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WILLS AND EAGLETON REPORTS

Comparison of Recommendations on

The Md. General Assembly

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Maryland Department of Legislative Reference

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WILLS AND EAGLETON REPORTS

Comparison of Recommendations

<u>Wills</u>	<u>Constitution</u> <u>Subject</u>	<u>Eagleton</u>
V,1. The Commission recommends as a matter of broad policy that the new Constitution remain silent on internal legislative operations.	Internal Operations	
V,2. The Commission recommends that the new Constitution require the Legislature, at its first session following the approval of the Constitution by the voters, to establish mandatory and automatic provisions for legislative reapportionment following each decennial census.	Reapportionment	
V,3. The Commission recommends that upon the occurrence of vacancies in the General Assembly, each party's appropriate state central committee be required to hold public hearings before making its recommendations to the Governor.	Vacancies in General Assembly	
V,4. The Commission recommends removal of the Constitutional limit upon the length of legislative sessions. The Legislature should limit its annual session to 90 calendar days until such time as the legislative workload requires a longer session.	Length of Sessions	1. The new Constitution limit the length of the regular session of the legislature to ninety days.
V,5. The Commission recommends that the establishment of legislative salaries by constitutional provision be eliminated. A statutory annual salary of \$6,500 coupled with the abolition of per diem payments, should be passed by the General Assembly for its members.	Salary of Members	90. The new Maryland Constitution provide that the members of the General Assembly shall receive such salary and allowances as may be prescribed by law. 91. As soon as constitutionally feasible, the legislature should enact a compensation bill providing: (a) A basic salary of \$8,500 for members of the General Assembly; (b) Salaries of \$10,500 for the Speaker of the House and the President of the Senate and \$9,500 for the majority and minority leaders and chairmen of all major committees; (c) The elimination of per diem during the legislative session, but continuation of \$35 per diem payments for committee work during the interim.
V,6. The Commission recommends that the governor's Constitutional convention Commission promulgate a proposal for a unicameral legislature in addition to the existing proposal for a bicameral General Assembly.	Unicameral General Assembly	

WillsSubjectEagletonSpecial
Sessions

2. The Governor may convene a special session of the legislature at any time and must convene a special session upon the request of three-fifths of all the members of each house, but that such sessions be limited to not more than thirty days.

House and Senate Organization

- VI,1. The Commission recommends adoption of a consent calendar to provide for automatic referral of non-controversial bills to final reading after their being reported out of committee. Consent Calendar
- VI,2. The Commission recommends adoption of pre-filing procedures to encourage preparation and drafting of bills before the General Assembly session begins. Prefiling Bills
- VI,3. The Commission commends the Legislative Council for proposing a modification of House Rule 46 to prevent frivolous amendments from killing legislation. Frivolous Amendments

Deadline
for
Bills

11. The General Assembly adopt a consent calendar and by legislative rule provide procedures, whereby noncontroversial bills can be enacted expeditiously and controversial ones will be screened out at some stage in the process.
3. The General Assembly adopt procedures permitting any member or member-elect to pre-file bills with the secretary of the Senate and the chief clerk of the House after November 15 of each year.
4. The new Constitution not restrict the General Assembly's authority to determine deadlines for the introduction of legislation (thus deleting Art. 3, Sec. 27 of the present Constitution).
5. Rule 35 of the Senate and House of Delegates be altered to provide for either of the following:
 - (a) If the regular session is limited to seventy days, no bill shall be introduced in the Senate/House during the last thirty-five calendar days of a regular session, unless two-thirds of the members elected thereto shall so determine by affirmative vote of yeas and nays, and any bill so introduced shall be referred to the Committee on Rules, Procedure, and Organization.
 - (b) If the regular session is extended to ninety days, no bill shall be introduced in the Senate/House during the last forty-five calendar days of a regular session, unless two-thirds of the members elected thereto shall so determine by affirmative vote of yeas and nays, and any bill so introduced shall be referred to the Committee on Rules, Procedure, and Organization.

WillsSubjectEagleton

Deadline
for
Bills

6. Members of the Committees on Rules, Procedure, and Organization pursue the job of screening with utmost diligence, referring to standing committees only those bills whose late introduction can be properly justified.
7. The General Assembly, by joint resolution, request the governor to make every effort to have executive bills introduced during the opening days of the session so that the legislature has ample time to give them the consideration they deserve.

Split
Sessions

10. Particularly if the legislative session is extended to ninety days, the General Assembly try a split-session technique--convening for two weeks for organizational and introductory purposes, recessing for three weeks to enable committees to conduct day-long hearings on the budget, and then reconvening for committee and floor work during the remaining eight weeks.

Previous
Question

12. The Senate alter its rules on motions to include as 61.7 a provision similar to that of the House of Delegates: For the previous question. The motion is not debatable, and if carried shall preclude all further debate and bring the Senate to a direct vote upon the immediate question before it. The motion for the previous question may be made on any debatable motion before the Senate.

Information
Office

85. A Legislative Office of Public Information be created to facilitate the flow of communications from the General Assembly to the press and public, denying legislative access to none but serving to bring together those people who have information and those who might benefit from it.

Orientation
and
Education

61. The legislature's orientation program for new members be substantially improved by:
 - (a) Holding two-or three-day sessions after each general election and before the General Assembly convenes,
 - (b) Including as participants legislative leaders, committee chairmen, legislative staff, and heads of major departments and agencies.
 - (c) Requesting the American Political Science Association to provide its services in developing the next orientation program.

