

if necessary on the complete range of law enforcement.

THE CHAIRMAN: Delegate Mudd, you have about a minute and a half.

DELEGATE MUDD: Mr. Chairman, ladies and gentlemen of the Committee: I respectfully suggest to Delegate Grant that I believe the necessary functions to be performed by an officer as an adjunct to the judicial system such as he mentions might be performed by a member of the executive department under the rule-making power of the Court of Appeals; so I do not think that the absence of this amendment in the constitution would prohibit or in any way prejudice the operation of the judicial system.

May I also say to Delegate Carson that everything he said good about his sheriff in his county applies to the sheriff in my county. He is an efficient, capable and conscientious elected official. However, we do not need this constitutional amendment to let him continue in office for the balance of his elective term, nor do we need this constitutional provision in this draft to allow the legislature or local government to provide for continuance of such an office. Therefore, I oppose this amendment.

THE CHAIRMAN: For what purpose does Delegate Bushong arise?

DELEGATE BUSHONG: I want to ask Delegate Mudd a question.

THE CHAIRMAN: Before you do that, is there any delegate who desires to speak in favor of the amendment?

*(There was no response.)*

If not, Delegate Mudd, do you yield to a question?

DELEGATE MUDD: Yes, Mr. Chairman.

THE CHAIRMAN: Delegate Bushong.

DELEGATE BUSHONG: Delegate Mudd, the sheriff is responsible and under bond for the issuing of all levies and executions and if ordered to sell, must do so. Who is going to replace that function, and if he does not do it, who is going to be responsible to the people, and be suable on his bond, as the sheriff is?

THE CHAIRMAN: Delegate Mudd.

DELEGATE MUDD: Any other official who by rule and who is under bond could be bound to do that by rule of court.

THE CHAIRMAN: Anyone else desire to speak in favor of the amendment? Delegate Boileau.

DELEGATE BOILEAU: I am sorry, Mr. Chairman, I wish to speak against the amendment.

THE CHAIRMAN: Anyone desire to speak in favor? Delegate Vecera.

DELEGATE VECERA: Mr. Chairman, members of the Committee, I think a few weeks ago we discussed natural resources in the constitution, and I deem this more important perhaps than natural resources. Therefore, I would urge the adoption of this particular amendment.

THE CHAIRMAN: The Chair recognizes Delegate Boileau to speak in opposition to the amendment.

DELEGATE BOILEAU: Mr. Chairman, fellow delegates, Amendment No. 60 is only simply an offer of flexibility. It does in fact cut out that body by inference in our new constitutional setup who can best determine the need for a sheriff at that local level; and that body is the new county government, which will, under the new system, have greater authority, greater responsibility, and I am sure, greater knowledge of the local needs of their communities than will the General Assembly as a whole.

Silence, as Delegate Schneider says, is by far the best way to deal with this problem.

THE CHAIRMAN: Any further discussion? Are you ready for the question? The Clerk will sound the quorum bell.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Mr. Chairman, could I direct a question to Delegate Moser.

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

DELEGATE MOSER: I yield.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: Delegate Moser, under the local government provisions, would the General Assembly have the power to pass a law which provides for the office of sheriff in these various counties perhaps on different terms and conditions for different counties?

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: The General Assembly would be able to withdraw the power to have a sheriff generally and then