

THE PRESIDENT: Is there any further discussion?

Delegate Rybczynski.

DELEGATE RYBCZYNSKI: What is wrong with the word —

THE PRESIDENT: Just a second. This is so important that the Clerk will please ring the quorum bell and get all the delegates in the corridor and in the lounge to the chamber.

Delegate Boyer.

DELEGATE BOYER: Mr. President, since there does seem to be some honest dispute and apprehension on this, we might suggest respectfully that the Convention give us unanimous consent to retain the exact wording that the present Constitution has in section 1, Article VIII, and we would suggest this amendment on line 7, "The General Assembly by law shall establish and provide for the maintenance of a statewide system of free public schools".

What this will intend to do is to allow the General Assembly by statutory law to delegate to the various political subdivisions, the various school boards, the taxing power and the right to maintain their own private free public schools and that is the existing statutory provisions, the constitutional provision which is implemented by the statutory law.

THE PRESIDENT: If there is to be such an amendment, the Chair thinks it should be printed so that we can see it and establish a record on it. I do not think it should be made by interlineation.

Would one of the pages please get Mr. Lee Benson and get him to come to Mr. Boyer's desk immediately?

Delegate Rybczynski.

DELEGATE RYBCZYNSKI: I would like to direct a question to Chairman Boyer.

Chairman Boyer, in view of the fact that you are interested in maintaining the status quo as to contribution and the method, may I suggest that you use the exact same language as it now stands and simply state the General Assembly issue, by law, provide for a—in other words, the same language that you came out of Committee with.

This is the consensus back here frankly and we are hoping that you will do that.

THE PRESIDENT: Delegate Boyer.

DELEGATE BOYER: We respectfully approve the suggestion and this is what

we are trying to accomplish. We are trying to keep what has seemed to be a very workable and practical system without rocking the boat too much by any change of the language. This was the intention of my suggested amendment which will be printed. It will add the words "and private" by maintain, as well as maintenance; but we will doctor that up so you will have that before you.

THE PRESIDENT: Delegate James.

DELEGATE JAMES: I would like to inquire why the word "state" was eliminated and the term "General Assembly" substituted. This is a responsibility basically of all three departments of the government at a state level. Certainly the governor has his responsibility and administrative responsibilities and that sort of thing. It just seems to me that the language of the present Constitution is perfectly adequate. I see no reason for changing it.

THE PRESIDENT: Delegate Penniman.

DELEGATE PENNIMAN: Wherever there has been an establishment of something by law, we have said throughout the constitution, "the General Assembly by law," which would include both the General Assembly's action and the approval by the governor or the overriding of the governor's veto.

This is simply to be consistent throughout the whole of the document.

THE PRESIDENT: Delegate Boyer.

DELEGATE BOYER: I might add by supplementation, Delegate Penniman, this is exactly the existing language in the present Constitution, "the General Assembly."

THE PRESIDENT: Delegate Adkins.

DELEGATE ADKINS: Mr. President, am I in order in speaking to the proposed changes, or am I premature?

THE PRESIDENT: I think you are premature in view of the comment Delegate Penniman just made to the Chair. I think you better make it on the floor, Delegate Penniman.

DELEGATE PENNIMAN: The comment I made to the Chair was that under the circumstances, I would withdraw the suggestion of the addition "and maintain" and leave it to the Committee to come in with its amendment.

When we had put it in initially it was with the assurance of the members of the