What You Should Know about the Legislative Process

The legislative process, the mechanism through which the laws of Maryland are enacted, is dynamic and complex. One hundred and eighty men and women are elected every four years to serve in the state's legislative branch to enact laws to protect the interests of Marylanders.

Legislation introduced in the General Assembly is legislators' response to the needs or desires of their constituency. In Maryland an idea or concept must pass through many processes before it becomes law. Citizens of Maryland must approach their legislators to introduce a bill. If the legislator agrees to sponsor the legislation, the bill is drafted by legislative reference or the office of the Attorney General. Bills or resolutions may be introduced in advance of regular sessions.

First Reading: The Reading Clerk, when the session has convened, reads the title; the presiding officer assigns the bill to the appropriate committee. Bills may be introduced in either chamber during the first 45 days of the session. After that, bills may be introduced only with the consent of two-thirds of the membership.

Reference to Committee: The members of each committee meet to discuss the suggested legislation. Citizens are encouraged to present their views on the subject matter by mail or by personal appearance. Legislative agents (lobbyists), representing organized interest groups, speak at these hearings, either to oppose or support the proposed legislation.

Unfavorable committee action, which may mean legislative death, frequently requires as much, or more, committee discussion and time as favorable committee action, which sends the bill to the floor for second reading and floor consideration.

Second Reading and Floor Consideration: The bill is reported to the committee (favorably, unfavorably, or without recommendation, and with or without committee amendment). Test votes may be taken at this stage of a bill's progress. It is open to amendment from the floor, and the ultimate form of the bill must be determined on second reading. Committee action may be reversed but this is unusual.

Third Reading: The bill must be printed for third reading with all amendments written in the final version. No amendments may be presented in the chamber of its origin, and the bill must be passed by a majority of the elected membership.

Second Chamber: The procedure follows a pattern identical with that of the chamber in which the bill originated, with the exception that amendments may be presented at both the second and third reading in the second chamber. If not amended in the second chamber, final passage may occur without reprinting.

In Case of Amendment:...The vote is taken here on a motion to concur or reject. If concurrence is voted, no reprinting or the bill is necessary for final action. If the rejection is voted, several courses of action are possible. (1) Request to other chamber for withdrawal of amendment, or (2) upon refusal

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Legislative process continued from page 6 of withdrawal of amendment, either chamber may request a conference committee to adjust the difference between the two chambers.

Presentation of Bill to Governor: If a bill is presented to the governor more than six days before the General Assembly adjourns and is not vetoed within six days, or if a bill is presented within six days prior to the adjournment of the General Assembly and is not vetoed within 30 days after presentation, then the bill becomes law without the Governor’s signature.

Conference Committee: A report of a conference committee goes back to both chambers to be adopted or rejected without amendment. If adopted, the bill is passed. If rejected by either, the bill is passed. If rejected by either, the bill is dead.

Legislative Power to Override Veto: If a bill is vetoed during a regular session, the veto message is considered immediately. If a bill presented during or after the last six days of a session is vetoed, the veto message must be considered immediately at the next regular or special session of the Legislature. A three-fifths vote of elected membership of both chambers is necessary to override the veto.

Legislation the Governor May Not Veto: The Budget Bill presented by him to the General Assembly and constitutional amendments may not be vetoed. The Governor is responsible for presenting a balanced budget to the General Assembly with supporting data and recommendations. The Legislature, with certain limitations, has the power to reduce the Governor’s budget proposals but it cannot increase them. A supplementary appropriations bill is the one vehicle by which the legislature may increase state appropriations.

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