

ated into a debate between pro and con on the question of conservation.

I am a conservationist. It seems to me what this really is is a question of bad law or good law.

If you would listen to Judge Henderson here, this question of conservation is not the issue here. The question of how the General Assembly will act in this area is really a question of balancing interests between how much money you have to spend for conservation, and how much for education and other public services.

Making the legislature protect the development or prevent the development of land will apparently create a new cause of action and require the courts to write laws and I think it is a very important principle that we are involved in here. "May" is important, because it does not create the bad law.

THE CHAIRMAN: Is there any further discussion? Are you ready for the question?

Do you desire to be recognized, Delegate Taylor? Do you desire to speak on the amendment?

DELEGATE L. TAYLOR: I want to speak against the amendment. I feel that this concept should be included in the constitution. I feel that it should be mandatory, because the Department of Conservation needs this sort of thing. We find that in our cities and in our counties and rural areas, the streams are becoming polluted, many factories are dumping chemicals and other types of pollutants into the streams, and this should be addressed by some sort of law that would top this type of water pollution.

I want to read a short statement from an article called "*The Fallacy of Single Purpose Planning by the States*":

"If the proposed highway would disrupt a neighborhood, displace homes, increase air pollution, destroy forests or invade the park, these detriments should be calculated and subtracted from the potential benefits in determining whether the highway should be built. They seldom are. Normally the highway engineer's forthright concern is to speed automobiles on their way. To accomplish this he believes that he is justified in uprooting thousands of people, uprooting trees, destroying civic values."

I feel that the General Assembly should pass laws to solve these problems. I feel that if we make it permissive, the General Assembly will not act.

At the present time we do not have laws covering these problems, and if we try to bring in a new concept for conservation, we would see that we would be meeting certain needs, and also the need of conservationists.

THE CHAIRMAN: Are you ready for the question?

(Call for the question.)

The question arises on the adoption of Amendment No. 2 to Committee Recommendation GP-3. A vote Aye is a vote in favor of the Amendment No. 2. A vote No. is a vote against. Cast your votes.

Has every delegate voted? Does any delegate desire to change his vote?

(There was no response.)

The Clerk will record the vote.

There being 29 votes in the affirmative and 100 in the negative, the motion is lost. The amendment is rejected.

Are there any other amendments to Committee Recommendation GP-3?

(There was no response.)

THE CHAIRMAN: Is there any further discussion of Committee Recommendation GP-3?

Delegate Beachley.

DELEGATE BEACHLEY: I would like to speak in favor of Committee Recommendation GP-3.

THE CHAIRMAN: You may proceed.

DELEGATE BEACHLEY: I have noticed in the Committee memorandum accompanying GP-3 that marine life and shore lines are included within the scope of the recommended language upon conservation.

Along that line, in a recent popular book about a trip through the big city, and by that they mean the megalopolis, the author made several comments which would indicate reasons for conserving our marshland on the Atlantic seaboard. There is one that is very familiar to you all, about the places for protection of our wildlife. You all recognize that. It is very important in our State.

He made also the remark that in protected marshlands, a greater amount of protein in the forms of seafood can be found or raised than the amount of protein which could be raised per acre on cattle land.