

1 in light of the comment that has been made, I should make
2 a statement now that was just made to me by Mr. Smolka, the
3 staff advisor to the committee. I asked him if there were
4 anyany authorative recent decisions of the Supreme Court
5 as to whether ownership of property as a qualification for
6 holding office was a denial of equal protection of the laws.

7 His answer was that so far as he is aware, and so
8 far as the committee was able to ascertain, there are no
9 recent decisions squarely on the point; that there are a
10 number of municipalities which have such qualification in
11 Maryland at the present time.

12 His opinion as adviser to the committee is that
13 if those provisions are attacked, the courts will hold them
14 invalid, but they can give you no assurance that that
15 result will follow, and can give you no absolute authority.

16 I don't know whether that helps the situation
17 or muddies the waters, but there it is for what it is worth.

18 Are you ready for the question?

19 The Clerk will ring the quorum bell.

20 The question arises on the adoption of amendment
21 No. 6, which would delete all of section 2.05 comprising