

THE CHAIRMAN: State the privilege.

DELEGATE WINSLOW: In the balcony above my head are 40 members of the Baltimore County Women Educators, together with their president, Mrs. Gosnell. I hope the Committee will join me in welcoming them for this evening's session.

THE CHAIRMAN: We are delighted to have them.

*(Applause.)*

THE CHAIRMAN: Delegate Maurer.

DELEGATE MAURER: Mr. Chairman, I have a parliamentary inquiry.

THE CHAIRMAN: State the inquiry.

DELEGATE MAURER: Is it possible, still, to ask the Chairman of the Committee a question about due process?

THE CHAIRMAN: Yes. But let me find out first if there are any other amendments to this section.

Are there any other amendments to section 3?

*(There was no response.)*

The Chair hears none.

For what purpose did Delegate Bard rise?

DELEGATE BARD: Personal privilege, Mr. Chairman.

THE CHAIRMAN: State the privilege.

DELEGATE BARD: I would just like to announce that in the balcony facing you there are members of the Johns Hopkins University class on State and Local Government in Maryland.

THE CHAIRMAN: We are delighted to have you.

*(Applause.)*

Will you yield to a question from Delegate Maurer?

DELEGATE KIEFER: Yes.

DELEGATE MAURER: Did your Committee consider due process in connection with administrative procedures, and if so, would you care to comment for the record on it?

THE CHAIRMAN: Delegate Kiefer.

DELEGATE KIEFER: Due process, as we set it forth in this proposal and as it is set forth in the Fifth Amendment and the 14th Amendment, applies to all actions. It

says "no person shall be deprived of life, liberty or property without due process of law."

This not only applies to a judicial proceeding, but also to an administrative proceeding. As you probably know, there is an administrative statute in Maryland which provides for procedures of handling certain matters before certain boards and procedures are established.

Now, if a person is aggrieved by an action of an administrative body which he felt denied him due process, there is a procedure for an appeal to the courts, and the matter would get to court. But very definitely due process would apply to all. This would apply to administrative procedures as well as court procedures.

THE CHAIRMAN: Delegate Grant.

DELEGATE GRANT: In view of the amendment which we made which added the word "religion to the section," and in view of the fact that we turned down a further amendment to change that to "free," do you interpret the word "revision" to apply to situations like the Schowgurow case or the Mapped case?

DELEGATE KIEFER: Yes, specifically in cases like Schowgurow. That was the case where a person had been indicted by a grand jury and was a member of, I believe, the Hindu faith. Because the jury was sworn with respect to a belief in God, he felt that he was discriminated against.

I would assume this would cover that which is already covered in section 2, so I think the word "religion" in section 3 is unnecessary and would tend to be confusing. I did not want to waste the time of the Committee of the Whole in taking it any further.

DELEGATE GRANT: You intended the broadest possible interpretation of religion, and did not mean to limit it to belief in the supreme deity?

DELEGATE KIEFER: That is correct.

THE CHAIRMAN: Now we come to section 4.

DELEGATE BOTHE: Yes.

THE CHAIRMAN: The pages will please distribute the Bothe amendment.

The Clerk will read the amendment.

READING CLERK: Amendment No. 7 to Committee Recommendation R&P-1, by Delegate Bothe: