

THE CHAIRMAN: May the Chair paraphrase an answer just to see if he understands it? You are saying that it was the intention of the Committee that these sections, not referring to section 1 particularly, but the remaining sections, 2 to 6, inclusive, were intended to apply only to acts of the General Assembly of Maryland?

DELEGATE KOSS: You are right.

THE CHAIRMAN: And secondly, that if the Constitution authorizes the General Assembly of Maryland to pass local legislation, you do not intend these sections to apply to such local legislation by the General Assembly, but you do intend to consider the question again and perhaps report different referendum provisions with respect to public local legislation by the General Assembly?

DELEGATE KOSS: Yes.

THE CHAIRMAN: Does the Chair further understand that you do not intend sections 2 to 6, inclusive, to apply in any manner to local legislation enacted by local subdivisions?

DELEGATE KOSS: That is correct.

THE CHAIRMAN: You are nodding your head. Could you respond for the record?

DELEGATE KOSS: That is correct.

THE CHAIRMAN: And does the Chair further understand, therefore, that, regardless of what the meaning is, you do not intend in section 1 to be referring in any way, either by reserving or not reserving the power to refer in any way to the power of the people, as to referendum, with respect to local laws enacted by local subdivisions?

DELEGATE KOSS: That is correct, Mr. Chairman.

THE CHAIRMAN: Is there a further question on this point, Delegate Raley?

DELEGATE RALEY: Mr. Chairman, did I understand you to say that the Election Committee is going to restudy this, come back on local laws, because what it would mean, if there is nothing else—

THE CHAIRMAN: No. May I state this again. The Committee, as I understand it, is proceeding on the assumption that the Committee on Local Government will recommend, and that this Convention will approve a provision prohibiting the General

Assembly from enacting local laws. If that is done, they will not have to consider the question again. If their assumption is incorrect, and either the Committee on Local Government does not so recommend, or this Convention adopts provisions authorizing the General Assembly to enact local legislation, in that event and in that event only, they will study the question further. Delegate Raley.

DELEGATE RALEY: Mr. Chairman, I think I know what Local Government is going to recommend, but then what status do the people in each of the local subdivisions have for the power to petition?

THE CHAIRMAN: Delegate Koss has stated the intention of the Committee in presenting this recommendation is not in any way to affect the question of referendum of public local laws enacted, not by the General Assembly, but by local subdivisions. This is not intended, either to confer the power, or to withdraw the power. The Chair is not expressing an opinion on what the language does. I am merely paraphrasing what I understand the intent of the Committee to be. Delegate Pullen.

DELEGATE PULLEN: Mr. Chairman, I do not like to prolong this, but when you say the people reserve unto themselves the power of referendum, I think that means people, whether locally or statewide or whatnot. I cannot quite see the wisdom of ignoring the impact of local legislation upon people without having the right of referendum.

THE CHAIRMAN: Delegate Koss.

DELEGATE KOSS: Mr. Chairman, can I respond to this? I admit that past experience is no guarantee of what will happen in the future, but it is my understanding this language is in the present Constitution. I know of at least four jurisdictions whose local governments enact local laws, and I know that with this language in our present Constitution, they retain to themselves the right to petition to referendum laws passed by their local governing bodies.

THE CHAIRMAN: I understand that Delegate Chabot's amendment is now printed. I will ask the pages to distribute it. I will ask the Clerk to read it. Please mark this No. 2 so that we can refer to them properly by number, Amendment No. 2. The Clerk will read the amendment.

READING CLERK: Amendment No. 2 to Committee Recommendation S&E-1, by Delegate Chabot: on page 1 Section 1 The