

full credit as they report tonight and record their presence.

(Whereupon, a roll call was taken.)

Has everyone recorded his presence? The Clerk will take the roll. Let us have order in the house. I realize at this time of evening it is difficult to behave. We have to have order in the house tonight. The Chair would like to announce the drafting of amendments will be done by Secretary Robert Martineau tonight. He will be in back of the Chamber or in the Chief Clerk's office. He is substituting.

The Chair recognizes the Chairman of the Calendar and Agenda Committee.

DELEGATE POWERS: Mr. President, I move the Convention resolve itself into the Committee of the Whole to resume consideration of the order of the day.

(The motion was duly seconded.)

THE SECOND VICE-PRESIDENT: The motion has been made and seconded. All in favor, signify by saying Aye; contrary, No. The Ayes have it. It is so ordered.

(Whereupon, at 7:42 P.M. the Convention resolved itself into the Committee of the Whole.)

(The mace was removed by the Sergeant-at-Arms.)

**COMMITTEE OF THE WHOLE
NOVEMBER 13, 1967—7:42 P.M.
SECOND VICE-PRESIDENT
WILLIAM S. JAMES,
PRESIDING**

THE CHAIRMAN: We had completed our deliberations upon section 3. We had adopted a motion striking out section 4. I believe that was the point at which we concluded our business. So that the next order of business will be consideration of section 5, "Legislation Subject to Suspension."

Are there any amendments to section 5? The Chair hearing no amendments, it is hard really to believe this is the situation *(laughter)*, but since I have to take that on faith, we will proceed. The Chair recognizes Delegate Macdonald.

DELEGATE MACDONALD: May I ask the Chairman of the Committee a question?

THE CHAIRMAN: Will the Chairman yield?

DELEGATE KOSS: Certainly.

DELEGATE MACDONALD: I would like to refer to section 5, at the very beginning of the section where the words "after the date of enactment of a law" are used, as they also appear in various sections, namely, section 3, section 5a and 5b. Could you tell us whether the Committee chose this phrase deliberately? Did it also consider the phrase "when a law becomes effective" and "when the law would take effect" in this connection?

DELEGATE KOSS: Delegate Macdonald, the intent of the Committee was that "the date of enactment" would be that day when a bill was signed by the governor or was overridden, or a gubernatorial veto overridden by the General Assembly or at the point when the time in which the governor could veto had expired.

This was the intent of the Committee in terms of what they meant by "date of enactment."

There apparently is a difference in interpretation about the phrase "date of enactment." We relied on its use as in the General Assembly heretofore and upon certain other sources. A memo we received today from Dr. Everstine states that he agreed with us in our use of the words "date of enactment" to mean "to establish by law; to perform or effect; to decree."

The wording in the enacting clause in all laws of the State of Maryland as required by the Constitution is "Be it enacted by the General Assembly of Maryland." This also fits in with the meaning given here to the word "enact" since a bill is not really legally effective until and unless signed by the governor.

We did not use "effective date" because we did not mean "effective date." It is our understanding that a law could be passed by both houses, signed by the governor and have an effective date some time in the future. We did not intend the effective date; it was the date on which a bill had been passed by both houses, signed by the governor or the time in which a governor could veto had expired.

DELEGATE MACDONALD: When a bill becomes law as distinguished from its effective date?

DELEGATE KOSS: Right.

THE CHAIRMAN: Any other questions for the purpose of clarification?