

to reject something which is good, that we used to embrace something which we said was good, which requires the same kind of action on the part of the legislature? I would like Chairman Boyer to explain to me if he sees a difference between the "shall" which requires the post-audit, and the "shall" which requires the state militia, and the "shall" which requires the General Assembly to do something about natural resources? Naturally I shall vote for that concept.

THE CHAIRMAN: Delegate Boyer, did you understand the request?

DELEGATE BOYER: As I understand the request, he is asking me for a dictionary definition of the difference between the words "shall" and "may". I can not answer.

THE CHAIRMAN: He asked you to contrast the use of the word in certain other specific provisions, militia is one.

DELEGATE BOYER: First of all, in the militia, the wording we adopted was not "shall"; it was "may."

Secondly, as to the post-audit, I refer to Judge Sherbow to explain that, since it came out of his Committee.

As to this, GP-2, to me at least it is crystal clear that we want in this Convention to speak with a voice that is loud and clear, that the General Assembly "shall", obligatorily, mandatorily, provide for the protection of natural resources. To take the opposite side of the coin would be that the General Assembly may do so, and if this is adopted it appears to me to be meaningless, because I personally believe at this time that the General Assembly may do so.

The adoption of GP-3 as a recommendation by your General Provisions Committee is an attempt on behalf of the conservationists who appeared before us, and I say again, intensely, immensely interested in this, that the General Assembly no longer have the option of what they might do; but that they shall be required to act; it is a directive to do so.

I can only answer again by repeating that we would sincerely hope that we could vote on this. It is a very clearcut question. Either you want the General Assembly to do it, or you want to continue their efforts that they may do it.

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

The Chair recognizes Delegate Pullen to speak in opposition.

DELEGATE PULLEN: Mr. Chairman, you replied that the answer lies in the ballot.

Now, the public understands very clearly that there is a difference between "shall" and "may," and when you say "shall" and the legislature does not act, they have to stand up and be counted and explain to the people why they did not do something.

Let us move away from the legalistic to the field of practical politics.

THE CHAIRMAN: Delegate Johnson.

DELEGATE JOHNSON: Mr. Chairman, would Chairman Boyer yield for a question?

THE CHAIRMAN: Delegate Boyer, do you yield to a question from Delegate Johnson?

DELEGATE BOYER: I yield gladly.

DELEGATE JOHNSON: Chairman Boyer, because I do not understand fully how the legislature could pass a law that would encompass the objectives of this particular proposal, I am wondering whether or not your Committee considered the possibility of the General Assembly providing by law for a general situation to deal with conservation, enhancement, improvement, et cetera.

DELEGATE BOYER: I think that this directive that the General Assembly shall by law provide, et cetera, certainly indicates our wishes and voice to them to do so. As to how this is to be done, there must be trust and faith that the General Assembly, with this directive, shall and will be compelled, I repeat again, to do something in this area.

How implementation is to be done, I have no way of knowing now. My crystal ball broke down last night. It could possibly be done through the General Assembly's establishment of another natural resources board or an agency or bureau or something, just as in the post-audit.

THE CHAIRMAN: Delegate Willoner, do you desire to speak in opposition or in favor of the amendment?

DELEGATE WILLONER: In favor.

THE CHAIRMAN: You may proceed.

DELEGATE WILLONER: Mr. Chairman, it seems that this debate has degener-