

years from July 1, 1968, to July 1, 1970, within which the counties can act to bring into existence their own form of charter or instrument of government.

Whether by way of the appointment only by the board of county commissioners, or by way of the election process upon the filing of petitions, we will fall conveniently within that period in that the maximum period of time involved insofar as the legislative process is concerned would be twenty-one months allowing a period of three months within which the charter as recommended can be published, the voters become familiar with it, and cast their vote insofar as the acceptance or rejection of it.

Of course, if it is rejected, then the charter that will have been drafted identified by Delegate Hardwicke as the so-called model charter would then become effective in that county as well as in any other counties which had failed to adopt the charter within the prescribed period of time.

I urge that you favorably act upon this amendment. It is quite important, as you will note by the names who are sponsoring it, coming from Prince George's County where over the period of many years a battle insofar as the selection of an instrument of government has been a most bitter one.

It is felt by providing the two approaches, the appointment and the election process, the final result would be one which would be far more palatable to the people of that county. As it applies there, it applies equally with respect to other counties which have failed to adopt a charter, notwithstanding Article XI-A having been available to them since 1915.

I urge that you favorably act upon this amendment, and that it be included in the schedule of legislation.

THE CHAIRMAN: Delegate Hardwicke, did you desire to comment?

DELEGATE HARDWICKE: Mr. Chairman, I have studied the proposal very carefully and discussed it at great length with Delegate Claggett, and I consider it to be a desirable addition. Frankly I think that it will be an improvement. It is a well thought-out provision for this schedule of legislation, and I urge that it be adopted.

THE CHAIRMAN: Is there any further discussion.

*(Call for the question.)*

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Delegate Claggett, what concerns me about this section is the timing of it. I take it that the board of county commissioners could postpone the appointment of this charter board up until July 1st, 1970 or very nearly to that date, and then your amendment would come too late, would it not?

DELEGATE CLAGETT: Yes, it would then be ineffective because, of course, this whole amendment is designed to fill the gap until the time that the General Assembly would have to act upon it.

I believe it is section 38 of the interim provisions and you will find it on page 12. The General Assembly has until July 1, 1969, within which to provide a choice of procedures by which a county can structure its government. This takes care of the interim period until July 1, 1969, and permits the counties, if they choose to do so, to act immediately in the direction of getting a charter drafted.

If they fail to do so, then they would fall under whatever choices are available to them provided by the General Assembly pursuant to section 38.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Delegate Claggett, would you not then want to change the date from July 1, 1970, to December 1, 1969, if your amendment is really to be effectuated?

DELEGATE CLAGETT: No, I would not because it is possible, of course, that the General Assembly will not act at all to provide the choices specified to be provided in section 38. If it should fail to do so, this provision, having the effect of law, would accomplish the same purpose. And also, I might add, I could not imagine that the General Assembly would not provide among its choices two approaches similar to the two suggested here, the appointive or the elective process.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: All I want to suggest is that your amendment might fall by the wayside if the county commissioners decided through dilatory tactics to debate it.

THE CHAIRMAN: Delegate Claggett.

DELEGATE CLAGETT: We are aware of that, and the consequence of that, of course, would be that that county would then have a so-called model charter on January 6, 1971.