

the legislative veto [provision presented therein] was constitutional." Stewart, Constitutionality of the Legislative Veto, supra, at 595.

Consequently, "the question of legislative review of Executive and Administrative agency actions is a sweeping [and constitutionally significant] subject to be treated in a gingerly fashion...." Clark v. Valeo, 559 F.2d 642, 650 n. 10 (D.C. Cir. 1977) aff'd 97 S.Ct. 2667.

## I

## THE STANDARD OF REVIEW

"The Legislative, Executive, and Judiciary are all creatures of the Constitution, each confined in its action to the circumscribed sphere assigned it, and cannot rightfully exercise any power which is repugnant to that instrument, or not within their respective sphere of action." Regents v. Williams, 9 G. & J. 365, 410 (1838). However, since the powers of the General Assembly are not derived from specific or enumerated constitutional restraints, "plenary power in the Legislature for all purposes of civil government is the rule, [and] a prohibition to exercise a particular power is an exception, ... [which] can be founded only on some constitutional clause plainly giving rise to it," Leonard v. Earle, 155 Md. 252, 260 (1928), aff'd 279 U.S. 392. Thus, it is now well settled that, unlike its federal counterpart [which has only such authority as the federal constitution expressly or by necessary implication confers upon it, Afroyim v. Rusk, 387 U.S. 253, 257 (1967)], the General Assembly of Maryland, like the legislatures of virtually all of its sister states, inherently "possesses all legislative power and authority except in such instance, and to such extent as the constitutions of the State and the United States have imposed limitations and restrictions thereon," Kenneweg v. Allegany Co. Commissioners, 102 Md. 119, 123 (1905). Accordingly, an Act of the General Assembly, however unwise it arguably may be, is presumptively constitutional; Miedzinski v. Landman, 218 Md. 3 (1958), app. dism'd. 358 U.S. 644; Salisbury Beauty School v. State Board of Cosmetology, 268 Md. 32, 48 (1972); Aeromotors v. Administrator, Motor Vehicles Administration, 274 Md. 567 (1975); and is not to be declared constitutionally impermissible "unless it plainly contravenes some provisions of the Constitution; a reasonable doubt as to its constitutionality ... [being] sufficient to sustain it, ...," Hennegan v. Geartner, 186 Md. 551, 555 (1945). Consequently, our analysis must focus upon whether the bill under review would, if approved, be clearly unconstitutional. Lane Const. Corp. v. Comptroller of the Treasury, 228 Md. 90 (1962); Fell v. State, 42 Md. 71 (1875). We conclude that it would not.