

DELEGATE KOSS: The only one that I could consider, and I would defer to some of the experts on State Finance on this, would be appropriations for private institutions.

THE CHAIRMAN: The Chair would answer, or appropriations to a private citizen to pay damage for instance.

DELEGATE MACDONALD: That would not be subject to referendum?

DELEGATE KOSS: That would be.

DELEGATE MACDONALD: Would be?

DELEGATE KOSS: Would be.

DELEGATE MACDONALD: Was that the intention of the Committee?

DELEGATE KOSS: Yes.

THE CHAIRMAN: Delegate Gullett.

DELEGATE GULLETT: Chairman Koss, in Section 4, concerning the verification of signatures of petitioners, that signatures be genuine and they own knowledge of the person securing the signatures; could you explain in a little more detail exactly what that means?

In other words, if the person securing the signature asks the person if he is a registered voter, is that sufficient?

DELEGATE KOSS: No.

DELEGATE GULLETT: To what extent would he have to go to be sure of his own knowledge?

DELEGATE KOSS: Well, he could go to various extents, depending upon the seriousness with which he took the affidavit, and one would be to check the registration, because first of all, it is required not only that they be registered voters, but that they sign in the manner in which they are registered and that their precinct—

DELEGATE GULLETT: District, precinct?

DELEGATE KOSS: No. It requires an affidavit that of his knowledge these signatures are bona fide, and the responsibility is on him to sign the affidavit to that effect.

DELEGATE GULLETT: Is that the case in this law?

DELEGATE KOSS: Yes.

DELEGATE GULLETT: You are not aware of any law that is contrary to that in the State of Maryland?

DELEGATE KOSS: No.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Referring Delegate Koss again to section 2 in this provision making certain exemptions from the referendum, what did you have in mind when you said that a referendum would not pertain to a law dealing with maintenance of a public institution? I assume you mean the maintenance of a school or university?

DELEGATE KOSS: Public hospitals, as well.

DELEGATE BENNETT: Even if that appropriation was only a small part of the total cost of maintaining that institution? Let me phrase it around another way: it would be possible, I take it, to petition to referendum an appropriation aiding a private institution?

DELEGATE KOSS: Let me say, Delegate Bennett, that these provisions certainly in terms of appropriations are the same ones that exist in the present Constitution. We have not changed anything as far as appropriations are concerned.

THE CHAIRMAN: Delegate Koss, I do not think that is quite correct. There is a provision in the present Constitution permitting a referendum on an increase in an appropriation.

DELEGATE KOSS: I am sorry. I mis-spoke myself, but with respect to the appropriation question, we have not changed the coverage.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Your intention is not to permit that?

DELEGATE KOSS: Yes.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Take, for instance, the Horace Mann case, where an appropriation was made to aid certain colleges involving some religious problems. Now, could that appropriation have been petitioned to referendum?

DELEGATE KOSS: In terms of the purposes that are proscribed here, yes. Now, I think there are other technical questions on that which I would not be interested in speaking to, but any appropriation for a private college would be susceptible to referendum, in the terms of this provision.