

put in the majority report denied any person the equal protection of the law, I would be willing for this amendment or any other amendment to change it.

I do not think so. The argument has been made here that the language is not plain. My good friend Delegate Koss said so. I cannot see where you can have any plainer language than this: No person shall be denied the equal protection of laws. That is as plain and as concise as can be made any time, anywhere.

I am looking at this thing a little bit from a lawyer's standpoint, especially from the judge's on the bench. A system of case law has grown up interpreting the 14th Amendment.

The Courts of Maryland will have no trouble, in view of the decisions of the Supreme Court, remaining in step with the Supreme Court and giving to the people of Maryland every right that the Supreme Court allows under this language.

If we change that language, if we add one word to it, if we do anything to change that language, you have a problem for the courts and any lawyer, or any judge will tell you so.

THE CHAIRMAN: You have one-half minute, Delegate Child.

DELEGATE CHILD: I think, Mr. Chairman, that we should let the amendment remain where it is. I think it gives every protection against discrimination to any person and to every person.

I am against the amendment.

THE CHAIRMAN: Delegate Sherbow.

DELEGATE SHERBOW: Mr. Chairman, ladies and gentlemen, and I shall be brief, a hundred years ago in this very house, petitions were filed with Congress to prevent the 118 delegates from proceeding.

The State, even the country, was in a terrible state of ferment, but that Constitutional Convention rose to heights of statesmanship, and adopted no extreme on any side.

There is a state of ferment in our country today, and in our State. If it be true that the amendment means exactly what those who oppose it say it means, is it too much to ask that we adopt it, in order to give reassurance to those people who feel that they need it?

I do not think so. I think they need it. I think our State needs it, and I ask you as a

Constitutional Convention to rise to those same heights of statesmanship and approve this amendment.

THE CHAIRMAN: Any other delegate desire to speak in opposition?

Delegate Weidemeyer.

DELEGATE WEIDEMEYER: Mr. President, members of the Convention, our Committee had before it the federal Constitution. We all know that the federal civil rights bill of 1964 was based on the due process clause, and the non-discrimination clause in the 14th Amendment, and the commerce clause also of the federal Constitution.

Now, when the federal civil rights bill was passed there was a storm of ferment within this State, and there was a storm of ferment when the public accommodations law of the State of Maryland was passed.

Now, if we get into this area, as those appearing before the Committee admitted, "state action" could mean hitting at the private action of people who got their licenses and were authorized to do business by the State.

We know that in the field of the federal civil rights bill, there is a gray area between private action and public action, sometimes narrow and sometimes broad. But if we pass this amendment and then get into this area of state action, then I am afraid that many of the people of our State will be violently opposed to it, because we will be leaning forward and beyond the federal and state law and beyond any concept into an uncharted sea, where our people will not know what we have meant.

They will have so many grave doubts about it that we will cause a storm of opposition against it.

This says, and as the Committee has recommended, no person. Our Committee meant to go no further than the federal civil rights bill of 1964, nor the federal public accommodations law of Maryland.

Now, if you want to freeze in the constitution something to go way beyond there and into an uncharted sea, then you are asking the people of Maryland to adopt something that I am afraid they will never agree to.

THE CHAIRMAN: Delegate Hanson.

DELEGATE HANSON: Mr. Chairman, I rise in support of the amendment. First of all, I would like to point out that at the minimum, what this amendment does is to prevent a retreat from the current inter-