

The Chair will recognize Delegate Hutchinson to put the question.

DELEGATE MOSER: I yield, sir.

DELEGATE HUTCHINSON: As I see it, what your Committee has done is forbid the General Assembly to change boundary lines without approval of the people of the counties affected.

On the other hand, what we have also done is allowed the General Assembly to change the form of the government of the county in that the regional government could in all probability supersede county government in power. Is that not correct?

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: I would say no, that it is not what is intended.

THE CHAIRMAN: Delegate Hutchinson.

DELEGATE HUTCHINSON: Could you explain that, because as I see it you could form a regional government that would have in some ways have some sort of powers that would supersede the county governments?

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: In what respect specifically? Give me an example of exactly what you have in mind.

THE CHAIRMAN: Delegate Hutchinson.

DELEGATE HUTCHINSON: That is what I am asking you because I have not made up my mind. I wonder if there is any possible way the regional governments could supersede county governments.

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: In answer to the question that you asked, the last question which I can answer, the answer is no, county governments have to remain intact.

With respect to transfer of powers or something like that, the General Assembly could if it wanted to do so, take the operation of transit facilities or something like that, and give it to a transit authority.

Of course, as I say, the General Assembly could permit a referendum if it wanted to do this.

THE CHAIRMAN: If Delegate Moser will still yield to a question, the Chair will recognize Delegate Schloeder to put the question.

DELEGATE SCHLOEDER: I am still troubled by the definition that Chairman Moser gives of government. He said in his earlier speech against the amendment that a three-man elected commission, say a sanitary commission or transit commission, would come under his definition of government. It seems we may be talking about two different things.

I still would like, if possible, a little more light. I am still confused about his definition of government in this sense.

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: Delegate Schloeder, I do not know how else to define government than to say it is a unit or body that performs a service or function. It could be very limited.

I know, this is really one of the problems with this whole area. This, of course, is one of the reasons why we permit rather than require a referendum in this situation — a government could be anything, any body performing a service or function, be it ever so slight.

Really, the only thing I can think of offhand which the word "government" would exclude would be an election district or something like that, which does not really perform a service or function.

THE CHAIRMAN: Delegate Schloeder.

DELEGATE SCHLOEDER: Then you could have a number of governments. You could have a county government, a transit government, a sanitary commission government, and a conservation government. Are they all different? Are they interrelated? Does one have authority over the others or do they all have individual powers?

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: That is the very point of it all. We do not want the power of the General Assembly to provide for coordination in this area to be limited in any way. Mandatory referendum would do that. You might well wind up with governments all over the place as you suggest.

THE CHAIRMAN: If Delegate Winslow will yield to a question, the Chair will recognize Delegate Cardin to put the question.

DELEGATE WINSLOW: I yield.

THE CHAIRMAN: Delegate Cardin.

DELEGATE CARDIN: Delegate Winslow, in your speaking against the amendment, I was under the impression that you