

function of public education within a designated geographical boundary.

Thus, the school system or district should be subject to the complete control of the State. It follows from this concept, if you would accept it, that education as a state function that school board members then are state officers as distinguished from local government officers. This is true regardless of how the school board members are to be selected.

School system and education are state functions. I believe that by adopting this amendment, you are diluting the state function which probably rests with the General Assembly and turning the control of the state schools over to local county governments.

THE PRESIDENT: Does any other delegate desire to speak in favor?

Delegate Clagett.

DELEGATE CLAGETT: Mr. President, I rise to state that I am in favor of the amendment and would be the eleventh member of the Local Government Committee to favor this amendment. I shall not, however, go into further detail.

THE PRESIDENT: Delegate Wheatley.

DELEGATE WHEATLEY: Mr. Chairman and ladies and gentlemen of the Convention, I had quite a bit of discussion on this amendment. I was not sure, frankly, whether it was a good thing or a bad thing to carry out the intent of the Education Committee. I have done a little bit of homework over the night, and I think that the best that can be said for the amendment is that it would perhaps create new areas of doubt as has been suggested.

Certainly, in these times of great tumult in the field of education it is not for us to add further confusion or doubt. If you look at the list of sponsors, a great point must be made of those on the Local Government Committee. I fail to see the names of any that were in General Provisions who considered the topic of education. It would seem that those considered this for twenty-three days of hearings a difficult area where the balance between state and local is little understood, should be given the benefit of the doubt as to telling what the intention was of the majority and minority. There is no other agency in which local governments have contributed forty per cent of their budget.

Forty per cent of the budget of local school budgets is submitted by the State.

It is tenuous to state that the State must take choice and say either all of you do it or we cannot make any of you do it. This is the real crux. Must the State say either all of you do it or none of you have to do it unless you want to. This takes away the whole argument of flexibility that I heard so many times in this Convention. For this reason and for the other reasons so aptly expressed by those who opposed the amendment, I certainly hope that this Convention will not create further areas of doubt where there is presently no doubt and that we will not have to devise some artificial means in the future by classification or some other vague term were we set up artificial classes to allow for them. We should leave it as amended by Style and Drafting and the Committee on General Provisions which dealt with education. I hope you will support these two committees and strike out this attempt to strike out what has been a workable provision. I urge your rejection of the amendment.

THE PRESIDENT: Does any other delegate desire to speak in favor of the amendment?

DELEGATE HOPKINS: Mr. President, I move the previous question.

*(Whereupon, the motion was duly seconded.)*

THE PRESIDENT: The question arises on the motion to move the previous question on the adoption of Amendment No. 21.

All those in favor say Aye; contrary, No. The Ayes have it. It is so ordered.

The Clerk will ring the quorum bell.

The question arises on the adoption of Amendment No. 21. A vote Aye is a vote in favor of the adoption of the amendment which would delete the phrase. A vote No is a vote against the amendment.

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.

There being 40 votes in the affirmative and 77 in the negative, the motion fails and the amendment is rejected.

The earlier amendment which was not printed when discussed, Amendment No. 19, is now available. Will the pages please distribute the amendment marked Amendment No. 19. Amendment LL is Amendment No. 19. You have already acted on it.