

if the local law were changed by the legislature, it would take another act of Congress to change that local law to make it federal law.

They finally, however, got an assimilated crimes act, which has been upheld by the Supreme Court of the United States as being proper, and that makes state law federal law on those enclaves.

THE CHAIRMAN: Are there any other questions?

*(There was no response.)*

If not, the Committee Chairman may return to his seat.

Delegate Storm, do you now desire to offer your Amendment C?

DELEGATE STORM: If you please, Mr. Chairman.

THE CHAIRMAN: Amendment C will be Amendment No. 1.

The Clerk will read the amendment.

READING CLERK: Amendment No. 1 to Committee Recommendation GP-5 by Delegates Storm and Jett:

On page 1 strike out all of lines 5 through 15, inclusive, and insert in lieu thereof the following:

"Notwithstanding anything contained or omitted in any act or acts of the General Assembly ceding jurisdiction over lands within this State to the United States or in giving consent to the acquisition of any lands within this State by the United States or any agency thereof, whether by purchase, lease, condemnation or otherwise, the jurisdiction of the laws of this State over persons, property, transactions, acts or omissions of individuals or private corporations within the limits of or on such lands shall not cease or terminate, except to such extent as may be specifically required by an act of Congress. Nothing in this section shall be deemed or construed to restrict the jurisdiction and authority of this State over any lands, and the persons, property and transactions thereon, heretofore acquired by the United States. Any laws of the State continuing in effect within the limits of or on such lands shall not be effective if inconsistent with the governmental uses, purposes and functions for which the land was acquired or is used by the United States."

THE CHAIRMAN: The amendment having been submitted by Delegate Storm and seconded by Delegate Jett, the Chair recognizes Delegate Storm.

DELEGATE STORM: Mr. Chairman, I would like to mention that although we were perfectly satisfied with the original language, it was a little bit confusing, and I was fortunate enough to get in touch with an attorney in the Department of Justice who had chaired a meeting of some twenty-three federal agencies interested in this proposal.

He said in the letter to me, which I will file with the Committee records, uncertainty as to the meaning of the Code provision had been responsible for the enactment of several Maryland statutes providing for cession of jurisdiction as to specific federal properties.

He went over this amendment and made one change which is reflected in it, and he says, "Now, as I construe it, this would provide for a grant of at most concurrent jurisdiction by the legislature of the State by special statute or general statute except where the Congress otherwise required by a statute which would be passed. I concur with you that this approach would accomplish the purpose of retaining the normal relations of the State with residents of lands federally-acquired in the future while permitting federal agencies freely to acquire jurisdiction under appropriate state statute adequate for most, if not all, federal operations and enabling the Congress to specifically request greater amounts of jurisdiction."

I might say that this would, I think, answer Delegate Sherbow's question. The federal government no longer wants exclusive jurisdiction. They very seldom exercise exclusive jurisdiction. That was the argument, you know, on that vote section where I wanted to eliminate the word "exercise".

He says they have practically never exercised jurisdiction exclusively. They consider it a nuisance. They realize that it is upsetting to personnel, people that live on these enclaves.

You see, when this started it was just maybe a lighthouse keeper involved, but then as the federal government grew and as people began living on these enclaves, they still stuck to the same age-old practice of asking for exclusive jurisdiction and the state giving them exclusive jurisdiction which they never exercised.

Now I think both sides understand that people should be in a state, even though the federal government may want exclusive jurisdiction in some instances where there is some very high secrecy or something required.