

1 this condition or would not this amount to prescribing
2 another qualification for the office that is not the
3 constitutional qualification and which would be beyond the
4 power of the legislature?

5 MRS. BOTHE: We look upon it as a mechanical
6 feature to complete the act of taking office and not a
7 qualification.

8 THE CHAIRMAN: I don't mean the first question
9 of qualification, but I mean the second, that any person
10 violating the oath shall, on conviction, be thereafter
11 incapable of holding any office of profit or trust. Your
12 comment as to that, the last paragraph of your comment
13 says, it is the Committee's feeling that it is unnecessary
14 to have that in the Constitution because that could be
15 imposed by statute, and the question I raise is whether
16 it could be imposed by statute or wouldn't such a statute
17 be prescribing an additional qualification for constitution-
18 al office and, hence, be beyond the power of the legis-
19 lature?

20 MRS. BOTHE: Well, constitutional office, I think,
21 Mr. Chairman, you would be correct. As to holding any