

DELEGATE MOSER: Mr. President and ladies and gentlemen, you should have in your booklets three pieces of paper. One is Committee Report LG-1 which is a two-paragraph affair.

The second one is Resolution No. 24 by the Committee on Local Government and the third is a memorandum with respect to that Resolution.

Resolution No. 24, which the Local Government Committee recommends, urges the governor to establish a commission on local affairs. The idea has been discussed with representatives of Governor Agnew and he has no objection to it. The Resolution has the unanimous approval of the Legislative Liaison Committee. This is what the commission would do if the governor appoints it:

First, analyze existing public general and public local laws and advise the General Assembly what status affecting local government should be retained, repealed or amended.

Secondly, to assist counties in the preparation of their instruments of government which all of them must have under the local government article by July of 1972.

Thirdly, to advise the Governor's Task Force on Modern Management and the General Assembly on the desirability of establishing a permanent department on local affairs and fourth, to perform any other functions that the governor sees fit to assign to this commission. I will be glad to answer. In the meantime, Mr. President, I move that the Convention adopt this Resolution.

THE PRESIDENT: Are there any questions of the Committee Chairman? There appear to be none.

Delegate Gleason.

DELEGATE GLEASON: What is the situation with respect to the unlikely event, but still a possible event, having created a Commission, if this Constitutional document should fail on the election next May?

THE PRESIDENT: Delegate Moser.

DELEGATE MOSER: Delegate Gleason, I think that whether or not the Constitution is adopted, and I am certain it will be or reasonably certain, such a Commission is, we think, a necessity. One of the things that it should do is go into great detail into the inter-relationships of local governmental units and the relationships of these units with the State and this is something

that ought to be done under the present Constitution as well as under the new one.

THE PRESIDENT: Delegate Gleason.

DELEGATE GLEASON: Well, would you not consider that this decision reflects an executive opinion and not the Committee on Local Government at this Constitutional Convention, and if there is a need, there are a lot of needs in government. If we are going to get into the area of recommending that the various branches of government do certain things, I just wonder where this course would tend to leave us.

THE PRESIDENT: Delegate Moser.

DELEGATE MOSER: Let me make one further comment on your first comment and that is that I think it is up to the governor. It bears on your second comment, too. It is up to the governor whether he actually does it. We are simply suggesting it, but in connection with the local government article. I might observe at this time one of the things that we are going to do is to recommend that a part of it, that is the shared powers concept not go into immediate effect. One of the things that the local government article does is to reverse the procedure by which the counties will get their powers. I think that that alone really necessitates someone taking a very close look into what functions are properly state functions and what functions are properly local functions. I want to emphasize that this recommendation of ours stems from the local government article that we hope will be in the new constitution and that is the reason for it. It goes with that.

THE PRESIDENT: Are there any further questions?

Delegate Gleason.

DELEGATE GLEASON: I assume the suggestion originated with your Committee and not with the governor's office in which you have said that he had no objection to it.

I was wondering if the commission, as you recommend it, will have a certain function with respect to the legislature. I was wondering whether you had any discussions with the leaders of the legislature with respect to this commission?

THE PRESIDENT: Delegate Moser.

DELEGATE MOSER: Yes, let me go into detail with respect to both of these items.

In the first place, this did originate with the Committee or within the Committee. We talked with Mr. Montgomery. We have talked with the members of the Governor's