

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: Delegate Morgan, I thought that Delegate Maurer was pointing to the highly important concept, namely that under 4.20 you were dealing with heads of principal departments and that you were identifying what a principal department is, and at this point it would be significant to make it clear that though education might be thought of as a principal department, nevertheless it would not be headed up within the sphere of reference indicated here.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: That can be accomplished under the section 4.20 as it exists in the copy, because by the phrase "unless otherwise provided by law", you are not proposing to freeze the existing organization of the educational system in the constitution, are you?

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: I would say that here is where Delegate Maurer and I are as one: namely, we believe that the situation that exists now ought not be tampered with in respect to boards heading up the department.

That is correct.

Are we freezing it forever, no. The constitution could be amended on this point, but this point is such an integral basic consideration in higher education that it ought to be made clear in the constitution.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Is it not true that under your amendment you permit boards to head principal departments?

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: Other than education?

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Other than education, yes.

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: That is correct.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Is it also true that under your amendment the Board of Education could head a principal department?

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: It might be referred to as a principal department, yes.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: And then how does it differ from the blue copy?

THE CHAIRMAN: Delegate Bard.

DELEGATE BARD: Delegate Morgan, it differs in the very respect that Delegate Maurer wanted to make clear, namely, that there would be a board which would head it up. This would be the exception.

THE CHAIRMAN: Delegate Morgan, if the Chairman could interrupt, perhaps reaching the end of the colloquy, I think Delegate Bard is suggesting a difference. Under the section as it is presently drafted the legislature could provide a single executive as the head of the public school system.

Under his amendment the legislature could not provide a single executive as the head of the school system, or at least that is what he intended.

Delegate Bard.

DELEGATE BARD: That is correct.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Mr. Chairman, I would like to ask what is his intention, whether it was his intention to freeze the existing organization of the existing educational system? I thought his answer was no.

THE CHAIRMAN: He does not intend to freeze it. You would necessarily have a board of the same number of members you have now. He does intend to freeze it where you do have a board.

Is that correct, Dr. Bard?

DELEGATE BARD: That is correct.

THE CHAIRMAN: Delegate Morgan.

DELEGATE MORGAN: Mr. President, I will ask Delegate Bard, suppose at some time in the future the legislature in its wisdom decided to do away with the existing state school board and have the school system run by a director of education.

Do you mean to tell me that it would be wise to say that that cannot be done in this constitutional provision?

THE CHAIRMAN: Delegate Bard?

DELEGATE BARD: Delegate Morgan, I think your question lies at the heart of the troubles more than anything else. You