

1 right?

2 MR. CASE: I don't want to get into a decision
3 or discussion about what is and what ^{not} is/higher education,
4 but I will agree with you that junior colleges are in-
5 cluded.

6 THE CHAIRMAN: Any further question or comment?

7 MR. CLAGETT: Mr. Chairman, do you understand,
8 then, that if the General Assembly made an appropriation
9 for higher education and it then was passed on as part of
10 the budget, that it would be protected from any revision
11 by the Governor? Is that under Section 3?

12 MR. CASE: No. Subsection 3 does not apply.

13 MR. CLAGETT: That is the way I would read it,
14 so it would be subject to revision by the Governor in the
15 budget.

16 MR. CASE: Well, except this: That if the law,
17 and Mr. Eney asked me this question, suppose the Legisla-
18 ture passes a law authorizing and directing the Governor
19 to pay to each institution of higher education \$40 times
20 the number of students enrolled in that institution as of
21 the first of September, the Governor has to follow the law.