

THE CHAIRMAN: Is the motion seconded?

*(The motion was duly seconded.)*

THE CHAIRMAN: It is regularly moved and seconded that Amendment No. 17 now before you be amended by adding at the end of the inserted sentence the words "unless otherwise provided by law."

The Chair recognizes Delegate Bard to speak to the amendment.

For what purpose does Delegate Sollins rise?

DELEGATE SOLLINS: Mr. Chairman, I wanted to ask Delegate Bard a question, but I will wait for him to speak first.

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: Mr. Chairman, ladies and gentlemen: Delegate Maurer has placed before you what I think is one of the most basic considerations in the administration of higher education, and I commend her solidly for recognizing that in American higher education the concept of the board is important. There are other countries in the world where boards do not exist. I shall not go into this point at the moment, but talk on the matter of the amendment to the amendment.

I think the point is well made that while those in education recognize the significance of the progressive growth of higher education, we should realize that it may well be that in other considerations, other departments might desire to have boards in the same relationship to their activities, and it could well be that the General Assembly recognizing this need might want to make these considerations take place.

I think there needs to be a separation of these two views. Delegate Scanlan stated it very clearly a while ago and the amendment to the amendment would permit those of us who think that the whole concept of higher education as it has progressed is important, and that it is significant to realize how valuable it is to have boards, but on the other hand, we also want to make it clear that we do not believe that our decision ought necessarily apply in the opposition to the other fields of endeavor.

THE CHAIRMAN: Delegate Sollins, do you desire to put a question to Delegate Bard at this time?

DELEGATE SOLLINS: No longer necessary, Mr. Chairman.

THE CHAIRMAN: Is there any opposition to the amendment to the amendment?

Delegate Marion.

DELEGATE MARION: Mr. Chairman, if I might, I would like to address an inquiry to Delegate Bard.

THE CHAIRMAN: Delegate Bard, do you yield to a question?

DELEGATE BARD: I yield.

THE CHAIRMAN: Delegate Marion.

DELEGATE MARION: Is it your intention by the amendment which you have just proposed to the amendment to allow the legislature by law, not only to provide that heads of departments other than educational departments if I might use that, or that departments other than educational departments, could be headed by a board, but that also, unless otherwise provided by law, could mean the General Assembly by law could remove the exception which Delegate Maurer's amendment would provide for educational institutions?

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: This is not my intention at all.

THE CHAIRMAN: The Chair did not hear your answer, Delegate Bard.

DELEGATE BARD: It is not my intention, that the amendment to the amendment would permit the General Assembly to remove the exception.

THE CHAIRMAN: Delegate Marion.

DELEGATE MARION: So in other words, your intention is merely to broaden the legislature's power to allow other departments to be headed by boards, but not to diminish the exception with respect to education?

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: That is correct.

THE CHAIRMAN: Delegate Bard, your answer was not on the microphone.

DELEGATE BARD: That is correct, and this is why, Delegate Marion. Except for the state public school system and the institutions of higher education it precedes the first part, rather than being stated at the end.

THE CHAIRMAN: So that there will be no question at all about that, the Chair concedes that it is possible at least that there be three interpretations; that the