
GENERAL ASSEMBLY

Maryland's Legislature. The lawmaking powers of the State are vested in the General Assembly, which consists of two separate branches — the Senate and the House of Delegates (Const., Art. III, sec. 1). The General Assembly has 188 members, with 47 senators and 141 delegates. One senator and three delegates are elected from each of the 47 legislative election districts. After every decennial census, legislative district boundaries are redrawn to conform to the principle of one person/ one vote.

Requirements of Office. Each senator or delegate must be a citizen of Maryland and a resident for at least one year preceding the date of election. A prospective legislator must have resided for the six months prior to election in the legislative district the candidate seeks to represent. A senator must be at least twenty-five years of age at the time of election and a delegate at least twenty-one. Persons elected to or holding a civil or military office other than as a member of a reserve component under the federal or State government are not eligible for election to the General Assembly (Const., Art. III, secs. 9, 10, 11). All seats in the General Assembly are up for election every four years. (The next general election will be held November 1998.)

Terms. The term of each senator and delegate is four years from the second Wednesday of January following the date of election (Const., Art. III, sec. 6). No limit is placed on the number of terms a legislator may serve. If a vacancy occurs in either house through death, resignation, or disqualification, the Governor appoints a replacement whose name is submitted by the State Central Committee of the same political party as the legislator whose seat is to be filled. All persons so appointed serve for the unexpired portion of the term (Const., Art. III, sec. 13).

Purpose and Powers. The purpose of the General Assembly is to pass laws necessary for the welfare of the State. The legislature may establish executive departments as needed for the efficient operation of State government and may create special taxing districts or areas within the State to administer a special function or functions. In accordance with the Constitutions of Maryland and of the United States, the General Assembly may levy taxes. It may propose State Constitutional amendments, which must be passed by three-fifths of the total membership of each house and submitted to the voters for ratification at the next general election after passage. Legislative authority is limited only by the State Constitution, the U.S. Constitution, and judicial decisions.

Each house elects its own officers, judges the qualifications and election of its own members, establishes rules for the conduct of its business, and may punish or expel its own members. Legislators, however, are not liable in civil or criminal actions for words spoken in debate (Const., Art. III, secs. 18, 19). The Senate and the House of Delegates each appoint staff such as desk officers. The Secretary of the Senate and the Chief Clerk of the House are the highest ranking staff members in their respective chambers.

Leadership. On the first day of a regular legislative session, the Secretary of the Senate calls the roll and conducts the election of a President Pro Tem, who in turn presides over the election of the President of the Senate. The President Pro Tem administers the oath of office to the President and thereafter carries out any duties assigned by the President. In the House of Delegates, the Chief Clerk calls the roll and proceeds with the organization of the House. A Speaker Pro Tem is elected first, who presides over the election of the Speaker of the House and administers the Speaker's oath of office.

The Senate President and House Speaker each appoint a Majority Leader with whom they consult on the selection of a Majority Whip and Deputy Majority Leader. In both House and Senate, the political party having fewer seats chooses a Minority Leader and a Minority Whip.

Duties and prerogatives of the President and Speaker enable them to influence the legislative process significantly. The President and the Speaker appoint the members of standing committees, joint committees, conference committees, and select committees. They name the chair and vice-chair of each committee, except for the Joint Committee on Investigation whose members elect their own officers. The President and Speaker preside over the daily sessions of their respective chambers, maintaining decorum and deciding points of order. As legislation is introduced, they assign it to a standing committee for consideration and a public hearing.

Sessions. Since 1971, the General Assembly has convened annually on the second Wednesday in January. Sessions are held in the Senate and House chambers of the 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