yield the power to some but not all counties with utilization of standards and procedures. I do not think this is enlightening. Ultimately the county itself would have to pass the law to establish the office of sheriff if it were to be done on a non-uniform basis.

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: In other words, unless this provision is passed, the General Assembly itself could not provide for the office of sheriff of the various counties?

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: That is not exactly what I said. They could not provide positively for it, but they could withdraw the power from all counties and then permit some counties to have sheriffs subject to standards; the county would have to follow those standards. The General Assembly could not enact a positive law saying that there will be a sheriff only in Calvert County, for instance.

THE CHAIRMAN: Delegate Moser, the Chair would like to be sure that he understands your answer.

Is it that the legislature by public general law could provide for a sheriff in each county and it could provide the method of selection of such a sheriff, is that what you are saying?

DELEGATE MOSER: That is not precisely what I was saying.

THE CHAIRMAN: Is that true?

DELEGATE MOSER: That is correct, but the General Assembly could not vary the duties of the sheriff from county to county. I think that is clear.

THE CHAIRMAN: Are you ready for the question?

Delegate Barrick.

DELEGATE BARRICK: I would like to ask Delegate Moser a question.

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

DELEGATE MOSER: I yield.

THE CHAIRMAN: Delegate Barrick.

DELEGATE BARRICK: Would your interpretation of the general law be in conflict with the provisions that are set out in this section?

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: I do not know that I understand Delegate Barrick's question.

THE CHAIRMAN: Delegate Moser, proceed.

DELEGATE MOSER: What do you mean by "conflict"?

THE CHAIRMAN: Delegate Barrick.

DELEGATE BARRICK: As I understand this section, it is to provide the General Assembly with power to pass a law for a specific county or for several counties, but to deal with them differently as far as the sheriff is concerned.

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: That would be the effect of this provision.

THE CHAIRMAN: Delegate Barrick.

DELEGATE BARRICK: All right. Would that be in conflict with your interpretation of the general law as we dealt with it in the local government article?

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: Yes, in the sense that the amendment would get the legislature back into doing things that I believe, at least, the Local Government Committee thought should properly be handled by the counties themselves.

THE CHAIRMAN: Delegate Barrick.

DELEGATE BARRICK: What bothers me is that there seems to be a conflict between the interpretation of the Local Government Committee and the interpretation here. If there is a conflict, which would prevail?

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: This would prevail, I think, because of the interpretation we have placed upon section 7.06 which is that in the case of a state function such as this, the use of the words "by law" would permit a variation from county to county.

THE CHAIRMAN: Delegate Moser, the Chair is very perplexed at the colloquy that has just been pursued in the light of section 7.06 and the discussions which the Chair thought had occurred in that Committee.

If the sheriff were to be designated by the legislature as a state official performing a state function, such as police powers, would it not clearly be within section 7.06?