

1 Delegate Bennett. Second.

2 THE CHAIRMAN: The amendment is seconded by
3 Delegate Bennett.

4 The Chair recognizes Delegate Scanlan to speak
5 to the amendment.

6 DELEGATE SCANLAN: I would like to yield to the
7 chairman of the committee, who has a statement to make
8 with respect to the amendment.

9 THE CHAIRMAN: Delegate Kiefer.

10 DELEGATE KIEFER: Again, Mr. Chairman, in an
11 effort to speed up this matter -- I don't know that there
12 is strictly a conflict here, but there is a serious prob-
13 lem with respect to the technical language of this section.
14 It is taken verbatim from the present Constitution, and
15 there is some question as to what needs to be done to retain
16 the effects of it without cluttering up the Constitution.

17 I would just like to read very briefly from a
18 letter from John W. Ester, Professor of Law, University
19 of Maryland, who at our special request considered this.

20 He said: "Based on a long line of Maryland cases
21 with which I am sure you are familiar, the Court of Appeals