

municipalities in the State. Its boundaries are today substantially "fixed"; urban service and other problems must be resolved by intergovernmental and other techniques rather than by geographic change.

All municipal annexation in Maryland, for Baltimore City as well as the smaller municipalities, could be accomplished prior to 1955 only with specific legislative authorization. No general procedures or criteria for annexation existed in law; each proposal which was approved required separate consideration and enactment. In this respect, annexation procedures were much the same as those for incorporation prior to 1953: the authority to approve or deny municipal growth rested exclusively with the General Assembly.

In 1955, a substantial change in the annexation procedures was instituted with the enactment of the first general annexation provision in Maryland. Under Article 23A, prior and specific legislative authorization was no longer required. Instead, the successful completion of an annexation proposal was made dependent upon local initiative and local consent. Reliance upon local consent, however, did not constitute a major departure from past Maryland practice. Under the preceding system, legislative consent was most often made contingent upon the consent either of the residents or property owners in the area to be annexed, of the residents of the municipality involved, or both, depending upon local circumstances. In other words, referenda requirements were in most instances made a specific part of the annexation legislation.

Specifically, Article 23A provides that a proposal to extend municipal boundaries may be initiated either by the

municipal governing body or by petition of those residing and owning property in the area to be annexed. However initiated, the proposal must have the written consent of at least twenty-five per cent of those residing in the proposed area and registered to vote in county elections, together with the written consent of those owning not less than twenty-five per cent of the assessed valuation of real property in the area. When these requirements are met, the municipal governing body must then publish a public notice of the proposal, hold a public hearing, and may then enact the proposal. If, however, during the forty-five days which must lapse before it can become effective, the proposal is petitioned to referendum by either twenty per cent of those living in the proposed area or in the municipality itself, a referendum must be scheduled and held in the area or areas petitioning. The boundary change then becomes effective only if a majority of those voting on the question approve. In the case of two referenda—one in the proposed area and one in the municipality—the proposal becomes effective only if a majority of those voting in each area approve.

In effect, procedures for annexation in Maryland require, in the initial stages, the substantial approval of those living and owning property in the proposed area; in the final stages, such procedures permit petition and referenda on the question, initiated either by residents of the proposed area, the municipality, or both. By giving residents of both areas the opportunity to exercise a conclusive veto over an annexation proposal, Maryland law in effect requires that there be substantial community concurrence in any expansion proposal.

In recent years, annexation has be-