears that he had of cutting off sources of credit for the poor, thereby keeping them from sharing in all of these gadgets of our so-called affluent society. I share that same concern, but I think that also he might concern himself with these people further out on the Island from us, Congressman Halpern, the people who live out in Nassau and Suffolk Counties in these split levels and the people who have rushed out and bought everything under the sun in addition to the split levels, and they are up to their necks in debt and three weeks off of a payroll will make them candidates for welfare.

But that's the society—as Mr. Costello pointed out—in which we live. It's a vast problem.

Now, here's the way we tried to attack it—and I simply want to share this with you in the belief that it must be attacked on every level, National, State and local, as they are trying to do in New York City. We held hearings, the Subcommittee held hearings all over the State. We held hearings from Brooklyn to Buffalo, and we accumulated reams of testimony. We had Congressman Lester Wolff who came before us. We had Deputy Mayor Costello. We had many, many persons from unions, and we had a cross-section of the entire population of New York State who came before us, and out of all that testimony one fact emerged, and that is that the consumer in this State and in every state desperately needs protection. And you are to be commended on your projection of this Bill 11601 that you are projecting. We think it is much better and it is much more desirable than the Senate bill. It offers more protection to the consumer and we have found that we have got to have a new approach to this thing.

Now, it might be asked what can a Constitutional Convention do in this hearing? As you gentlemen know, being lawyers, a Constitutional Convention cannot write laws. It is not the purpose of a Constitutional Convention to legislate, but it can enumerate in broad principles certain things for the welfare of the people of our State.

For instance, we have reiterated that the forests of our State shall be forever wild. That is a protection of the forests of our State. Now, we also had the proposition coming out that will say that the days of caveat emptor have outlived their usefulness, and that it is the duty of the State and it is the legislative concern of the State to see that its citizens are not victimized by unscrupulous practices and by all these sort of things to which your Committee is directing itself. That will be the broad scope of what we hope will be voted on and accepted favorably by the Convention and will be incorporated into the Constitution.

A simple terse statement, stating that it is the concern of the State of New York to protect its citizens who are consumers—and God knows that means all of us, we are all consumers. And frankly, I can't see how you are going to get much opposition to it, but you never can tell, and this seems to be the sort of thing everybody as a consumer should want, and it should be a bi-partisan proposition when it hits the floor of the Convention. We certainly hope it will be bi-partisan and the State of New York will write into its Constitution that the consumer must be protected.

We have found that it is not enough. For instance, mention has been made by Mr. Costello of the prices, the higher prices, that people pay in ghetto areas. Now, that is very true, and the thing that is most shocking is—and this has