

administrative officer serving under a board or commission which is at the head of a principal department. It seems to me we are using the word "head," which is a kind of vague or nebulous word, in more than one way; and each other time that the word "head" is used, it is used to indicate either a single executive who is the head of a principal department, or a board or commission which is at the head of a principal department.

I submit it is confusing in this context, and either this amendment should be adopted or some other word should be used, if it is meant to connote something in addition to the chief administrative officer.

THE PRESIDENT: Delegate Morgan.

DELEGATE MORGAN: Mr. President, I rise in opposition to the amendment. I do not think you really get into very much trouble when you authorize the governor to appoint the chief administrative officer and then make an exception and say he cannot appoint the head or chief administrative officer of an institution of higher learning.

Personally, I do not think the chief administrative officer adequately describes the functions and duties of the president of the University of Maryland. I think if we are just going to limit the exception to the chief administrative officer it might be questioned whether the Convention did not have somebody else in mind in the University of Maryland, but we will go ahead and let the governor appoint the president.

That was not the intention. The president is to be appointed by the Board of Regents, and that is the reason I oppose this amendment.

THE PRESIDENT: Any other discussion?

Delegate Case.

DELEGATE CASE: Mr. President, with particular reference to the University of Maryland, the president of the University of Maryland is considered, or at least has been up to today, the chief executive officer of the University, and the chief administrative officer is the vice president, who reports to the president. He happens to be Dr. Walter Weitjens right now. It was Dr. Albert Kuhn who has moved over as the chancellor of Baltimore campus.

So in the parlance of the university structure, if the word "head" is taken out we would not be talking about the presi-

dent of the University; we would be talking about one of his chief assistants.

It seems to me, therefore, that at least from the standpoint of the University, the word "head," which clearly connotes the president, is a necessary ingredient to this particular section, and I would hope that this amendment would be defeated for that reason.

THE PRESIDENT: Delegate Kirkland.

DELEGATE KIRKLAND: Mr. President, we went through this in Style, and I might say that Delegate Marion was there, and the subcommittee that studied this in Style agreed wholeheartedly with the interpretation just given by Delegate Case; so therefore, I oppose this amendment.

THE PRESIDENT: Delegate Pullen.

DELEGATE PULLEN: Mr. Chairman, I agree with my friend, Delegate Marion, that the "head" is often a nebulous thing.

*(Laughter.)*

I think Delegate Case has stated my concern for the state superintendent of schools. All I ask is that we get the best legal advice that we can in this group, and heaven knows there is a lot of it, so there will not be too much messing around with this particular point.

THE PRESIDENT: Delegate Marion.

DELEGATE MARION: I wonder if I could direct a question to Delegate Case.

THE PRESIDENT: Delegate Case, do you take the floor to yield to a question?

DELEGATE CASE: Yes, sir.

DELEGATE MARION: Would not the Board of Regents be the head of the University of Maryland under this structure?

THE PRESIDENT: Delegate Case.

DELEGATE CASE: The Board of Regents is the policy making agency which directs the affairs of the University, but I interpret the word "head" as a person who actually puts the policy into effect. I do not know that I can categorically answer that question, except to say as it is now understood, the President is considered the head, and he is not the chief administrative officer. He is the chief executive officer. If you would change "administrative" to "executive," I would not have the concern I have now.

THE PRESIDENT: Delegate Marion.