

I would suggest that they should both be treated the same, and therefore, Mr. Chairman, I offer the amendment.

THE CHAIRMAN: The Chair recognizes Delegate Moser.

DELEGATE MOSER: Mr. Chairman, I would like to direct one question to Delegate Case, and then I think probably on behalf of the Committee, subject to any objection, we could agree that the Committee would not oppose this amendment.

THE CHAIRMAN: Will Delegate Case yield for a question?

DELEGATE CASE: Yes, sir.

THE CHAIRMAN: Delegate Moser, you may proceed.

DELEGATE MOSER: When you use the phrase representatives of the people, Delegate Case, are you referring to an intergovernmental authority with a board elected for that purpose, or would it also include a board made up of people who are elected to other offices and serve on the board ex-officio?

DELEGATE CASE: I refer to a board elected for that purpose.

THE CHAIRMAN: Delegate Moser.

DELEGATE CASE: May I?

THE CHAIRMAN: Delegate Case.

DELEGATE CASE: May I amplify that?

The Committee will see a little later on that the Committee on State Finance and Taxation will bring in a recommendation that the power to tax can never be exercised unless and through the elected representatives of the people, and the language here would correspond to that provision.

THE CHAIRMAN: Delegate Moser.

DELEGATE MOSER: Mr. Chairman, the Committee would not oppose this amendment—unless I see some opposition; and I don't.

THE CHAIRMAN: Delegate Clagett.

DELEGATE CLAGETT: Very definitely I oppose it, Your Honor.

THE CHAIRMAN: Just a second. Delegate Moser has the floor.

DELEGATE MOSER: Mr. Chairman, I will yield to debate if there is some clarification that Delegate Clagett wants to make.

THE CHAIRMAN: Delegate Clagett, the Chair recognizes you to speak in opposition.

DELEGATE CLAGETT: The word "popularly" is not in the amendment suggested by Delegate Case. Consequently it could be that the board that is imposing the tax under his amendment would be a school board, consisting of members of the county commissioners or members of some other body, whatever it may be.

THE CHAIRMAN: Delegate Case has already stated his intention, at least, that the term "elected representatives of the people" be directly elected by the people, and not ex officio representatives.

Did you understand the amendment?

DELEGATE CLAGETT: Yes, sir; I have great respect for Delegate Case, but I would like to see the wording explicit.

THE CHAIRMAN: Delegate Case, the suggestion is that the word "popularly" be inserted in front of "elected" in line 6.

DELEGATE CASE: Mr. Chairman, I see no reason for it. Section 8.01, which will come before the Committee at a later date, will say this: "Taxes shall be imposed only for public purpose and by elected representatives of the people."

This has a perfectly well defined connotation, and I think the record is abundantly clear what we mean here.

THE CHAIRMAN: Delegate Clagett, would you be willing to accept that assurance with the understanding that the word means that, so that the Committee on Style can consider it in connection with the section referred to by Delegate Case?

DELEGATE CLAGETT: Mr. Chairman, I accept that assurance, but I would like to have even more assurance and see the word "popularly" there. We had this debate before us, you will recall.

THE CHAIRMAN: Do you move an amendment?

DELEGATE CLAGETT: I move the amendment, that the word "popularly" be inserted on line 6 of the amendment before the word "elected." Then there could be no question about it.

THE CHAIRMAN: Is there a second?

(Whereupon, the motion was duly seconded.)

THE CHAIRMAN: It has been moved and seconded that the amendment be modi-