

ment, by which Charles County would operate in its base as it does now, and the same in St. Mary's, but in certain categories they would work together as a separate and dual system of government?

DELEGATE MOSER: Yes, sir, that is, I suppose, a fair statement. In a dual system, there can be a number of different means. It could be as I said, Maryland Port Authority. It could be a regional planning council; it could be almost anything, it could be a mass transit authority. It could be very limited.

DELEGATE PULLEN: Does it involve possibly change of boundaries?

DELEGATE MOSER: No, it does not.

DELEGATE PULLEN: Then, in other words, it is a dual system of government between two or more counties. If you go to 7.11, is that government by functions? If so, in what respect does it differ from 7.10? Let me illustrate what I mean. For instance, for years we have had provisions for regional public libraries. We have had on the Eastern Shore provisions for a community college operated as far back as 1912, and three counties have operated a high school, Talbot, Caroline and Queen Anne's County at Queen Anne's.

Is this an extension of that principle?

DELEGATE MOSER: When you say 7.11, are you referring to 8.06?

DELEGATE PULLEN: I refer to 7.11, financing by intergovernmental authorities.

DELEGATE MOSER: This would refer to what it says, it is a limitation on their method of financing. It makes clear there are exceptions to the limitations.

THE CHAIRMAN: I think if you restate your question we will make more time.

DELEGATE PULLEN: I am trying to figure out if 7.11 is a different form of cooperation, intergovernmental actions or whether it is subsidiary to 7.10? In other words, does it refer only to the method of financing in the cases you cited?

DELEGATE MOSER: I think your question is whether the term "intergovernmental authorities" used there is limited to the intergovernmental authorities referred to in 7.10.

DELEGATE PULLEN: Yes.

DELEGATE MOSER: I suppose the answer is no, because technically an intergovernmental authority could be set up

under 8.06 by agreement between two counties.

DELEGATE PULLEN: Something in the form of a compact?

DELEGATE MOSER: Yes.

DELEGATE PULLEN: By what means would you differentiate between the cooperative functions of the dual government in 7.10 and the compact government under 7.11?

DELEGATE MOSER: Under 7.10 this would be a matter that the state legislature would establish. Under 8.06 it would be by simple agreement, like for instance, the agreement between Baltimore City and Baltimore County to have a joint incinerator facility if this has been agreed on by now. This is an example of so-called intergovernmental cooperative agreements. That would be jointly financed and would not be run by an authority. Probably one of the counties would run it.

DELEGATE PULLEN: One final question. I am not asking these to be antagonistic to the point of view; I am merely trying to understand. Under 7.10, for instance, would St. Mary's County continue to have its governmental agency with all of the things now done, Charles the same, but in other respects they would have another governmental agency created by the joint vote of the two counties?

DELEGATE MOSER: That is correct up to the reference to the joint vote. Under 7.10 there would be some other kind of body, it might be an authority of some kind that would be performing something that the counties are performing now. Presumably, that function, water, sewage or whatever, would be removed from the county and handled by this other group. I don't think there would be a duplication.

DELEGATE PULLEN: In other words, this is a government of cooperative functions that transcends a county.

DELEGATE MOSER: It would be that, I suppose.

DELEGATE PULLEN: I break it down to a very commonplace level, but would it mean the abolition of the government of St. Charles and St. Mary's County?

DELEGATE MOSER: Absolutely not. The abolition must be accomplished under 7.02, and there would have to be a county-by-county referendum.

THE CHAIRMAN: The Chair has a few questions to clarify for the Committee on Style.