

DELEGATE DULANY: That is correct, but I do not think it would require any additional employees on the taxpayer's payroll, so to speak, because as I understand it each clerk's office in the state has perhaps three or four employees, so we would perhaps have two officials in there and then the employees could do whatever additional work is required.

THE CHAIRMAN: Delegate Child.

DELEGATE CHILD: Would you not have two clerks where you have one now?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: You would have one clerk performing the judicial functions and one not. If you want to call one a clerk as they do in New England where they have county clerks system, yes, you would have two.

THE CHAIRMAN: Delegate Child.

DELEGATE CHILD: Would you have two clerks' offices where you have one clerk now?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: I would leave this to the legislature. I believe it would be good to have a uniform system in the state for purposes of reporting.

THE CHAIRMAN: Delegate Child.

DELEGATE CHILD: Are you aware that the question of space is rather important in at least some counties?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: Yes, I am.

THE CHAIRMAN: Delegate Child.

DELEGATE CHILD: That is all.

THE CHAIRMAN: Delegate Singer? Any further questions?

Delegate Hutchinson.

DELEGATE HUTCHINSON: Delegate Dulany, as I understand it, there will be no guarantee that a county clerk would be elected, is that true?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: Delegate Hutchinson, under our proposal, the only amendment we are offering here, and if I may, I will read the amendment as we have drawn it:

"The clerk of the superior court in each county and the clerk of the district court

in each county shall be appointed in the manner and for the term prescribed by rule to perform those judicial functions and administrative duties with respect to their courts as are prescribed by rule."

We would have a clerk appointed to perform judicial and administrative functions. There is no amendment to have a county clerk elected.

THE CHAIRMAN: Delegate Hutchinson.

DELEGATE HUTCHINSON: Would it be possible to ask Delegate Moser pertaining to this minority recommendation?

THE CHAIRMAN: Is it related to the question you just asked Delegate Dulany?

DELEGATE HUTCHINSON: Yes.

THE CHAIRMAN: Delegate Moser, can you yield to a question?

DELEGATE MOSER: Yes.

THE CHAIRMAN: Delegate Hutchinson.

DELEGATE HUTCHINSON: Did the Local Government Committee take into consideration the election of a county clerk?

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: There is no specific provision. Under the section that was adopted by the Committee of the Whole the individual county could provide for an elected clerk if the county wanted to, or the type Delegate Dulany is speaking of, subject to withdrawal of that power.

THE CHAIRMAN: Delegate Hutchinson, the Chair might suggest to you that the position that Delegate Dulany has described is a state official. He refers to him as the highest elected state official in the county. If so, he would not be a county official and not within the province of the Committee on Local Government, but the Committee on the Executive Branch.

Delegate Della.

DELEGATE DELLA: Delegate Dulany, under your system, which clerk would be responsible for the court records?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: There would only be one court clerk that would be the person who would be appointed. He would be responsible for the court records.

THE CHAIRMAN: Delegate Della.

DELEGATE DELLA: He would collect the fees and transmit them to the comptroller?