

1 JUDGE ADKINS: You are saying that the instru-  
2 ment of government provided for here which can be volun-  
3 tarily adopted by the end of the four years is a charter.  
4 That was really the source of my question.

5 THE CHAIRMAN: It could be, but isn't necessarily.

6 JUDGE ADKINS: And if they adopt an instrument  
7 of government which is not a charter, then that which they  
8 do in the four-year period is a nullity and it has to then  
9 be replaced by the General Assembly law. Is that the  
10 theory? That has not been my understanding.

11 THE CHAIRMAN: Let's have Mr. Clagett's  
12 statement.

13 MR. CLAGETT: I would say an instrument of  
14 government is a charter. A code is not a charter. It is  
15 thought here that the experiment of a code county is one  
16 which has never been tried, that we do feel and the  
17 Committee is unanimous in its thinking, that the best  
18 form of structure for a county to effectively exercise  
19 the home rule power is by means of a charter.

20 We don't necessarily mean that that is the  
21 only way it can be done. We do mean that it is the most