

LEGISLATURE

THE GENERAL ASSEMBLY

LOUIS L. GOLDSTEIN, President of the Senate
JOHN C. LUBER, Speaker of the House of Delegates

The legislative powers of the State of Maryland are vested in the General Assembly which consists of two distinct branches, the Senate and the House of Delegates (Const. 1867, Art. III, sec. 1). The General Assembly at the present time consists of 152 members: 29 Senators and 123 members of the House of Delegates. Each county and each of the six Legislative Districts of the city of Baltimore is entitled to one Senator. The members of the House of Delegates are elected by the counties and the Legislative Districts of Baltimore City. The number of Delegates for each county varies from two to six and each Legislative District is entitled to six delegates. This membership formerly was determined by a formula based upon population (set forth in the Constitution); but, by the terms of a Constitutional amendment adopted in 1950, the membership of the House of Delegates was frozen at its then current number (III, 5).

Every Senator or Delegate must be a citizen of the State, and a resident of it for at least three years preceding the date of his election and the last year thereof, he must have resided in the county or the Legislative District of Baltimore City which he represents. A Senator must be at least twenty-five years of age at the time of his election and a Delegate at least twenty-one. No member of Congress or any person holding a civil or military office under the United States Government nor any clergyman or minister shall be eligible for election to the General Assembly (III, 9, 10, 11). The term of each Senator and Delegate shall be for four years from the date of his election (XVII). All vacancies occurring in either House through death, resignation or disqualification shall be filled by the Governor, who shall appoint a person whose name is submitted to him in writing by the State Central Committee of the party to which the person holding the vacated seat belonged, and the person appointed must be affiliated with that party. All persons so appointed shall serve for the unexpired portion of the term (III, 13, amended November 1936). Each House shall elect its own officers and shall be judge of its own members and shall establish rules for the conduct of its business.

The General Assembly meets annually. Sessions in odd-numbered years begin the first Wednesday in January and are limited to ninety days; the sessions meeting in even-numbered years begin the first Wednesday of February and are limited to thirty days. The sessions in even-numbered years are limited to the consideration of budgetary matters, matters in the general public welfare and legislation of an emergency nature. The Governor may call special sessions at any time he deems it necessary (III, 14, amended).

The General Assembly is required to pass at each regular session a budget bill which shall contain the budget for the State government for the next fiscal year. Upon the passage of the bill by both Houses, it becomes law without further action (III, 52).

The General Assembly has power to pass such laws as are necessary for the welfare of the State, and in addition, it has the power to pass public local laws for counties and special taxing areas. The Home Rule Amendment of 1954 (XI-E) almost entirely prohibits the General Assembly from passing local legislation regarding incorporated