

1 its usual, in recommending that certain provisions, most
2 of which are obviously archaic or unnecessary, not be
3 included in the new Constitution. The Sixth Report deals
4 with, I believe it is six sections in the present Constitu-
5 tion, only one of which do we recommend retention. We
6 will take them seriatim. Article I, Section 7, which ap-
7 pears on Page 1 of the report, is a provision which pro-
8 vides that if an elected or an appointed official refuses
9 to take the oath as provided for in Article I, Section 6 --
10 and you may recall that in the second or third meeting of
11 the Commission, way back, the Commission adopted a recom-
12 mended oath for the new Constitution. It makes provision
13 for what happens if someone refuses or fails to take it
14 and for what happens if he does take it and then violates it.

15 There are similar provisions in other constitu-
16 tions, but the Committee's unanimous view is that it is
17 really not necessary to place one in the new Constitution
18 of Maryland.

19 The matter has been judicially construed and
20 it seems that even without a constitutional provision for
21 office would be vacant in the absence -- if the individual