

haps I was deficient and so I would like to reamplify it, the reason that the referendum was based on historical precedence was that the original boards were created by referendum. More recently, just this past week, the Anne Arundel County League of Women Voters unanimously supported a provision that the referendum be used periodically. We do not go that far, but recommend that the referendum be used in changing systems or determining systems. I would certainly not want to have language conflicting with other sections or other articles and if there is such an article we would want to consider that and take it out.

DELEGATE J. CLARK (presiding): Delegate James.

DELEGATE JAMES: Delegate Wheatley, according to section 5, "each local school board shall be managed by a local school board appointed by the governor". Is this designed to affect the Baltimore City school system?

DELEGATE J. CLARK (presiding): Delegate Wheatley.

DELEGATE WHEATLEY: Quite to the contrary. We have not designed this to change any of the existing school system.

DELEGATE J. CLARK (presiding): Delegate James.

DELEGATE JAMES: Suppose as a matter of state policy, the State decides that the Baltimore City school board and school system should be made uniform with the rest of the State so that you would have the governor appointing the school board and all financing methods should be similar to those used in counties. Would that require a referendum and, if so, would the referendum be at Baltimore City or would it be a statewide referendum?

DELEGATE J. CLARK (presiding): Delegate Wheatley.

DELEGATE WHEATLEY: The point you raise is a good one and I would attempt to answer it in this way. The local school system as provided in this section could be regulated by law and, again without knowing all of the local refinements of the local government law as proposed, would be subject to referendum in those subdivisions affected. If it would be statewide in nature it would be subject to a statewide referendum. If it would affect the local subdivision, it would be subject to a referendum in that subdivision alone. The point you raise and one that troubled the Committee greatly in making this exception

for Baltimore City is that we have in effect put them out of step with the other twenty-three subdivisions, but I do think their board having pre-dated many of the local boards in the county should be given and accorded the recognition which would allow it to continue without constitutional mandate and at such time as it would be desirable to make one system. I certainly would not want to do it because I think local subdivisions should have some flexibility. If it would be desirable to make the state uniform it should then be required that the people have an opportunity to speak upon it rather than by just a simple legislative act.

DELEGATE J. CLARK (presiding): Delegate James.

DELEGATE JAMES: Carrying that further, Delegate Wheatley, I understand that at the present time there is being considered a real possibility that the State will take over the pension system for Baltimore City employees. They now have a separate pension system which is relatively costly and it is felt that the State would do well to at least get into this field.

Now, if the State set up a uniform system of pensions which would in effect deprive Baltimore City of the pension field, do you think this would require a referendum?

DELEGATE J. CLARK (presiding): Delegate Wheatley.

DELEGATE WHEATLEY: I am glad you asked that question because this gives me an opportunity to state that this is another determination. I would say no. At this point, one point must be made clear in the minds of the majority. We do believe that education is unique in many respects, not comparable to state roads or department of motor vehicles or pension welfare from these standpoints: number 1, it now has a state budget of over \$300 million devoted to education out of a total budget of a billion. From the standpoint of dollars, it is big. From another standpoint, there is a delicate balance between the State and local subdivisions. Between the terms of dollars and balance there is nothing comparable to it in the State, and I think the Senator would agree with me on this. I would further suggest in terms of the numbers of people affected daily, that there is no other agency within the State so affected.

DELEGATE J. CLARK (presiding): There are only about two minutes left and there are several people who want to ask questions.