

DELEGATE WHEATLEY: I would be glad to, Mr. Chairman.

THE CHAIRMAN: Delegate Robey.

DELEGATE ROBEY: In line 9, the phrase "the governing boards provided by law" causes me some difficulty inasmuch as this presupposes that there shall be governing boards, but I can find nowhere in the constitution where such boards are constitutionally mandated.

Is it your interpretation that this does in fact constitutionally mandate governing boards for the institution of governing boards for the State?

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: Perhaps stylistically this can be changed in second reading to read that "there shall be governing boards provided by law for the University of Maryland", and so forth. This was written in the light of the fact that the executive article had made provision for exception and thereby the provision for elementary and secondary complemented the executive article. We thought this would be the complementary section with regard to higher education. It was the understanding of the Committee that this line did determine governing boards as the mode of governing the agencies and by law would apply to the flexibility in constituting such boards.

THE CHAIRMAN: Delegate Frank Robey.

DELEGATE ROBEY: As I understand your comments, the minority and majority are in complete agreement that there shall be governing boards. That is the intent of this phrase and if it is necessary to change it stylistically to read it that way, this change will be made.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: Yes.

THE CHAIRMAN: For what purpose does Delegate Lord rise?

DELEGATE LORD: Mr. Chairman, I would like to expand briefly on that answer.

THE CHAIRMAN: You may proceed.

DELEGATE LORD: Delegate Robey, with specific reference to community colleges, as you know there is no state governing board of community colleges now. There is some discussion along these lines. It is not the intention of either the majority or the minority to require the creation of governing boards for community colleges.

Should this happen, this language would become effective.

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: Mr. Chairman, I have a question for the Vice-Chairman, of the Committee or for Delegate Lord.

THE CHAIRMAN: Delegate Wheatley, do you respond to a question?

DELEGATE WHEATLEY: I will be glad to.

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: Would it be possible under the language which is before us here in this amendment for the General Assembly to re-organize the university and college system in Maryland without resorting to constitutional amendment to do so, for instance, to establish a state university system if in its wisdom decided that would be a more appropriate organization?

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: Assuming I understand the same meaning you give to re-organization that I do, my answer would be yes. The flexibility is there providing that the mode of governing of any state institution of higher learning would be by board.

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: I would like to ask you, or Delegate Lord, or perhaps both of you if there is any great reason to be served in enumerating the institutions in this section—the University of Maryland, the state colleges, the community colleges—or if it might not do to simply say all state institutions of higher learning.

THE CHAIRMAN: Delegate Wheatley.

DELEGATE WHEATLEY: In response to the inquiry, this specific proposal was made and the Committee, both majority and minority, were both in essential agreement on the particular element that the existing structure should not be frozen, but there should be recognition afforded the university since it was testified to by many witnesses that this does have a very therapeutic affect, if I might use that term, enlisting staff, faculty, and also getting support from government agencies, that constitutional recognition is certainly something that is helpful to the university and since it did not create any problems with the expansion allowed in other institutions that we thought this would be preferable to the generic description.