

Under the amendment and under the original, this would be possible, so I believe that the amendment is maybe a little more readable, and it accomplishes putting these people in a situation where they will have a state government, and yet give the federal government whatever jurisdiction they need.

This will be, I think, a very forward step, and one which Maryland, because of its tradition, should take.

THE CHAIRMAN: Are there any questions of the sponsor of the amendment?

Delegate Scanlan?

DELEGATE SCANLAN: Delegate Storm, I take it that in the letter from the unnamed attorney from the Department of Justice and in your conversations with him, he did not state or suggest that this accommodating language that he has approved and amended could not be contained as well in the statute as in the constitution?

THE CHAIRMAN: Delegate Storm.

DELEGATE STORM: He did not suggest this, but please, Delegate Scanlan, do not "Scanlanize" this because, for example, there was an attempt made by the legislature a few years ago to provide for rights by an act of the legislature.

The attorney general ruled, and I think he was right, that this was unconstitutional; it was impossible for the legislature to pass a law which they wanted to pass giving people the right to vote.

There had been other decisions of the Court of Appeals which make it clear that the only way we can accomplish this is by the constitution. A statute will not do it.

If there is any doubt about this, please let me know, because this should be unanimous, and if I am not explaining it right I want to have a chance to explain it right.

THE CHAIRMAN: Delegate Sherbow, would you wait a moment? I think maybe the Committee of the Whole lost the flavor of the new addition to the English language coined by Delegate Storm because of his poor voice today. He urged that he not be "Scanlanized".

Delegate Scanlan.

DELEGATE SCANLAN: Or be taken by Storm.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: Delegate Storm, I am tempted to ask you who is on third?

You suggest, and normally I would be very happy to say let us pass it unanimously, but I do have a very, very serious doubt in my mind created by the discussions, and I will lead up to a question.

We have had in this Convention paper after paper accompanying various proposals and accompanying recommendations. They are legal dissertations in some instances giving us the law and the background and they become a part of the record of this Convention.

Is not this a matter of such importance that there should be research by the staff director of this Committee and such a research paper attached to this memorandum, and then after it has been distributed to the Convention it be made a special order of business, so that having examined the legal authorities we can join you in perhaps either correcting it or voting unanimously for it.

THE CHAIRMAN: Delegate Storm.

DELEGATE STORM: If you wish that done and if the staff assistant has the time and energy to do it, I would certainly agree to it.

However, I think and hope that I could answer any further questions that you have.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Delegate Storm, this seems to require that under certain circumstances a special act of Congress would be required to exempt the uses of the property from state legislation; is that not true?

THE CHAIRMAN: Delegate Storm.

DELEGATE STORM: If I might answer you a little more completely than the first part of your question suggests, in the original draft of the amendment, the words were "until Congress shall by law provide for the government thereof under the jurisdiction and manner provided in Section 8, Article I of the Constitution of the United States."

The gentleman from the Department of Justice asked that we strike that and put in "except to such extent as may specifically be required by an act of Congress", and this, he says, will include acts of Congress which authorize federal agencies to ask for a particular type of jurisdiction. He thought that this should be in our provision in order to give the federal government free hand without going back to Con-