THE CHAIRMAN: Does anyone else desire to speak in favor of the amendment?

Delegate Clagett?

DELEGATE CLAGETT: Mr. Chairman, I think it will be of some interest to the Committee of the Whole to know that with respect to this particular amendment, the vote of the Committee was in favor eleven to seven, and it carried along that course until cross currents entered into the picture. The cross currents came from the State Finance Committee, and even there this amendment was very nearly the joint approach adopted by the two committees, except again for other currents which need not be explained any further here on this floor. I simply point out to you that you have no minority report coming out of the Local Government Committee. You have a degree of unanimity insofar as the approach of the final product, which is here on the floor. That did not come nor was it accomplished easily. It was accomplished only by compromise, and this idea was one of the areas where compromise resulted in the cross currents succeeding successfully in washing down and away a very good and basic idea.

The basic idea is to permit initiative and action on the part of local governments to carry out their programs through financing, as well as preserving the fiscal stability which we all regard as important.

The mere fact that this is a little more difficult to comprehend, if you will, appreciate than merely saying the tax power is excluded should not be cause for defeating this good idea. It permits psychological initiative to be in the picture, along with sound financial stability.

I urge that you carefully consider and cast your vote in support of this good amendment.

THE CHAIRMAN: Does any delegate desire to speak in opposition?

Delegate Weidemeyer?

DELEGATE WEIDEMEYER: Mr. President, I must oppose this amendment.

As the matter is now drafted in 7.05, the wording, "county may exercise tax powers as may be granted to it by law," clearly means that the legislature may give them taxing powers in certain areas. There is nothing here to prevent any county council or administrative body from petitioning the legislature or passing a resolution.

If there were anything in the draft prohibiting the counties from acting, I might then say that this amendment had merit. All this amendment says that they can do, they already have the right to do, and therefore I think it is unnecessary verbiage and should be defeated.

THE CHAIRMAN: The Chair recognizes Delegate Mentzer to speak in favor of the amendment.

DELEGATE MENTZNER: If the delegates have had time to read SF-3 from Taxation and Finance, they will notice that nearly all the objections were to the blanket grant of taxing powers to the counties.

I would like to speak in favor of this amendment because I think it focuses county attention on county needs, and the ability within the county to meet their needs.

THE CHAIRMAN: Delegate Carson, do you desire to speak in opposition?

DELEGATE CARSON: Yes, Mr. Chairman.

The Committee on Local Government considered this area for a considerable time, perhaps two weeks in all, although not every moment of that time to be sure. After full deliberation, the Committee voted eleven to seven to vote against such a device, thinking that at best it was useless and sterile, and at worst, it was an impediment to both the local governments and to the state.

It is my understanding that the state, particularly the Committee on State Tax and Finance, with perhaps only one vote missing, was against this. I think we should be against it here. I think it is useless; I think it is sterile, at best, and at worst a hopeless Rube Goldberg device.

THE CHAIRMAN: Does any delegate desire to speak in favor?

Delegate Hanson?

DELEGATE HANSON: Mr. Chairman, I am not under the delusion that after the last vote this proposal falls on receptive ears. I have, however, been defeated enough times to know that the majority is not always right. I think there is considerable merit in this approach. I would have preferred to see section 7.05 leave to the counties the full initiative in areas of taxation because I think with the shared powers doctrine, the state would have taken such action in this field as it felt necessary and prohibited county action where it would have been necessary in such fields as nuisance taxes, et cetera.