

5 which will delete the section as heretofore amended. The question now is solely on Amendment No. 8. A vote Aye is a vote for the Amendment. A vote No is a vote against.

Cast your votes.

Has every delegate voted? Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

Delegate Clark votes Aye.

There being 106 votes in the affirmative and 5 in the negative, the motion carries. The amendment is adopted.

The question now arises on the adoption of Amendment No. 5 to delete all of section 5 as amended by Amendments 6, 7, and 8. In other words, the question you are now debating on limited but uncontrolled time, is section 5 as amended by Amendments 6, 7, and 8 versus the deletion of the section. Does any delegate desire to speak in favor of Amendment No. 5?

Delegate Beatrice Miller.

DELEGATE B. MILLER: I have a question, Mr. Chairman. I wish to apologize also. I thought you were calling for a question and I interrupted you, but I have a question.

THE CHAIRMAN: I believe the Chair lost his equilibrium for a moment.

Delegate Miller.

DELEGATE B. MILLER: I would probably like to know the answer from Delegate Willis. He spoke of local school boards being taken over by political subdivisions, and I want to know just how this is possible if we have a state board —

THE CHAIRMAN: Delegate Miller, may the Chair interrupt you? Since we are on controlled time, I have to allow anyone who desires to speak an opportunity to speak before you can ask questions. Does any delegate desire to speak in favor of Amendment No. 5? In favor of the deletion?

Delegate Clark.

DELEGATE J. CLARK: Mr. Chairman, I wish to make two very brief points. The first is that Article 77 of the Maryland Annotated Code at the present time does give the full power and direction and control now contemplated and provided in section 5 as amended. Article 77 shall be carried over as a part of the interim provision.

Secondly, if we do keep section 5 as amended and freeze it into the constitution, it will prevent the General Assembly from moving forward along the line contemplated by certain of the provisions in the local government article because what is meant by local here may not be local when and if regional governments, if they ever come into existence, do come into existence.

In order for the General Assembly to provide by law subject to referendum as therein contemplated, it would be hamstrung by this provision frozen into the constitution and a constitutional amendment would be required in order to accomplish the purposes of creating regional government with the authority and power contemplated by and when that time comes.

THE CHAIRMAN: Does any delegate desire to speak in opposition to Amendment No. 5?

Delegate Kirkland.

DELEGATE KIRKLAND: Mr. Chairman, not long ago I asked Delegate Moser a question with relation to local governments. Originally we came down here to try to relieve the General Assembly of their responsibility in local government. I asked them about what was the percent of relief under the present proposal. I understand from some of his Committee it was between fifty and seventy-five percent so I am wondering who is kidding whom with relation to this. Certainly I feel that this should be removed from the possibility of having the fiscal authority also be the board of education. This is exactly what this would do, and I hesitate to say this because unfortunately not long ago our largest city here in the State of Maryland was under sanctions by the NEA, and I think and I truthfully say this: I think one of the reasons for these sanctions was the fact that they did not have a board of education that could work independently from the fiscal authorities.

THE CHAIRMAN: Delegate Key, do you desire to speak in favor of the amendment?

DELEGATE KEY: Yes.

THE CHAIRMAN: Delegate Key.

DELEGATE KEY: My good colleague, Mr. Kirkland, has alluded to something that I was just about to mention which to me is one of the best reasons in the world why we do not need to freeze into this constitution language as proposed in section 5.