

The number of amendments can be easily calculated, but by what standard can the nature of an amendment be measured? This evaluation necessarily involves an examination of an amendment in terms of the entire bill to which it is adjoined. What is the thrust of an amendment, and how does it affect the bill as written? The value of the review will be expressed by the magnitude of the change.<sup>6</sup> Again, an assumption is being made in favor of a second review that a greater change means a greater improvement. A relative comparison of the "textual change" type of amendment with the "new idea" type of amendment, lends itself well to a categorization. However, such an evaluation constitutes a judgment. Anticipating the argument that the study is only as reliable as its least accurate judgment, the "relative significance" test employs only a few, clear, categories into which the amendments will easily fit. Difficult judgment is essentially eliminated. The categories were as follows:

**STATE OR LOCAL**

This was the initial separation. Since it is anticipated that home rule will soon relieve the General Assembly of local legislation, it was decided that the issue to be resolved is second review of *state* legislation. Bills concerning a single county or area received no further attention. The remaining state legislation was placed into one of the following seven categories:

**DIED IN HOUSE OF ORIGIN**

Clearly, not all bills have a second review because not all bills get to the second house. Many die in the original committee. These have been designated

<sup>6</sup> This may not be the case, but if one assumes that all change is beneficial, one must remain consistent and assume that greater change is more beneficial.

D.I.C. for "died in committee." Bills which died on the floor of the original house were also included under this label since for the purposes of this paper there is no distinction.

This can be illustrated by Senate Bill 196. Introduced by the president of the Senate, the bill concerned extending the terms of notaries public. Referred to the Committee on Judicial Proceedings,<sup>7</sup> the bill is not further journalized.

**DIED IN HOUSE OR SENATE**

This category describes all bills which passed one house but died in the other. Senate bills which died after senate passage and house bills which died after house passage reflect that a type of review had taken place.<sup>8</sup> This review was not the constructive criticism usually seen. In most cases the bill died in a committee of the other house.<sup>9</sup>

The argument must be met that part of the value of second review rests in the defeat of undesirable bills. It may in part, yet the theory can be met on two grounds. First, the two-house system lends itself to a shifting of the responsibility for the demise of certain bills. This shift results in some bills having a relatively easy time through the house of origin and then meeting sudden and devastating opposition in the other house. Such organized spontaneous opposition is relied upon, and would probably elicit legislative discomfort if it failed to materialize. Second, the end-of-session rush does not grant an oppor-

<sup>7</sup> 1 MD. H. DEL. JOUR. 201 (1965).

<sup>8</sup> Senator Dirksen has been quoted as saying that the real test for a legislative session is not what was passed, but what was killed.

<sup>9</sup> It is certainly a common practice in a bicameral legislature to introduce controversial bills and even some bad bills by the constituents with the tacit understanding that they will be killed in the other house.