

nor, or, if passed by the General Assembly over the veto of the Governor.”

The article originally provided that petitions on statewide acts must contain 10,000 signatures; however, this was amended by Chapter 6 of the Acts of 1962 and ratified November 6, 1962. It now provides that the petition on a statewide act be signed by three per cent of the qualified voters of the State calculated from the number of votes cast for governor at the last gubernatorial election. Not more than half of those signing can be residents of Baltimore City or any one county. If the act applies only to Baltimore City or any one county, then the petition must contain ten per cent of the number of votes cast for governor in that unit.

In order to give the people an opportunity to prepare a petition, laws passed by the General Assembly and signed by the governor do not take effect until the first day of June. If half the signatures are presented to the secretary of state by that date, the petitioners have the remainder of the month to produce the signatures required to complete the petition.

The words in Section 1 of Article XVI limit the power of referendum only to acts approved by the governor, or passed by the General Assembly over the veto of the governor. Signatures on the petition cannot be obtained prior to the time a measure is passed by the General Assembly and signed by the governor. Traditionally, bills presented to the governor after the legislature adjourns must be signed by May 7. In such cases, a party interested in bringing the measure to referendum has only 25 days in which to obtain half the required signatures.

The time when bills are presented to the governor, known as “presentment,” has been defined by the courts as more than mere delivery. It is the formal act whereby the great seal is affixed and the bill is ceremoniously handed over to the governor.⁷ The Maryland Code provides that a bill after passage shall “as soon thereafter as practicable . . . be . . . presented to the governor for his approval.”⁸ “Practicable” has been construed to mean practicable for the proper consideration by the governor rather than practicable for officials of the legislature.⁹

Under this view, the governor can determine when a bill will be presented to him. If he were to decide to have a bill that was passed early in the session presented to him May 1 and then wait until May 7 to sign or veto it, he would significantly shorten the time in which an interested party could circulate a petition.

Presentation of the petition suspends operation of an act until 30 days after it has been voted upon. If the act is an emergency measure which goes into effect immediately, the petition does not suspend its operation. It will continue in effect and will stand repealed if it receives an adverse vote at the polls.

Two types of legislation are expressly excepted from the operation of this article. Appropriation measures are not subject to referendum unless they exceed the previous appropriation made for the same purpose, and then only that amount in excess of the prior

⁷ *Richards Furniture Corp. v. Board*, 233 Md. 249, 261-62 (1963).

⁸ MD. CODE ANN. art. 41, § 45 (1965).

⁹ *Robey v. Broersma*, 181 Md. 325, 341 (1942).