

form committees, and refer bills to the various committees.

The Committee on the Legislative Branch was mindful of the fact that if you did not have an organization session distinguished from a regular session, the effect of meeting in an organization session, which ideally would probably take place sometime in December, might trigger the running of the 90 days, and so consequently the Committee felt that it would specifically provide for a special organization session to take care of the details of getting the legislature cranked up and geared to go, without beginning to commence the regular session and the running of the regular initial period, which presumably would be 90 days.

There are other states, specifically, Florida and Alabama, which also use the organization session technique. I might also point out that the session, of course, is an annual session. We have moved over the past 10 to 15 years from biennial sessions to annual sessions. At one time we had a 90 day session one year, followed by a 30 day session the following year. The 30 day session presumably was to take care of budget matters, emergency legislation, and matters pertaining to the general welfare. This presented such great problems, however, that the General Assembly ultimately moved to a regular 70 day annual session.

Twenty-one states meet annually, and there is a great movement in the direction of annual meetings.

I might also say that 43 states begin their regular sessions in January, as has been suggested in section 3.12.

Now, it may be quite true that the reason for commencement of sessions in January had something to do with the harvesting of crops and the availability of the farmers when the State was primarily a rural State. However, January is an ideal time from many points of view. The fiscal year is built around this particular time, and consequently the Committee felt that we should continue to provide for the beginning of the regular session on the third Wednesday of January. Please note, however, that there is an escape clause here which specifically provides, "unless otherwise prescribed by law," so that the General Assembly may designate another time other than that stated in the Constitution if it so desires.

I might point out with respect to the so-called self-determination of length of session that the 1864 Constitution of Maryland

did not set a limitation upon the length of time which the General Assembly would use in meeting. However, the 1867 as well as the 1851 Constitution did place a limitation.

With respect to special sessions, I think it is significant to say and to note that Maryland, together with California and Alabama, has had over the period of the last decade more special sessions of the General Assembly than any of the other 47 States of the Union, so that we have not hesitated to use the special session.

Those who argue for allowing the legislature to set its own meeting time, of course, point to the frequency of the use of special sessions as an argument which would buttress their point of view.

We also made a significant change in how the special session is convened. We now provide that not only may the governor call a special session, but also the presiding officers of both the House and the Senate acting concurrently, and finally, the legislature itself by a three-fifths written request, may require that it be convened by the governor into special session. Thus, there are three avenues for calling special sessions.

We used the three-fifths rather than the majority principle because we felt that three-fifths would guarantee that if there were a special session, at least there would be some reasonable likelihood that the matter which brought the House and Senate together would be acted upon in an appropriate, affirmative fashion. The Committee felt there was a risk with the majority vote for self-convening, that there might not be enough votes when they finally arrived to accomplish whatever good was intended by the call of the special session.

With respect to putting the power into the hands of the President of the Senate and the Speaker of the House to convene the General Assembly concurrently, we felt that these men were responsible enough not to call such a session on whim or fancy or some light reason, but would only do so provided they felt that there was an opportunity to accomplish something positive and there was some genuine need which had to be acted upon immediately.

Because of the difficulty in gearing up and getting staffs together, we believed that no special session of the General Assembly would be called except for good reason.