

Section 7.10 is different. It allows the General Assembly to do pretty much what it can do now, plus one thing. It is doubtful if the General Assembly established a popularly elected representative regional government, whether it could submit the question to referendum in the area that is affected.

In other words, to give an example, if it said there would be a regional government, in Montgomery County and Prince George's County let us assume that is was multi-functional regional government, sewer, water, transit, everything—there is some question under the present law as to whether the General Assembly could refer that kind of law, even if they wanted to, to a county-by-county or other kind of referendum. I think section 7.10 makes clear that they could now.

The General Assembly has the choice in this respect, because there might be simply a question of the creation of a popularly elected transit authority for the two counties I just mentioned or the Baltimore MTA, with which you are familiar. The law might provide that its board shall be three people who are elected for that purpose.

It would seem to me in a case like that that the General Assembly should not be forced to submit the law referendum in the area affected.

With these examples, it might be a little clearer; I know it was a little confused when we started on this

THE CHAIRMAN: Delegate Mitchell.

DELEGATE MITCHELL: For example, does this article contemplate the erasing of the boundary lines of Baltimore City and the merging of it with Anne Arundel and Baltimore County if the voters so decide?

DELEGATE MOSER: I suppose anything is possible. You have to go through a number of things to get there. You have to have a law of the General Assembly, subject to statewide referendum; then a county-by-county referendum. It is not much different from the situation that exists now, in fact, other than that it is more stringent.

THE CHAIRMAN: Delegate Mitchell.

DELEGATE MITCHELL: In other words, Baltimore City can keep its political entity with its elected officials?

DELEGATE MOSER: Yes.

DELEGATE MITCHELL: Anne Arundel County can keep its, Baltimore County can

keep its, and they might all vote for a regional government to take care of certain tri-county functions as you have suggested, water, sewage and the like? Is that it?

DELEGATE MOSER: I suppose this would be an accurate summary, yes.

THE CHAIRMAN: Delegate James.

DELEGATE JAMES: Mr. Chairman, I would like to direct a question to Delegate Moser.

Directing your attention to section 7.07, would it be a correct interpretation to say that with reference to expansion of municipal boundaries, that all of the present requirements, consent of the people being taken in, consent of the people within the municipality, everything that would be required under the present provisions of Article 23-A, plus the approval of the county fathers, would be necessary unless the legislature by general law provided a different procedure?

Would that be correct?

DELEGATE MOSER: How far back does your "unless" go? If your "unless" covers the entire question that you asked, the answer is yes.

The point is, the General Assembly can do whatever it wants. It does not have to require the consent of the county and the municipality.

THE CHAIRMAN: Delegate James.

DELEGATE JAMES: Let us assume the legislature does not act, and that the provisions of the constitution are applicable. Would this result in a rule that in expansion of municipalities all present requirements pertain, plus the formal approval of the county government?

DELEGATE MOSER: Yes, it would, if the General Assembly did not act; provided, again, that the schedule that is adopted with the schedule of legislation contained all those things in it. That schedule could very well not have a provision for annexation laws we now have, which I know you look upon with great disfavor, as do most of us. It would then require the General Assembly to supply the gap, if any more annexations were to occur.

THE CHAIRMAN: Delegate James.

DELEGATE JAMES: Even though the legislature acts under the provisions of the constitution, do you require the approval of the county government in all instances before there can be expansion of the municipal boundary?