

DELEGATE MOSER: I think that is true.

DELEGATE CARSON: If that is so, then the area in which the county and the municipality may accomplish these things by agreement is limited to the area not preempted by the General Assembly's law, is that correct?

DELEGATE MOSER: This would be true, but the purpose of wording this as very carefully as it is worded — I know you know this because you helped draft it — is to encourage this business of getting rid of the problem at the local level. We are very hopeful the General Assembly will set up a procedure which will embody exactly that in the first instance and would only enter the field if there is an inability to take care of the particular situation, and only then by public general law.

THE CHAIRMAN: Delegate Carson.

DELEGATE CARSON: If I understand that, Chairman Moser, you are saying that the Committee believed it was desirable to do things on the local level. Notwithstanding the Committee's belief as to that, the General Assembly can handle them any way it desires and may or may not require county assent to these proceedings?

DELEGATE MOSER: Correct.

THE CHAIRMAN: Any further questions? Delegate Gill.

DELEGATE GILL: I am very concerned about the matter we had yesterday about consent to referendum and right of the people. In section 7.02 where the boundaries might be changed, you state there shall be a referendum.

In 7.07, where the boundaries might be changed again, you say this cannot result without the consent of the municipal corporation and so on.

In 7.10 where the boundaries might be changed, you say that there may be a referendum.

Do you anticipate that the boundaries might cause redistricting of any of those areas involved, and to that extent, how would the article which we voted on yesterday apply to these?

DELEGATE MOSER: They will not affect this matter at all.

DELEGATE GILL: Will you explain that a little more, please?

DELEGATE MOSER: You relate this to

the redistricting issue which is something that, as I understand it, under the Suffrage and Elections provision, was made non-referable. This is a matter of county boundaries.

Another point is this, neither the Committee on Suffrage and Elections nor ourselves intend that their provision relate to this in any way; nor do we intend that this relate back to their provision in any way.

What you are referring to are two rather different things, 7.02 indicates mandatory referendum on a county-by-county basis for certain things. But a county-by-county basis is entirely different from 7.07, which relates to municipal boundaries, and just municipal or county boundaries where the municipality touches the county. If it is provided for by law of the municipal corporation, this is to be governed by the municipal charter. I understand that most of the municipal charters have referenda provisions, but they vary widely.

There are 150 municipalities. I do not know what is in every charter; but ordinarily if a municipality acted by law or as the charter provided, this kind of thing would be subject to referendum there.

Similarly, the charter counties, as I said, do have referenda provisions in their charters. A law might also be subject to a county referendum. It would depend on the instrument of government of the county and the charter of the municipality, but is has no relationship to this other section we approved yesterday as a part of the suffrage and election article.

THE CHAIRMAN: Delegate Pullen.

DELEGATE PULLEN: Delegate Moser, my questions are rather simple. They are following up the questions asked by Mr. Case and Mrs. Mitchell. I am not concerned particularly with the procedures and all those methods that you use for accomplishing it, but my question pertains to section 7.10. Does that section provide primarily for merger of certain counties or sections of certain counties? Specifically, does this mean that St. Charles and St. Mary's Counties could come together by way of mechanical arrangements you set up? Is that the intent? A change in geography if you please?

DELEGATE MOSER: Absolutely not.

DELEGATE PULLEN: Then does it mean the establishment of a dual system of government, a parallel system of govern-