

had been made by the Committee in line with what we believe to be the interpretation of the word "provide" in this instance was inadvertently omitted, so that in line 8 it should read "establish and maintain" and the same thing should be true in line 12. It shall also establish and maintain.

Please note this is one of the usual instances of the word "provide". Here "provide" means not only provide for in the sense of law, but also to supply and I think this is a reasonable interpretation of the meaning of the words and not any special addition on our part.

THE PRESIDENT: Delegate Penniman, the Chair would understand the word "maintained" to mean to pay the cost of.

DELEGATE PENNIMAN: This is what our understanding from the members of the Committee talking to the Committee on Style was.

THE PRESIDENT: If this is intended it is such a radical departure from anything previously discussed I think we ought to have a comment from the Chairman of the Committee.

DELEGATE PENNIMAN: I have no objection to leaving it out and having it come in as an amendment under those circumstances.

THE PRESIDENT: Delegate Boyer, do you or Delegate Wheatley desire to comment?

DELEGATE BOYER: I wonder if you would re-state the question.

THE PRESIDENT: Delegate Penniman has indicated that the Committee on Style inadvertently omitted on line 8 two words to follow after the words "establish and maintain" so it would read "The General Assembly by law shall establish and maintain a statewide system of free public schools".

DELEGATE PENNIMAN: And the same change in line 12.

THE PRESIDENT: The Chair pointed out that the word "maintain" would mean that the General Assembly should provide for state payment of the cost of the system and Delegate Penniman said that was his understanding of what the Committee on General Provisions intended of the use of the word "provide".

DELEGATE BOYER: After re-checking with the Committee, "maintain" should accompany the word "establish".

THE PRESIDENT: It is intended that this be a complete reversal of the present system of the financial support of public education in the State.

DELEGATE BOYER: This is the existing language in the present Constitution and we were following that example.

THE PRESIDENT: What section do you refer to, Delegate Boyer?

DELEGATE BOYER: That is what we are trying to find also, sir.

I would like to quote from Article VIII of the present Constitution. This was our foundation.

"Section 1. The General Assembly, at its first session after the adoption of this Constitution, shall by law establish throughout the State a thorough and efficient system of free public schools; and shall provide by taxation, or otherwise, for their maintenance."

We were trying to follow as closely as possible the precedent which has worked so well over the last century.

THE PRESIDENT: The Chair suggests that the use of the word "maintain" in this context is quite different from the use of the word in the quoted phrase in Article VIII and my concern is that as I remember the presentation of the report of this Committee there was no suggestion that the system of free public schools should be maintained solely by the State rather than by the counties.

Now, maybe that is not the intention now, but the Chair is very much concerned at the use of the words coming in force first time without some clear understanding of what is intended.

The sentence would read as amended, "The General Assembly by law shall establish and maintain a statewide system of public schools", and in line 11 the sentence would read "The General Assembly by law shall also establish and maintain any other public educational institutions and services that may be necessary and desirable", and so forth.

DELEGATE BOYER: Mr. President, like all other honest disputes it could be debated on either side of the record. By adding the words "and maintain" would mean concurrent jurisdiction with the local subdivisions and that it can be delegated to the local subdivisions as a practical matter it is done now.