

I think it is desirable to see it there, because it should be there. It has been recommended by the Sobeloff Commission, by the people of this State, and I think it is desirable and necessary to put it here. Certainly it bodes no evil. It may be changed at any time by the legislature. I strongly urge you support this amendment which I think is in the nature of a housekeeping one at this time.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: Would Delegate Grant yield to a question please?

THE CHAIRMAN: Delegate Grant, do you take the floor to yield to a question?

DELEGATE GRANT: Yes, sir.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: Delegate Grant, under section B, providing that the municipal corporation existing on June 30, 1968, could adopt a new charter and amend or repeal any charter, etc., would that permit it to do so by way of an annexation without the consent of the county?

DELEGATE GRANT: No.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: Why not?

THE CHAIRMAN: Delegate Grant.

DELEGATE GRANT: First of all, the operation of this is governed by the section in the new constitution.

THE CHAIRMAN: What section do you refer to, Delegate Grant?

DELEGATE GRANT: Sections 7.05, 7.06, 7.07.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: Delegate Grant, would not this have the effect of law, which would be equivalent to the act of the General Assembly overriding the requirement of section 7.05, that no alteration of boundary would take place without the consent of the county and the municipality?

THE CHAIRMAN: Delegate Grant.

DELEGATE CLAGETT: Except for the fact that within itself it cannot be inconsistent with the provision of this constitution.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: Well then, as I understand it, what you are telling me is

that the consent of the county would not be required.

THE CHAIRMAN: Delegate Grant.

DELEGATE GRANT: I point out essentially it has got nothing to do with annexation.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: If the new charter provided that the municipality could annex, and that would be consistent with existing law and powers, would that not be an alteration of the boundaries of the municipalities?

THE CHAIRMAN: Delegate Grant.

DELEGATE GRANT: This is a piece of legislation, essentially, when it is enacted, and as a piece of legislation it has to conform with sections 7.05, 7.06, and 7.07. Now 7.05, 7.06, and 7.07 provide that as difference from what you had heretofore, the county has a say in annexations. The General Assembly will have the final say by law of course.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: As I read section 7.05, it contemplates that any alteration of the boundaries of the municipality would be accomplished by the consent of the municipality and the county. In the event, but only in the event of a dispute between the two, or by way of action by the General Assembly, which I understand this would be the equivalent of, no alteration of boundary of a municipality could take place.

This amendment has the effect of the General Assembly's moving in and usurping that concurrent action by county and municipality, does it not?

THE CHAIRMAN: Delegate Grant.

DELEGATE GRANT: No, it does not. First of all, this is carrying forth a clause in the old Constitution. It obviously is the basis for section 23A. That is the obvious reason it was carried forward, or is supposed to be carried forward. Now, section 7.05 establishes a totally separate set of rules on annexation, to wit, gives the county say in future annexations. Therefore, the General Assembly would have to act under section 7.05.

THE CHAIRMAN: Is there any further question, Delegate Clagett?

DELEGATE CLAGETT: No, sir, I believe that is all.