

DELEGATE MAURER: Mr. Chairman, I certainly agree as to the importance of the post of state superintendent of schools, but I would call the attention of this Committee to the executive branch article, section 4.21, and in the middle of that article, referring to the governor, it says, "acting alone, he shall appoint each chief administrative officer serving under a board or a commission, which is the head of a principal department, except the head or chief administrative officer of an institution of higher education, or of the state public school system."

I believe that there is a protection for the state superintendent of schools, and I oppose the amendment.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: Mr. Chairman, ladies and gentlemen of the Convention, I will be very brief. As I said before, I think the substitute that was offered made it very difficult to vote against it. However, I feel in this case we are being uncomplimentary to the executive article and as Delegate Maurer points out in 4.21, we do say acting alone the governor shall not appoint the head of an education department, but we do not say in what manner he shall be appointed. We hope that this article would lay to rest that question, the question that was resolved in Maryland in 1921 as a result of an education survey commission which said that the superintendent, who is the state's educational executive, should be chosen not by the governor alone, but by a board, as far removed from political influences as possible, for a term either indefinite or long enough to avoid danger of political complications. This recommendation was subsequently followed.

I say by this amendment we put to rest, and to quote Judge Sherbow, give psychological assurance, that this is not the beginning of another battle but the recognition of one that has ended. For that reason I urge support of this amendment.

THE CHAIRMAN: Does any other delegate desire to speak against the amendment? Delegate Singer.

DELEGATE SINGER: Mr. Chairman, it is not our intention by our amendment that was just adopted or on this amendment to give psychological assurance to anyone. Our purpose is to provide the best type of educational system that we can for the State.

Delegate Blair says do not delete this feature. We are not. On the contrary, we

are not adding it to the constitution. We have had it in statutory form for many decades. It has worked and has worked well, I will agree. There is no indication of any need to elevate this into a constitutional provision. There has been no indication of any interference. There was no testimony as such. There was no indication of legislative dissatisfaction with this method. I submit to you that we shall allow a system which has worked well to continue without tampering with it now, and not try to make a decision at this point as to how the system shall be forever.

THE CHAIRMAN: Delegate Vecera.

DELEGATE VECERA: Mr. Chairman, fellow delegates, I think in the legislative, executive and judicial article we have placed many things which give psychological assurances. We have created many posts that should not have been in the constitution, we have detailed many, many factors throughout the constitution. Now it seems to me when we come to the question of education, which will literally affect many thousands of children, we are cutting to the bare bone what we should put in the constitution. As Delegate Maurer indicated, this is a very important post, and I think we ought to give it constitutional recognition. We ought to establish some guide lines for education. Education will change over the years and become one of our most important assets in this country, and not only that, education will cost us billions of dollars in our budget. I urge you to study carefully the considerations before you, not to consider the weekend coming up, as many of you are, and I have been hearing talk about getting out of here as early as possible. I do not think this is really justified as far as education is concerned, and that you consider the questions very carefully.

I urge you to adopt this amendment.

THE CHAIRMAN: Does any other delegate desire to speak in opposition? Delegate Mentzer.

DELEGATE MENTZER: I just wondered if I was going to get an answer to my question of Delegate Kirkland.

THE CHAIRMAN: As soon as the Chair has recognized everybody who desires to speak, I will afford you that privilege.

Does any delegate desire to speak in opposition? The Chair recognizes Delegate Pullen.

DELEGATE PULLEN: Mr. Chairman, I promise to be brief, and I hope and be-