

YOUR STATE LEGISLATURE: AN OVERVIEW

[Governor Hogan's Public/Private Partnership \(P3\)](#) plan to add toll lanes to I-270 has barreled along without legislative oversight. P3 status removes the project from the usual budgeting give-and-take between the Executive and the Legislature, and accountability suffers as a result. (The P3 program boasts of public hearings and urges citizens to express their views, but it has ignored the input it pretends to welcome.)

Our legislators have begun to push for an oversight role in massive P3 transportation projects like this one. To be effective citizen advocates for that role, we need to understand how Maryland's legislative process works. Here is an overview.

The Basics

Maryland's State Legislature is called the General Assembly. As in nearly all States, [Maryland's General Assembly](#) is bicameral: It has an upper chamber (Senate) and a lower chamber (House of Delegates). We have 47 Senators (1 for each legislative district) and 141 Delegates (3 for each district).

State elections take place every 4 years, in Federal mid-term (nonpresidential) election years. All legislators serve for 4 years and have no term limits—they can hold office for as long as they keep winning elections. (The Governor, who is also elected to a 4-year term in the State elections, is limited to 2 terms.) Democrats have long held a large majority in both chambers of the General Assembly.

[Maryland's 47 legislative districts](#) are population-based. Many cross county boundaries. The State Legislature has primary responsibility for designating the districts, as spelled out in a 1972 State constitutional amendment. Districts are revised every 10 years, based on the Federal census.

The General Assembly in Action

Maryland's General Assembly meets for 90 days each year, beginning on the second Wednesday in January. The 2020 session starts on January 8 at noon. During these sessions, the Senators and Delegates act on hundreds of proposed bills. [During the 2019 session](#), legislators introduced nearly 2,500 bills (1,423 in the House, 1,051 in the Senate) and completed (enacted) 772. In addition, the General Assembly also must pass the [annual State budget](#).

This huge legislative workload isn't actually condensed into just 3 months of activity. Much of the developmental work takes place between sessions.

About the Budget

Although not a focus of this overview, adopting the State Government's [annual budget](#) is one of the General Assembly's most important tasks. The Governor submits a budget to the Legislature soon after the session begins. Because the Governor has considerable discretion in determining what programs and agencies to fund, the budget is a major policy-shaping tool for the Executive Branch. The Legislature can cut the Governor's budget, but it cannot increase it or shift spending from one area to another. The budget must be balanced—no deficit spending allowed—when the Governor submits it and when the Legislature passes it. Once the Legislature passes the budget, the Governor cannot veto it.

Maryland's legislative leaders—the President of the Senate and the Speaker of the House—have a great deal of influence over the legislative process. They appoint members of most committees, name committee chairs and vice-chairs, assign legislation to standing committees, and preside over daily sessions. In effect, these leaders shape the legislative process. They hold two of the most powerful positions in State Government.

A Sea Change in Leadership

Near the end of the 2019 legislative session, Mike Busch, Speaker of the House since 2003, died. The new Speaker is [Delegate Adrienne Jones](#). Then in October 2019, Mike Miller, Senate President since 1987 (the longest-serving State Senate President in U.S. history), announced that he was stepping down due to illness. [Senator Bill Ferguson](#) is the new Senate President.

Much of the work of the General Assembly takes place in the standing committees and their subcommittees, including several of particular interest to [Dontwiden270.org](#):

- [House Committee on the Environment and Transportation](#) (chaired by [Del. Kumar Barve](#)) and its Subcommittee on Motor Vehicles and Transportation (chaired by [Del. David Fraser-Hidalgo](#)).
- [House Appropriations Committee](#) (chaired by [Del. Maggie McIntosh](#)) and its Subcommittee on the Environment and Transportation (chaired by [Del. Marc Korman](#)).
- [Senate Budget and Taxation Committee](#) (chaired by [Sen. Nancy King](#)) and its Subcommittee on Public Safety, Transportation, and Environment (chaired by [Sen. Douglas J.J. Peters](#)).

Del. Barve, Del. Korman, and Sen. King all represent districts in Montgomery County. They are among the legislators who will be major players in I-270 developments during the 2020 session.

