

difficulty with your language, "the General Assembly has not rejected the resolution." How would you define this? Is this rejection by a single committee in one House, a rejection by a committee in each of both Houses, a rejection by one House, or shall we say an affirmative rejection by each House of the General Assembly?

DELEGATE NEEDLE: As it is written, it would mean that if the power to tax were not granted by the General Assembly, the local subdivision would have, or would not have the power to tax.

THE CHAIRMAN: Does any other delegate desire to speak in opposition? Are you ready for the question?

Sound the quorum bell.

DELEGATE CLAGETT: Mr. Chairman.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: I second the amendment, and feel that I should make one or two very brief observations in support of it, if I am in order.

THE CHAIRMAN: You may proceed.

DELEGATE CLAGETT: What really is being attempted here, and it is of vital importance, is not only the maintenance of stability in the tax and fiscal situation, but the creation of a psychological initiative on the part of local governing bodies.

Think of it in these simple terms of an analogy to a board of directors of a bank in a local area, where the bank is as solid as the Rock of Gibraltar, but the surrounding area is drying up economically because of a lack of initiative. A young man comes in and attempts to get a loan but since he is only 21 years of age and has no assets other than his good idea, the board of directors turns him down and the area shrivels. The point is the bank is stable and sound, but the area has no initiative to go forward in any direction. The same thing applies here. What we are attempting in this amendment is the creation of means for local government to carry out the shared powers being granted to the counties to stimulate local viability and initiative. Without money to do something, the something cannot be done, and consequently the idea gets abandoned.

*The Baltimore Sun*, in an editorial of November 8 made this very same point, that sound home rule could not be assured the counties or other local or regional governments if they were put in a straitjacket in the matter of taxes.

This is taking the counties out of the straitjacket and giving them an avenue of approach to the General Assembly where, in the area of new tax powers, it has not yet acted by way of a specific grant to the counties to go forward. The county having conceived the idea, will approach the General Assembly after a well thought out and planned resolution, and following procedures established by the General Assembly before a regular session will be in a position to seek permission to impose a tax.

THE CHAIRMAN: Delegate Clagett, you have one-quarter minute.

DELEGATE CLAGETT: The General Assembly would have the whole session within which to decide yea or nay, in order to preserve uniformity and stability of the fiscal picture. If it did not say no, then the county would be able to exercise its initiative in carrying out the program.

I urge you to vote in favor of this amendment.

THE CHAIRMAN: Is there any further discussion?

Delegate Raley, do you desire to speak in opposition or in favor?

DELEGATE RALEY: In opposition.

THE CHAIRMAN: You may proceed.

DELEGATE RALEY: Mr. Chairman, I would like to speak in opposition to this amendment.

What it does, is set up a procedure that not only is not needed, but also has the serious disadvantage of putting an inflexible formula in the Constitution. This kind of procedure would be better left to the legislature to develop and establish by statute.

In answer to Delegate Clagett on the matter of initiative, and we all like initiative, I think this well might have the opposite effect. It will stifle initiative because many of these counties will not want to be put on the spot as such by having to pass a resolution prior to any tax being approved; they will sooner do nothing, whereas they might act if they could go directly to the General Assembly.

I think a permanent, inflexible procedure that might need changing in time to come should not be in the Constitution. It is something that is not needed, and should be left to the legislature to handle.

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