

My own feeling is there is no doubt about that. For that reason I do not really feel that the entire proposal is in order, but if the entire proposal is in order, then I would urge that it be permissive, not mandatory, for reasons which have been stated extensively in debate.

THE CHAIRMAN: Delegate Burdette.

DELEGATE BURDETTE: Am I correct, we are not really dealing with this question of exclusive powers in this motion at all?

THE CHAIRMAN: Delegate Adkins.

DELEGATE ADKINS: So far as my amendment is concerned, we are not dealing with exclusive powers. I do not think it affects them.

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

Delegate James?

DELEGATE JAMES: I am in favor of the amendment.

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

Delegate Clagett.

DELEGATE CLAGETT: Mr. Chairman, I am reminded of a rather humorous story, which is very appropriate here. The story goes that in a house a maid was very much upset one morning with her husband and she was exchanging a degree of womanly confidences and seeking a degree of consolation from the cook and she said to her, "Rachel, why in the world do you work from early morning until late at night; why in the world do you make a living and support that worthless husband of yours," and Rachel looked her squarely in the eye and said, "indeed I do work from early in the morning until late at night, and indeed I do make the living, but he makes the living worth living."

Therefore, I feel that with respect to conservation, we are dealing with something that is so important that it really boils down to just that. It makes living worth living.

THE CHAIRMAN: The Chair recognizes Delegate James to speak in favor of the amendment.

DELEGATE JAMES: Mr. Chairman and fellow delegates, I want to call to your attention that there will probably be an-

other provision in the constitution which will say that the legislative, executive and judicial powers shall be distinct from one another. I think that is being included in the Declaration of Rights.

Now, first, if that is a provision in this constitution, which it is in most state constitutions, the provision saying that the General Assembly shall pass this type of legislation and that it shall be judicially enforceable, it is two conflicting constitutional concepts.

Second, it is perfectly ridiculous to think that the courts in Maryland can really enact legislation by decree, providing for conservation policies of this State. It is an absolutely absurd concept.

On the other hand, the adoption of the amendment will permit the legal concept advocated by Delegate Carson, that the General Assembly would be able to act in an appropriate manner to provide important conservation policies applicable to areas of the State.

THE CHAIRMAN: The Chair recognizes Delegate Jett to speak in opposition to the amendment.

DELEGATE JETT: Mr. President, fellow delegates, I had hoped not to rise on this occasion but I feel that it is absolutely essential that we in this Convention go on record to the people of Maryland and the people of this country as being in favor of conservation. Those of us who over a period of a quarter of a century or not have appeared in these halls and asked for legislation on conservation, and have had it ignored at times, set aside at times, and not acted on at other times, feel that regardless of the political worries and niceties that our friend would inject into this debate, we want some forceful, positive statement to the people of this state that conservation is a thing that makes Maryland worth living in, and conservation of our natural resources is something that interests and affects every man, woman and child in this state. And we say very seriously and in terms that no one can misunderstand and with all the strength that we have, that we expect the legislature to protect fully the natural resources of this State for the future.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

Delegate Scanlan?

DELEGATE SCANLAN: Delegate Ad-