

DELEGATE GRANT: On page 28, line 1, you indicate that the board of commissioners may appoint a charter board at any time. Would you indicate whether a charter board could consist of a board of one person, and could it also mean the county commissioners?

DELEGATE JAMES (presiding): Delegate Hardwicke.

DELEGATE HARDWICKE: The answer to both questions is yes. It could be one person, it could be the president of the board of county commissioners.

DELEGATE JAMES (presiding): Are there any other questions about section 30?

*(There was no response.)*

If there are no questions on section 30, we will proceed to section 31, the amendment of an instrument of government. Are there any questions about the amendment to an instrument of government?

*(There was no response.)*

If there are no questions, we will proceed to section 32, County Commissioners.

The Chair hearing no questions, the next section is section 33, County Surveyors.

Delegate Bennett.

DELEGATE BENNETT: Mr. Chairman, if it is not too late to revert to section 30, can you advise me whether the county charter as drafted can be seriously contradictory of the model charter adopted by the legislature?

DELEGATE JAMES (presiding): Delegate Hardwicke.

DELEGATE HARDWICKE: Yes, it can, Delegate Bennett.

DELEGATE JAMES (presiding): Delegate Bennett.

DELEGATE BENNETT: Then it is quite possible that we will have some pretty wide variations in these charters, is it not, dealing with such things as property qualifications, for instance, for voting?

DELEGATE JAMES (presiding): Delegate Hardwicke.

DELEGATE HARDWICKE: No, Delegate Bennett. That is regulated by this constitution.

DELEGATE JAMES (presiding): Delegate Bennett.

DELEGATE BENNETT: All right —

DELEGATE HARDWICKE: Let me change that answer slightly: to the extent that this constitution permits a person who is not a resident but owns property in a given municipality, for example, to vote, that kind of thing can be governed by the charter of the municipality, but a charter can contain any provision that the people of a given county want it to contain providing it does not conflict with this constitution.

DELEGATE JAMES (presiding): Or conflict with general law.

Delegate Hardwicke.

DELEGATE HARDWICKE: Or public general law, yes, sir.

DELEGATE JAMES (presiding): Delegate Bennett.

DELEGATE BENNETT: What I was hoping was that this model charter would set certain minimum standards.

DELEGATE JAMES (presiding): Delegate Hardwicke.

DELEGATE HARDWICKE: That is not the purpose of it. The purpose of the model charter is to set forth a charter which the counties will know in advance will be their charter, if they fail to adopt one.

In other words, the model charter is not to serve as a guide. The model charter is to serve as an instrument of government in those counties which for one reason or another do not adopt one for themselves.

Let's point out to you that the word "model" is not used. That is the word which some of us have coined. It may be an unfortunate word. It is a charter which would be effective in the absence of another charter being adopted.

DELEGATE JAMES (presiding): If there are no further questions on the sections relating to local government, we will proceed to general provisions, section 34. Are there any questions concerning section 34?

The Chair hearing none, section 35.

The Chair hearing no questions, the Chair feels that we should ask whether there are any questions concerning any of this.

Does Delegate Marion wish to ask a question on section 35?

DELEGATE MARION: A general question.