

and no judicial branch and obviously, this is even too absurd for discussion.

Now, these items with respect to these two departments are small. They are fixed by law and they may not be decreased by the General Assembly and so far as our statutes are concerned, they may as you will learn hereafter be increased only under certain situations.

*(First Vice President James Clark, assumed the Chair.)*

DELEGATE J. CLARK (presiding): May I break in to recognize Mr. Churchill Murray.

DELEGATE SHERBOW: Certainly.

DELEGATE J. CLARK (presiding): For what purpose does the gentleman rise?

DELEGATE E. C. MURRAY: Mr. Chairman and fellow delegates, I would like to announce the presence in the gallery of forty-one students from the Hanover High School with their teacher, Miss Ruth, and ask you to join me in welcoming them.

DELEGATE J. CLARK (presiding): We are delighted to have them with us today.

*(Applause.)*

Judge Sherbow, you may proceed.

DELEGATE SHERBOW: Now, the third type of appropriation raises a different problem. I also do not know of any problem which has been more misunderstood than the mandatory provisions for the public schools. I believe that when you understand this provision you will find that it is not only a proper one, but that you would not want any change made in it. It was originally inserted in the very first budget report by Dr. Goodnow and it has been carried through into the constitutional amendment that that brought forth, and this is all that it says.

When the legislature provides for what shall be done for the benefit of the public schools, that becomes a law.

If the legislature says that the State of Maryland will contribute to each public school system in each of the 24 counties, and here I take Baltimore City as one, the legislature when it says it will contribute to each of these 24 counties \$370, and I take this figure for practical reasons, for every pupil in the school in that particular county, this is a law.

The State will give you, Baltimore County or Anne Arundel or Somerset

County, for each year \$370 for each child you have in school.

Now, that is all that the law says, and when the governor puts that figure in the budget, the legislature cannot reduce it. It is mandatory. But where does the difficulty come in? It comes in this way, that nobody knows exactly how many children there will be in the school in the particular county when the time comes to make up the budget.

Now, let us assume that we are making up the budget right now over in the State House. They are making it up to go into effect July 1st, 1968. They are going to give \$370 for every school child in each particular county. This is what the State is giving to them.

When that budget bill is handed to the legislature, they will put in the figure as recommended by the Board of Education. Now, where does the Board of Education get the figures to say how many children will be in school in Harford County for the school year beginning in the fall of 1968? The superintendent of schools and all of the machinery of figuring and calculation goes into the operation.

The State and the county will find out how many school children there were last year or this year, how many new houses are contemplated to be built, how many new families are coming into the county, and all of this when it is finally sifted out brings you down to one figure; so many children will come in for next year.

Now, in addition to needing to know this in Harford County, for example, they will have all of these calculations, but they need to know it just as much for the governor and his director of the budget as they need to know it for the Harford County Commissioners. My good friend, Dr. Willis, Superintendent of Schools there, and a delegate to this Convention, is sitting in on this very item at this particular time.

They too must pick up a big part of the tab for the schools. They need to know how many children will be in school. They also have to know this because the federal government has been providing a very large series of contributions in different fields for the school systems, and if you do not have the money with which to participate, if you do not know how much you are going to need, then you are in no position to accept the benefit of these contributions by the federal government.

The school superintendent does his best to figure out how many children there will