

**CATEGORY "3"**

This category represents those cases where the original bill was constructively eviscerated, and its intent and theme incorporated into a "new" bill.

**Example:** Categories "2" and "3" are best considered together since they are perhaps the most similar, and therefore provide the most difficult decision. Where a filing fee was changed<sup>27</sup> in Senate Bill 11,<sup>28</sup> it involved more than a mere semantic change, but did not result in a "new bill." Thus we see an example of category "2."

Contrast this with the change of a filing fee<sup>29</sup> in Senate Bill 12.<sup>30</sup> Such an amendment ran directly to the heart of the bill which places it in category "3."

**THE CONFERENCE COMMITTEE**

This category represents those cases where the two houses were in such disagreement on the issues, that a conference committee<sup>31</sup> was formed to work out a compromise measure for resubmission to the houses.

**Example:** This is shown by House Bill 21. The bill, introduced by the speaker of the House for the Legislative Council, concerned the creation of a Commission on Judicial Disabilities. The members of this commission would

<sup>27</sup> *Id.* at 728.

<sup>28</sup> A bill which was intended to provide strong regulation on corrupt election practices.

<sup>29</sup> 1 MD. H. DEL. JOUR. 1151 (1965).

<sup>30</sup> A bill to establish the filing fees for primary elections.

<sup>31</sup> This usually consists of three senators appointed by the president of the Senate, and three delegates appointed by the speaker of the House. It is understood that these representatives will speak for their respective houses, and that an agreement here determines the final form of the bill. The conference committee is infrequently required in Maryland.

have powers and duties relating generally to the early retirement and removal of judges. This proved to be a very controversial subject. The bill was fought all the way through the House, even surviving the recommitment to the Committee on the Judiciary. After some fifty-nine legislative days of deliberation, it finally passed the House by a vote of 121 to 7.<sup>32</sup> The Senate changed the qualifications of the commission members and made the appointments by the governor subject to the advice and consent of the Senate.<sup>33</sup> They then passed the bill unanimously.<sup>34</sup> The House refused to concur and requested the appointment of a conference committee.<sup>35</sup> A conference committee was appointed.<sup>36</sup> The conference committee reported:

" . . . that, with one exception, the three amendments proposed by the Senate be adopted by both houses. The exception is . . . the following language be deleted: 'by and with the advice and consent of the Senate.'"<sup>37</sup>

The conference committee report was adopted by the House 114 to 11,<sup>38</sup> and by the Senate 29 to 0.<sup>39</sup>

These seven categories taken together can be called the "Review Index." The research procedure began with the separation of all bills<sup>40</sup> into state and local. In the House three criteria were used: title, referral to committee, and observation. The title of a bill often shows that

<sup>32</sup> 1 MD. H. DEL. JOUR. 1151 (1965).

<sup>33</sup> 2 MD. S. JOUR. 1224 (1965).

<sup>34</sup> *Id.* at 1307.

<sup>35</sup> 2 MD. H. DEL. JOUR. 1854 (1965).

<sup>36</sup> 2 MD. S. JOUR. 1323 (1965).

<sup>37</sup> *Id.* at 1445; 2 MD. H. DEL. JOUR. 1992 (1965).

<sup>38</sup> 2 MD. H. DEL. JOUR. 1992 (1965).

<sup>39</sup> 2 MD. S. JOUR. 1445 (1965).

<sup>40</sup> 1212 House bills  
678 Senate bills.