

1 I would like you to comment on those three
2 things if you could, Delegate Carson. In other words,
3 if this is indeed not new powers, but only existing powers,
4 why is it not covered by section 7.05?

5 DELEGATE CARSON: Mr. Chairman, section 3 of
6 article 11(e) of the present Constitution contains the
7 language that you have here, except for the words, on June
8 30, 1968, and the reference is identical to that. The
9 Case law, and the Sobeloff Commission's third report indicate
10 clearly that this is the basis for the sections starting
11 with, I believe, section 12 in Article 25(a) of the
12 present code, which specifies the exact procedures for
13 municipal corporate charter amendments.

14 Now, those sections in Article 23(a) do not
15 state how or for what purpose -- excuse me -- for what
16 purposes the charter amendments may be made. They merely
17 specify in what manner they shall be made.

18 There is a Maryland case, I believe it is
19 Hitchins, but I am not sure, interpreting this particular
20 language we have here, and it makes it clear that a
21 municipal corporation under this language may amend its