

phrase, unless otherwise provided by law, could apply only to the first phrase, the "except" clause, or it could apply only to the second phrase, that is, to principal departments, other than educational institutions; or it could provide or could apply to both.

I take it you are stating unequivocally your intention that the phrase, unless otherwise provided by law, is to be the second, that is, to apply only to the principal departments other than education?

DELEGATE BARD: That is correct, Mr. Chairman.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: May I address a question to Delegate Bard?

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

DELEGATE BARD: Yes.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: I gather that you, like some of us, do not want anybody to have the power to change the system whereby we have a Board of Regents at the University of Maryland and boards at the higher educational level, but when you say, "as otherwise provided by law", in spite of what you say your intention may be, do you not realize there is a rule of construction which might hold that the latter provision may take precedence over the earlier provision, and thus the very thing that you are seeking to do you nullify?

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: My answer to that would be, Delegate Sherbow, that if we could separate this whole concept and vote on that separately as Delegate Scanlan has stated, then I do not think we would have any problem at all.

It may well be that after this amendment to the amendment passes that we might need to look further at yet another amendment, but at this point I think we have to face the issue which I have presented.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: My next question is simply this: the end you seek, if I understand, would be you not be better off if the matter were changed so that it would read as it is printed and then at the very end simply say "the provisions of this

section shall not apply to the state public school system and institutions of higher learning"?

Then there cannot be any question in my mind at least, that what you are talking about is what you are saying.

This whole section then would not apply. I think there is confusion the way it reads, "except that", and then in the end you say "as provided by law". I am not offering any amendments. I simply suggest to you that there is this state of confusion.

THE CHAIRMAN: Delegate Sherbow, the Chair would observe that this is the kind of confusion that could be eliminated by the Committee on Style, so long as the record is clear, and I think that the record indicates very clearly that Delegate Bard's intention is as you have just stated it.

The Committee on Style could make such changes as you suggest or any other to carry that into effect.

DELEGATE BARD: Mr. Chairman, I like that as a substitution, Delegate Sherbow, and would certainly accept it. At this moment it may well be that it ought to be a parenthetical statement, so that the Committee on Style could use it rather than to have an amendment to an amendment to an amendment.

What do you think of that?

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: You asked me a question; I wished we had the power to say all those who are in favor of keeping the school system out completely say yes, those against say no.

I wish we had the power to put each of the other sections there. Then we could put it together, because I think this is where we are all in trouble, and Delegate Scanlan has simply pointed it out.

DELEGATE BARD: I agree.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Mr. Chairman, may I ask Delegate Bard a question, please?

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

DELEGATE BARD: Yes.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Delegate Bard, would you please explain to me the difference between your amendment and the section 4.8 as it appears in the blue copy?