

mission of Baltimore City, members of the County Liquor Board, and members of the Board of County Commissioners of the County.

All of these have been determined either by the attorney general or by the Court of Appeals to be offices of profit or trust. I thought that this might help in answering Delegate Sickles' question.

THE CHAIRMAN: Are there any further questions for purposes of clarification?

*(There was no response.)*

THE CHAIRMAN: The Chair would like to make two comments with respect to this before we leave this period. I have not had the opportunity to read the majority opinion in the Whitehill case carefully. I think it is evident from the concluding portion of the opinion that the Supreme Court has not held that a statute similar to the Ober Law is necessarily unconstitutional, but has held that the statute as drawn does not meet the constitutional test; and in referring to the necessity of having, and I quote, "narrowly drawn legislation", has apparently left the door open for a statute similar, but perhaps more clearly stated than the present Ober Law.

The second comment is really a question addressed to the Chairman of the Committee on General Provisions for purposes of clarification. Do I understand, Delegate Boyer, from your earlier comment that the last sentence in lines 22 and 23 is not intended to forbid the enactment of a statute similar to the Ober Law, at least if the affirmation required under such a law is similar to that in the present law, which the Court of Appeals has held is not an oath?

DELEGATE BOYER: The Chairman has correctly identified and interpreted that sentence. This does not intend to completely prohibit any further statutory legislation of a declaration. This would only eliminate the requirement for any additional oath or affirmation, as opposed to a declaration.

THE CHAIRMAN: Are there any other questions for purposes of clarification?

*(There was no response.)*

If not, we will proceed to a consideration of the Committee Recommendation GP-2.

In further answer to Delegate Rybczynski's question of a few moments ago, I have

had handed to me just now, a copy of the provisions of the Constitutions of 1776, 1851, 1864 and 1867 with respect to oath. That is, just the section which requires an oath. A very quick look at each one of them indicates that none of the oath sections has made reference to a Deity. I would be glad to send this to you, Delegate Rybczynski, so you may look at it more carefully.

The question arises on the approval of Committee Recommendation No. GP-2. Are there any amendments? Delegate Rybczynski?

DELEGATE RYBCZYNSKI: Mr. Chairman, I have ordered an amendment, and I understand that it was in the works or was being printed approximately fifteen minutes ago. It will be a very short thing, and I can describe it.

THE CHAIRMAN: Is there a type-written copy available?

DELEGATE RYBCZYNSKI: I do not think so. No, sir. The answer is no.

THE CHAIRMAN: I understand that the amendment is being printed. In view of the fact that the rule adopted a few days ago requires that the amendment be on the desk before it can be considered, I will ask the Committee of the Whole to wait just a few moments, and we will find out just how quickly it will be here.

While we are waiting for that, may I take the opportunity to again urge the delegates who are contemplating the preparation of minority reports that you please do so just as quickly as possible. Do not wait for the printing of the report of the committee or the recommendation of the committee or the supporting memorandum. It poses considerable problems for the print shop to get out the recommendations of minority reports when they all go to the print shop at the same time. This means that somebody has to establish priorities, and this is sometimes difficult to do. So please cooperate by getting them in and getting them in promptly.

Let me also say that if you have minority reports or similar memoranda to be circulated, and they are ready in the evening, and you do not find anyone in the Clerk's office, that my office will be open. Somebody will be there until quite late every evening. Leave them there. I can see that they get to the print shop very early in the morning.

Committee Recommendation JB-1 is now being distributed.