

language does not furnish the protection that perhaps some might think desirable.

I, for one, do not think it desirable. I, for one, would let this matter stay with the representatives of the people to be dealt with on a case-by-case basis under general language which would prohibit them from surrendering jurisdiction to the maximum extent possible — that is, retain jurisdiction to the maximum extent possible. No other state apparently has such a provision.

I am quite confident that the United States and all its agencies could not care less whether this was a provision of our statute or a provision of our constitution, whatever the general feeling may be about it.

Again, I ask you to keep out of the Constitution matters that have no place there and matters which can be handled by the General Assembly and matters for which no abuse on the part of the General Assembly, at least in the last thirty or forty years, has been demonstrated by any evidence before this body.

THE CHAIRMAN: Delegate Jett.

DELEGATE JETT: Mr. Chairman and fellow Delegates, I do not want to take the Convention by "Storm" or "Scanlanize" it, but hope to give it possibly a little "Jett" propulsion.

What I would like to call the attention of the Convention to is that I happened to sit in on the General Provisions Committee and was very much interested in Delegate Storm's presentation, and did some very surface-scratching examination of the authorities.

I think the big point that is lost sight of here is that by this amendment we are suggesting to the states that they do not cede any more land to the federal government. I think it has been lost sight of that the federal government in the State of Maryland holds 187,000 acres. This represents three per cent of the State. We have given them the District of Columbia; we were the earliest State to ever act on this subject. Our thought is we should say to the legislature that we do not want any more of Maryland given to the federal government. This is our Maryland, and we want to keep it, and to the full extent you can keep it we want it retained.

We did recognize Delegate Sherbow's problem. We did recognize there might come a time when there might be a very important federal installation coming to Maryland, and we did not want the hands

of the legislature tied so they could not deal with that agency. That is the purpose and the intent of the amendment which Delegate Storm and I have introduced, that the legislature is told we do not want any further cessions in the State.

In the case our Chairman spoke of, it came down to a very important matter of dollars and cents. Louisiana had conveyed away a very important piece of property and had not retained the right to tax, and had tried to put on an *ad valorem* tax. The Supreme Court, in 376 U.S., in the Waggoner case, specifically held that if the state had retained that right it could have taxed the property on this ceded property.

That is the point of this, and that is the only point, that Maryland retain all of its land that it possibly can, with as much control over it as it is possible to retain. I hope you will vote for the amendment.

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

Delegate Sherbow?

DELEGATE SHERBOW: Would Delegate Jett yield for a question?

In a matter that seeks to do good but which might possibly do harm and is of such tremendous importance, can you give us one good reason why we should not have a competently drafted legal written memorandum made a part of these proceedings before we act on anything as important as this?

THE CHAIRMAN: Delegate Jett.

DELEGATE JETT: I am not urging that we act immediately on this, but I want you to know that this is not something just rushed into as a good idea without giving it some thought.

THE CHAIRMAN: Delegate Boyer.

DELEGATE BOYER: Mr. Chairman, in view of the very pointed questions raised by various delegates, I would respectfully move that this matter lay over until our research staff can come up with a legal memorandum on this so that we can consider it more in depth and decide at that time one way or another which route to take.

I would so move, Mr. Chairman.

THE CHAIRMAN: Delegate Boyer, I do not believe the motion you just put is in order in that form, because the Committee of the Whole is acting under instructions of the Convention. I believe the same pur-