

This is the way that we bring that to you. It has been worked out rather carefully beginning with the local government group, but also in conversations with virtually everybody else who has had a concern with any portion of that article.

DELEGATE JAMES (presiding): Delegate Raley.

DELEGATE RALEY: Mr. Chairman, in that section providing for the regulation of departments, agencies and instrumentalities, could you clarify that for me? Does that mean that if an agency, say the Department of Chesapeake Bay Urban Affairs, issues a law that says the oyster season in the Wicomico River will be from September 15 to October 15, that the General Assembly could then pass a local law affecting that and rubbing it out and erasing it?

DELEGATE PENNIMAN: I think this is a question that, in the absence of Delegate Moser, I might refer to Delegate Clagett, since this is one of those instances where we picked it up virtually bodily from the local government article.

DELEGATE JAMES (presiding): Delegate Clagett.

DELEGATE CLAGETT: The answer is in the affirmative. The General Assembly could do so.

DELEGATE PENNIMAN: Delegate Raley—

DELEGATE RALEY: So I can understand this, because it seems that you are giving this, if I understand what you are doing, it means that any administration edict of an administrative authority can be countermanded by an act of the General Assembly on a local law, and then you go on and say that the General Assembly can also pass other laws having to do with natural resources on a local basis. Is that correct?

DELEGATE CLAGETT: That is correct.

DELEGATE JAMES (presiding): This would have to be a part of the general code, and it would be administered on the state level, of course.

DELEGATE CLAGETT: That is correct.

DELEGATE JAMES (presiding): Are there any further questions?

Delegate Willoner.

Delegate Raley, have you finished?

DELEGATE RALEY: I am just confused.

You said it would be part of the statewide code. Nonetheless, it seems to me they can pass any local law they want in these fields, and these are tremendous fields, as you well know. It does not make any difference whether it is the local code or general law. It means—

DELEGATE JAMES (presiding): Are you asking a question, Delegate Raley?

DELEGATE RALEY: No.

DELEGATE JAMES (presiding): Delegate Willoner.

DELEGATE WILLONER: My question was along the same lines to Delegate Clagett. Is it not true that the General Assembly could pass a law and make a department of Wicomico River affairs? There would be no limitation on what a local assembly could do. It would not have to be administered statewide, would it?

DELEGATE CLAGETT: It would not.

DELEGATE JAMES (presiding): Delegate Freedlander.

DELEGATE FREEDLANDER: May I direct a question to Delegate Gallagher, please?

DELEGATE JAMES (presiding): Will Delegate Gallagher yield?

DELEGATE GALLAGHER: Yes.

DELEGATE FREEDLANDER: In your opinion would the exceptions of natural environment and resources be substantive rather than any style changes?

DELEGATE GALLAGHER: My personal opinion would be that the changes are substantive. At least, I would so evaluate them.

DELEGATE JAMES (presiding): Delegate Penniman.

DELEGATE PENNIMAN: The reason I call them to the attention of the group is precisely that we were unsure of their status. There had been the colloquies on the floor which called attention to this. The representatives who were concerned with the writing of the education section, Delegate Lord, Delegate Maurer, Delegate Moser, Delegate Kirkland and others who were involved in the discussions, made clear to me that these were part of the discussions. I have seen a transcript as a result of their efforts to produce a transcript, and so we were faced with this problem, Delegate Freedlander: We could have called attention to their absence and they could have been proposed on the floor, or