

DELEGATE GILCHRIST: With respect to the question just discussed, I should like to inquire whether the Committee considered the language of *Langford v. County Commissioners of Somerset County* reported in 73 Md., where on page 12, Chief Judge Allen of the Court of Appeals said, "The General Assembly is restricted as to the period of its session but it may enact laws up to the last moment of its session," which clearly seems to me to infer that enactment is a legislative process, and that approval may be an administrative process which is involved in the law becoming effective. The Court of Appeals uses the word "enactment" in this manner.

DELEGATE KOSS: May I answer one point? According to Dr. Everstine a law which is passed by both houses but which in effect is not signed is considered a chapter.

This is the basis upon which and the judgment upon which we relied.

THE CHAIRMAN: Delegate Rybczynski.

DELEGATE RYBCZYNSKI: Let me suggest to you that just listening to the quotation by Delegate Gilchrist indicates this was not a decision going to the essence of this question. This was merely the use of a word in something that probably was not fundamental to the case at all, and is not even persuasive from what I read in that quotation.

I might strongly suggest the usage within the General Assembly is what we went by; we insisted on this. We inquired over and over again as recently as this afternoon and kept getting the same answer. When a bill is passed by both houses it becomes a chapter; when signed by the governor or when the veto is overridden or now under the new constitution when the time expires and the governor has not acted, it will become a law. That is the date of enactment. That is the date we are looking for, "the date of enactment."

THE CHAIRMAN: Mr. Schloeder.

DELEGATE SCHLOEDER: I wonder if in that quotation Delegate Gilchrist read was that word "enacted" or "enactment"? Was the phrase "date of enactment" or what was it?

DELEGATE GILCHRIST: The word was "enacted."

DELEGATE SCHLOEDER: Not "date of enactment"?

DELEGATE GILCHRIST: No, but it seems to me if you are using the verb "enact" in one sense, whether you are using a participle or some other part of the past, present, or future tense you still come out to the word "enact."

DELEGATE SCHLOEDER: "Enactment" is a noun, Delegate Gilchrist, in that usage.

DELEGATE GILCHRIST: I might also point out that when you look at the form of the piece of legislation which is currently being considered by the General Assembly of Maryland, I have before me copy of Chapter 344 of the Acts of 1967. The wording reads "Be it enacted by the General Assembly of Maryland." This runs all the way through. It does not say "Be it enacted by the General Assembly of Maryland and approved by the governor." It says "Be it enacted by the General Assembly."

THE CHAIRMAN: That is constitutional form. Delegate Rybczynski.

DELEGATE RYBCZYNSKI: Nothing is enacted by the General Assembly unless it gets the approval of the executive branch. The General Assembly cannot do anything on its own. We understand that.

THE CHAIRMAN: Delegate Weidemyer.

DELEGATE WEIDEMEYER: Mr. Chairman.

THE CHAIRMAN: For what purpose does the delegate rise?

DELEGATE WEIDEMEYER: I wish to ask a question of Delegate Gilchrist.

THE CHAIRMAN: Will Delegate Gilchrist yield?

DELEGATE GILCHRIST: Certainly.

DELEGATE WEIDEMEYER: Delegate, is it true that even though the word "enacted" is used in a piece of particular legislation, that the enactment is not complete until after the governor has placed his signature on the bill and the bill becomes law.

DELEGATE GILCHRIST: You are partly correct only. It is enacted when it is finished being worked upon by the legislature. It becomes law when it is approved by the governor after enactment has taken place.

DELEGATE WEIDEMEYER: Is it not the general consensus of opinion that the