

State House in Annapolis. Normally, sessions do not exceed ninety consecutive days. The General Assembly may extend its sessions an additional thirty days by resolution passed by three-fifths vote of the membership in each house.

The Governor is the only person with the power to call the legislature into special session and in fact must do so on petition of a majority of the elected membership of each house (Const., Art. II, sec. 16; Art. III, sec. 14). No single special session, however, may last longer than thirty days. Special sessions were constitutionally provided for at a time when the General Assembly convened every two years instead of annually. As recently as December 2004, however, the Governor called the General Assembly into special session, and previously, in 1992, the Governor called the General Assembly into special session twice. The Governor cannot adjourn the General Assembly, but before any proposed adjournment *sine die*, the General Assembly must ask if the Governor wishes to make any further communications to either house (Senate Rule 111; House Rule 111). Both houses must agree to adjourn.

COUNTY LEGISLATION. The General Assembly spends considerable time dealing with local issues, ordinances, and expenditures. The Constitution adopted in 1867 kept the power to pass public local laws vested in the General Assembly. In essence, this gave control of county government to county delegations in the General Assembly. Since 1948, however, thirteen counties and Baltimore City have opted for some form of home rule, allowing the General Assembly a more statewide focus. The Municipal Home Rule Amendment of 1954 virtually prohibits the General Assembly from passing local legislation for incorporated cities and towns, although the Assembly retains its power to pass a general statewide law that affects them (Const., Art. XI-E). Power to regulate elections and to license and regulate the manufacture and sale of alcoholic beverages, however, is reserved to the General Assembly, and home rule counties are limited to exercising the powers enumerated in the Express Powers Act (Code 1957, Art. 25A, sec. 5).

REFERENDUM. Local bills passed by the General Assembly may include a referendum provision that requires submission of the bill to voter approval. With the exception of a proposed amendment to the Constitution, a statewide bill may not be submitted by the General Assembly to referendum, because such an action has been construed by the courts to constitute a delegation of the legislature's law-making powers. Most statewide bills (except appropriations) and any local bill that concerns a county or Baltimore City, however, may be petitioned to a referendum by the voters. No bill subject to referendum, except an emergency bill, is enforceable until approved by a majority of the voters at the next election. An emergency bill subject to referendum goes into effect upon passage and remains effective for thirty days following its rejection by the voters (Const., Art. XVI).

ADDITIONAL POWERS. The House of Delegates has sole power to impeach officers and judges of the State. A majority of all members of the House must approve any bill of impeachment. The Senate tries all impeachment cases,

and two-thirds of the total number of senators must concur in reaching a verdict of guilty (Const., Art. III, sec. 26).

Both houses elect the State Treasurer by joint ballot. The General Assembly also elects the Governor or the Lieutenant Governor if the popular election results in a tie or the winning candidate or candidates are ineligible. If a vacancy occurs in the office of Lieutenant Governor, the Governor nominates a person to succeed to that office upon confirmation by a majority vote of all members of the General Assembly in joint session. If vacancies occur in both the offices of Governor and Lieutenant Governor at the same time, the General Assembly must convene and elect a Governor by a majority vote of all members in joint session. The chosen Governor then nominates a Lieutenant Governor requiring the same confirmation.

The Senate President serves as acting Governor if the Lieutenant Governor is unable to do so. Should a vacancy occur in the office of Senate President while the President is authorized to serve as acting Governor, the Senate must convene and fill the vacancy (Const., Art. II, secs. 1A, 1B, 6, 7A).

THE LEGISLATIVE PROCESS: HOW A BILL BECOMES A LAW

Current laws of the State are compiled in the *Annotated Code of Maryland*. The General Assembly changes, adds, and repeals laws through the legislative process of introducing and passing bills which the Governor later signs into law.

BILLS. Ideas for bills (proposed laws) come from many sources: constituents, the Governor, government agencies, legislative committees, study commissions, special interest groups, lobbyists and professional associations, for example. Each bill, however, must be sponsored by a legislator. The State Constitution mandates that bills be limited to one subject clearly described by the title of the bill and be drafted in the style and form of the *Annotated Code* (Const., Art. III, sec. 29). The one-subject limitation and the title requirement are safeguards against fraudulent legislation and allow legislators and constituents to monitor a bill's progress more easily. Omnibus bills, common in the U.S. Congress, clearly are forbidden under Maryland law.

At the request of legislators, bills are drafted to meet constitutional standards by the Department of Legislative Services until July (the Department starts to receive drafting requests in mid-April, shortly after the session ends). In the interim between sessions, legislators meet in committees, task forces, and other groups to study and formulate bill proposals.

From 2000 through 2005, the number of bills introduced per session has averaged 907 in the Senate and 1,452 in the House of Delegates. This volume of bills makes it difficult for each bill to get through the legislative process within the 90-day session. Therefore, legislators often try to introduce their bills as early as possible. A bill filed with the Secretary of the Senate or the Chief Clerk of the House prior to the first day of a regular session is called a prefiled bill. Such a bill is introduced (i.e., read across the floor) and as-