

unrelated to any qualification for pursuing these callings and certainly does not guarantee that the public is dealing with reputable practitioners. Indeed, a report signed by the Chairman of the Senate Committee on Economic Affairs, which was prepared by the Department of Legislative Reference, states that the "purpose of this bill is to assist local businesses by giving them a competitive edge over non-local business." Accordingly, the residence requirement violates the Privileges and Immunities Clause of the Federal Constitution. Because this requirement, the other qualifications, and the fee reduction are clearly part of an overall plan to favor local fortune tellers and spiritualists, the residence requirement is not severable and we are unable to approve the bill.

Although the residence requirement may also violate the Commerce Clause, Article I, Sec. 8, Cl. 3, and the Privileges and Immunities and Equal Protection Clauses of the Fourteenth Amendment, we find it unnecessary to pass on these issues or on the validity of the taxpayer and property qualifications in light of the residence requirement's manifest violation of the Privileges and Immunities Clause.

Very truly yours,
Stephen H. Sachs
Attorney General

1 / Although the Privileges and Immunities Clause uses the term "Citizen," this term has generally been understood to be interchangeable with the word "resident." Hicklin, 437 U.S. 518, 524, n. 8.

Senate Bill No. 293

AN ACT concerning

Dorchester County - Palm Readers - Licensing

FOR the purpose of altering the licensing fee for persons carrying on the business or practice of palmistry and certain related businesses and practices in Dorchester County; and establishing certain conditions for the issuance of this license.

BY repealing and reenacting, with amendments,

The Public Local Laws of Dorchester County
Section 15-1
Article 10 - Public Local Laws of Maryland
(1974 Edition, as amended)

The President put the question: Shall the Bill pass, notwithstanding the objections of the Executive?