

The expression "governing bodies" is used several times throughout this Article. Tell us what is meant by "governing body".

DELEGATE MOSER: "Governing body" is in essence the legislative body of the unit involved if it has one. If it is an authority, it would not have a legislative body, it would simply have a board. That is why "governing body" is used and not "legislature" or "council" or something like that.

THE CHAIRMAN: In section 7.03, lines 39 and following, there is a statement referring to a charter adopted by any county prior to July 1, 1972. Is it intended to include a charter adopted prior to the adoption of the new Constitution?

DELEGATE MOSER: Absolutely, yes. Any charter.

THE CHAIRMAN: Section 7.04 on page 3 in lines 6 to the end, reads in two clauses or the last two words of 6, "or by such additional means as may be provided in the instrument of government or by the General Assembly by public general law".

Is that intended to mean by such additional means as may be provided by the instrument of government and by such additional means as may be provided by the General Assembly.

DELEGATE MOSER: Yes.

THE CHAIRMAN: In 7.06, the last two sentences, beginning in line 40, would it be correct to say that the last sentence, beginning in line 45, is not intended as a limitation on the next to the last sentence, beginning in line 40, but that the converse is intended?

DELEGATE MOSER: That is a difficult one. It uses the term exempt in the presently accepted way. It is supposed to limit, to prevent an exemption absolutely.

The language in the second sentence, beginning at 40 and going down to 44, is a different thing than an exemption. It is in effect local option.

THE CHAIRMAN: Is it intended to mean the same as if it had been phrased, for instance, "no county shall be exempt from a public general law; the General Assembly may, nevertheless", and so forth?

DELEGATE MOSER: Yes, so long as one keeps in mind, Mr. Chairman, the fact that this is not intended to be an exemption and no county is to be exempt from a law.

THE CHAIRMAN: In section 7.10 Delegate Case asked some questions. I was unclear as to part of your answer; lines 34, 35, 36 refer to establishment, powers, change, merger, dissolution and alteration of boundaries. The last sentence, beginning in line 42, says, "The General Assembly may provide referendum for any law establishing a popularly elected representative government, or affecting its powers." It does not encompass the other things mentioned in 34 and 36.

I thought at one point you said that was deliberate, but at another point I thought you said the opposite.

DELEGATE MOSER: I said the opposite. I would like to take another look at this, if I may, Mr. Chairman. I said it encompassed boundaries, also. I think the answer is it would affect boundaries when it is established because part of this would be —

THE CHAIRMAN: Other than establish. Suppose it had already been established and all you had was a change in boundary of an already established regional government, or popularly elected, representative regional government?

DELEGATE MOSER: Then it would not be covered.

THE CHAIRMAN: It would not be subject to the referendum?

DELEGATE MOSER: No, it would not be.

THE CHAIRMAN: I have no other questions. Delegate Miller.

DELEGATE B. MILLER: In that case, the first sentence which says, "The General Assembly may provide by law —" could mean that "the General Assembly may provide by law and may provide for referendum for the establishment of", that is not grammatically correct, but is that the meaning you wish in the first sentence?

THE CHAIRMAN: I am not sure I understand the question. Would you repeat it?

DELEGATE B. MILLER: The first sentence now reads, "The General Assembly may provide by law . . ." The second sentence, as you stated, reads, "The General Assembly may provide referenda for any law" — but the law is different, the law in the second sentence, than in the first.

Did you wish the power of referenda to apply to all these words in the first sentence?