

THE CHAIRMAN: The Chair recognizes Delegate Burdette.

DELEGATE BURDETTE: Mr. Chairman, may I ask the Chairman of the Committee a question?

THE CHAIRMAN: Will the Chairman yield?

DELEGATE KOSS: Yes.

DELEGATE BURDETTE: I am interested and hope I do not understand that the Committee takes an amendment position or that there is involved essentially in this vote the question whether the language be emergency, nonsuspendable or some other language. I am dubious of the Committee's language "special legislation", but I understand that question is not involved in this vote.

DELEGATE KOSS: That is true, Delegate Burdette. The Committee memorandum, I think, explicitly says whether it is called special or not was really not the point.

THE CHAIRMAN: Delegate Taylor.

DELEGATE H. TAYLOR: I rise to oppose the motion for reconsideration. Ladies and gentlemen of the Convention, the reason for trying to change this word from "emergency" to "special" or maybe some other word is because I think the use of the word emergency sometimes impels the General Assembly to engage in deception. As a for instance of this, I will give you a case that happened in Prince George's County. We have, you may not have heard of her, a girl named Jane Sawyer who is better known throughout the State of Maryland as Baby Jane. There was a law passed in the General Assembly, known as the Baby Jane Bill.

This girl was a former beautician, for some department of the Navy. She is twenty-four years old. She is a clerk for the Supervisors of Elections of Prince George's County, and she holds a \$10,000 a year job.

At the last gubernatorial election there was a change in the majority party's control of the executive office and the General Assembly said, "It is inimical to the public health or safety to the State of Maryland that this girl should not remain as clerk to the Board of Supervisors of Elections."

I say to you, ladies and gentlemen, it is wrong for us to compel our General Assembly to engage in such shenanigans. Therefore, I ask you not to vote for this

motion for consideration, but to study with us for a better word than emergency to characterize this type of legislation.

DELEGATE SCANLAN: Would you prefer that the General Assembly say Baby Jone was something special?

(Laughter.)

DELEGATE H. TAYLOR: I can see that she is.

THE CHAIRMAN: For what purpose does Delegate Case rise?

DELEGATE CASE: To speak in favor of the motion for reconsideration. I take it Baby Jane was substantive if she is something special and not an emergency.

Mr. Chairman, members of the Committee of the Whole, I think we have to stop and consider exactly what the purpose of this particular sentence in section 2 is. The purpose is to define a nonsuspendable law. It seems to me there ought to be some yardstick by which the General Assembly can decide whether a law is to be suspendable or not suspendable other than by the technical delineation, "special legislation."

The definition of an emergency act has been before the Court of Appeals in a number of cases. The Chairman pro tem suggests just last Friday one situation. There is an even better illustration. I think of a case that came out of Baltimore City some fifteen or twenty years ago in which the Court of Appeals ruled that a bill to provide adequate sewage treatment in an area of Baltimore City in which there were sewers in the street was not necessary for the preservation of the public health and welfare, and therefore was not properly definable as an emergency law.

I think what the Committee here has overlooked is that the term, "emergency legislation," whether the legislature is beguiled or not is always something for review by the courts. Also the Committee overlooks when they grasp the word "special legislation" that the words, "emergency legislation," have been a part of the lexicon of the law of this State for many years.

We know what it means and it makes the legislators, those who are conscientious, think before they act because the law contains a very long and somewhat complex and perhaps a little prolix, but nevertheless clear clause defining emergency.

I think we know what this means. We lawyers who have to deal with this sub-