

1 THE CHAIRMAN: Delegate Hostetter.

2 DELEGATE HOSTETTER: Chairman Moser, I refer
3 to the second sentence in Section 7.06, line 40 on page
4 3 of the Committee Recommendation. In granting the exer-
5 cise of a power or performance of a function for one
6 county that may be denied to another county or counties,
7 would the act of the legislature setting forth this
8 grant be subject to referendum?

9 DELEGATE MOSER: It would be subject, as I
10 understand it, to a statewide referendum. Under what
11 has been before us in the Committee of the Whole up to
12 now, it would not be subject to a local referendum as a
13 law of the General Assembly locally referred as provided
14 by what is it, Article 13 of the present Constitution,
15 whatever it happens to be. I hope I am not saying here
16 we go again, but let me continue with it.

17 It is an enabling law. It is not an affirma-
18 tive act. It is not therefore effective in doing any-
19 thing that is this local option arrangement, not effec-
20 tive in doing anything until the county acts. When the
21 county acts its charter would provide for local referendum