How a Bill Becomes a Law

[Please note: This summary is drawn largely from the [General Assembly's Website](#), where you can find a much more detailed description in the section on [legislative process](#).]

A bill is a proposal to change, repeal, or add to the existing State law. By sponsoring bills, legislators act on their promise to represent the will of their constituents. The legislative process is how the State integrates public demands with public policy.

A bill can originate in the Senate or the House. The sponsor sends a proposal to the [Department of Legislative Services](#), which drafts the proposal in the form of a bill. Bills are numbered consecutively within each chamber: HB1 is the first House bill of the session, SB1 the first Senate bill. Some bills are introduced before the regular session begins.

The Journey (in a Nutshell)

A bill has three appearances (“readings”) on the full floor of the chamber of origin, during which the bill is introduced (first reading); amendments are offered and debated, and votes are taken (second reading); and the final version of the bill is passed (third reading). Between the first and second readings, the bill moves into a standing committee for detailed consideration. More on this all-important phase below.

Once a bill passes in the chamber of origin, it goes through essentially the same process in the other chamber. If it passes the second chamber without amendment, that’s it —the bill goes to the Governor. If the second chamber amends it, the originating chamber takes another vote on the amended version. If the two chambers can’t agree, a conference committee works on it. If the two chambers never agree, the bill fails.

The Governor can sign a bill, veto it, or take no action. The Legislature can override a veto with a three-fifths vote in each chamber. If the Governor takes no action, the bill becomes law without a signature.

Committees: The Workhorses (and Powerhouses) of the [Legislative Process](#)

Most of the chamber’s work, by far, takes place in the standing committee to which the newly introduced bill is assigned by the Senate President or the House Speaker. The committee chair controls how quickly a bill progresses—even whether a bill moves out of the committee and on to the floor for a full vote. In fact, the fate of a bill often is determined within the standing committee to which it is assigned.

The committee receives testimony and gathers other evidence related to the bill. It holds public hearings—anyone can attend, including lobbyists, State agency heads, local government

officials, and interested citizens. (In fact, the Legislature urges citizens to express their views, pro or con, about active bills.) The committee also examines a fiscal analysis of the bill.

The committee chair may delegate part of this work to a subcommittee that specializes in the bill's subject area. The subcommittee then gives an advisory report to the full committee.

When its work is done, the committee takes a vote and reports the bill back to the floor for further consideration, amendment, and a full vote. The committee's report usually offers a recommendation (favorable, unfavorable, or favorable with amendment). However, the committee chair has the authority not to report the bill back to the floor at all, but rather to let it die in committee.

How One Bill Did NOT Become a Law

In the 2019 session, Del. Jared Solomon introduced a bill proposing some basic legislative oversight for P3 transportation projects. With support from Del. Kumar Barve, chair of the House Committee on the Environment and Transportation, the bill easily passed out of the House and moved on to the Senate Committee on Budget and Taxation, chaired by Sen. Nancy King. Even though there were enough votes to pass the bill on to the Senate floor, Sen. King decided to let it die in committee. Explaining her decision, Sen. King cited discussions with Governor Hogan and Maryland Department of Transportation Secretary Pete Rahn, and her concerns that further review would delay relief from traffic congestion.

How You Can Be Part of the Legislative Process

This has been a bare-bones summary of a complex process. But because the legislative process is long and involved, there are lots of opportunities for all of us to take part. That means keeping informed and speaking out.

Keeping informed: The General Assembly's Web site has a wealth of information and tools. For example, you can learn all about the current session's activities and schedule, find contact information for your legislators, track individual bills as they move through the process, and watch live or recorded hearings. (The General Assembly launched a new Web site for the 2020 session. The new site has a "getting started" tutorial.)

Speaking out: You can attend committee hearings about a bill, even testify at a hearing or offer other evidence. You can always make your views known to your elected legislators (even suggest an idea for a bill) by phone or e-mail, or in person.

And you can depend on *DW270* to keep you informed about legislation that's in the works, especially opportunities for you to express your views. Sign up for our e-mails.

Sources:

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[Maryland Matters. Environmentalists Fall Short on Road-Widening Bill](#)

[National Council of State Legislatures. Inside the Legislative Process. Committee Procedures. Subcommittees](#)

[Wikipedia: Maryland General Assembly](#)