

unknown to the lower Bay, and do not exist when the saline content becomes too high.

For three and a half years I represented many if not most of the federal agencies in this State which dealt with natural resources. The variation within the State was so great that those agencies themselves varied their regulations within this State, sometimes on a county by county basis, and on occasion Congress itself passed laws which varied within the State; because of the variation of soil, content, game and fish within the State, it was necessary to do so.

The exception in 3.22 permits the State itself to vary a law from county to county if it thinks that is wise in this limited area of natural resources.

Now, this area is an area in which the State is geared to act. It has the agencies, the Department of Natural Resources, the Department of Chesapeake Bay Affairs, and the Department of Game and Inland Fish, the Department of Means.

The counties are not geared to act in this area, only the State, and I doubt, and I think it would be very unwise that the counties be given much authority in this area.

I too am against the counties acting greatly in this area and I am not for counties passing their own local laws in these areas, but if the State is to wisely act with regard to natural resources, it must have the flexibility so that it can take action where it thinks it necessary in these areas.

The result of this amendment I suggest would be harmful. It would mean this, among two effects: First, that the variations would have to be turned over to an agency of the State with no state control over that agency to change a regulation which varied from county to county unless that regulation was entirely revoked by the General Assembly, or unless the agency itself were destroyed or its funds taken away. Those are both drastic statements.

I think it is important to keep in this area the flexibility within the General Assembly. I think we are going to have a good restricted General Assembly, which will be visible, which will act responsibly, which will not get into the area of local laws unless it is absolutely necessary, and I ask you and I urge you to permit this necessary variation in this area which I think is very important to the continued

welfare of this State, and I think to the natural resources of this State.

Thank you.

THE PRESIDENT: Does any delegate desire to speak in favor?

Delegate Clagett.

DELEGATE CLAGETT: Mr. President, ladies and gentlemen of this Convention: I rise at this point on the basis both of conscience and conviction to support this amendment.

When the Constitutional Convention made its recommendations to this Convention, from the Local Government Committee came seven substantive recommendations. One of those, and I refer to page 22 of the blue book that we have looked at so many times, and direct your attention to section 48, where it reads as follows: "The General Assembly shall be prohibited from enacting public local laws".

Now, if you refer back to the section that we have under consideration, section 3.22, there are eight exceptions permitting local laws contained therein. Thus are laid the tracks whereby the General Assembly travels right straight down the avenue of local laws.

We took some action when we voted upon Amendment No. 16A, that was referred to as the Clagett Amendment, so called, to remove some of the grease off of thought tracks and to put some sand upon those tracks.

However, we have not changed the level of those tracks, which is down grade. What this amendment does is to ask that you level those tracks. It will not have the effect of changing to an upgrade, but it will level those tracks whereby in this area if you refer to general provisions, section 9.06, we are dealing not alone with the oyster industry and natural resources. We are also dealing with natural environment and with scenic beauty of the State.

Here we are in an area which is unchartered, undefined. In this area we should place upon the General Assembly the responsibility of determining the charter, the definition, and the area in which action should be taken. It shall be left by the provisions of this section to the General Assembly by law, and where we are permitting it to act by law, with the other exceptions that are contained in section 3.22, which will remain there, there will be variation where necessary from county to county. There will be a cooperation be-