<u>Wills</u>	<u>Subject</u>	<u>Eagleton</u>
	Orientation and Education	<p>62. The Joint Committee on Legislative Policy and Management, or a similar leadership group, direct staff or employ special consultants to prepare basic informational manuals for all members of the General Assembly.</p> <p>64. The Joint Committee on Legislative Policy and Management consider jointly with the University of Maryland the initiation of a series of seminars focused on substantive problems of concern to members of the General Assembly.</p>
<u>Committee Organization</u>		
VII,1. The Commission recommends that the standing committees in the Senate be reduced from 16 to 5.	Senate, Number of Committees	<p>14. Senate committees remain organizationally as they are now, with three major legislation committees (excluding from consideration auxiliary committees such as Rules, Entertainment, Executive Nominations, and the Joint Committee of Investigation), each to have a membership as indicated:</p> <p>Finance -16 members Judicial Proceedings-13 members Economic Affairs -13 members</p> <p>15. As is presently the case, each member of the Senate serve on one, but no more than one, of these major legislation committees.</p>
VII,2. The Commission recommends that the standing committees in the House be reduced from 16 to 7.	House Number of Committees	<p>16. House committees be consolidated, so that there are five major legislation committees (excluding from consideration auxiliary committees such as Joint Committee of Investigation, Rules, and Protocol and Entertainment), each to have membership as indicated:</p> <p>Ways and Means - 35 members Judiciary - 35 members Economic Affairs - 24 members State Affairs - 24 members Health, Education and Welfare - 23 members</p> <p>17. Each member of the House serve on one, but no more than one, of these major legislation committees.</p>
VII,3. The Commission recommends that the rules committee in each house assume responsibility for assignment of bills.	Assignment of Bills	<p>20. Presiding officers of the House and Senate define, as nearly as possible, areas of responsibility and refer bills falling within these jurisdictions to appropriate legislation committees.</p> <p>21. Presiding officers of the House and Senate assign bills authorizing new or substantially altered programs to the substantive committees in whose jurisdiction they properly fall as well as the Ways and Means ^{and} Finance Committees which must decide on appropriations.</p>

<u>Wills</u>	<u>Subject</u>	<u>Eagleton</u>
	Assignment of Bills	22. The General Assembly, through a proposed Joint Committee on Legislative Policy and Management, examine during the interim period of 1968 the possibility of incorporating into House and Senate rules provisions governing committee jurisdictions and the referral of bills with expenditure implications.
VII,4. The Commission recommends that House and Senate substantive committees be required to function on a year-round basis.	Interim Committees	24. The new Constitution include a provision, such as the one proposed by the Constitutional Convention Commission, providing that each house may permit its committees to meet between sessions of the General Assembly. 25. Even before adoption of a new Constitution, the General Assembly establish three joint interim committees, each of which parallels and draws members from committees of the House and Senate. 26. These three joint interim committees be organized in the following manner: A Joint Committee on Finance, with 32 members, 21 from House Ways and Means, and 11 from Senate Finance; A Joint Committee on Judiciary, with 32 members, 21 from House Judiciary and 11 from Senate Judicial Proceedings; A Joint Committee on Economic and Social Affairs, with 44 members, 33 from House Economic Affairs, State Affairs, and Health, Education and Welfare and 11 from Senate Economic Affairs. 27. Each joint interim committee establish standing subcommittees, which would conduct studies and draft proposals for review by the full committee. 28. Joint interim committee decisions, which authorize investigations or adopt reports and proposed legislation, be contingent on agreement by majorities of both House and Senate members. 29. Chairmanships and vice-chairmanships of joint interim committees rotate annually or biennially between the chairmen of House and Senate committees; subcommittee chairmanships rotate as well, so that combined chairmanships during any given period are divided between the houses as equally as practicable; and the Speaker of the House designate in alternate periods the chairman of the Joint Committee on Economic and Social Affairs.

WillsSubjectEagletonInterim
Committees

30. Appointments ^{to} joint interim committees be made by the chairmen of the relevant standing committees, with the advice and consent of the Speaker of the House or the President of the Senate.
31. Special interim committees be established if circumstances so warrant, and their creation, membership, and responsibilities be within the authority of the Joint Committee on Legislative Policy and Management.
32. Insofar as possible, no member, with the exception of those serving on the Joint Committee on Legislative Policy and Management, serve on more than one interim committee.
33. Each joint interim committee establish an advisory panel, composed of public members, which can be drawn upon for information and advice.
34. Joint interim committees meet in plenary session primarily to organize, make assignments, and deliberate on the work done by subcommittees, but subcommittees meet more frequently in order to accomplish the tasks assigned.

VII,5. The Commission recommends establishment of a joint budget-planning committee. (See Budget and Finance, Recommendation #4.)

Joint Budget Planning See under "Budget and Finance"

VII,6. The Commission recommends that the Legislative Council be strengthened in the areas of policy-making and coordination of year-round committee work.

Legislative Council's Policy and Management

7. The Commission, therefore, recognizing the necessity for strong General Assembly leadership by the Legislative Council, recommends that
- (a) the Speaker of the House and the President of the Senate continue to serve on the Council as vice-chairman and chairman, respectively, and each should appoint the other nine members from each house with the approval of each house and with proportionate minority representation. (The Commission assumes that the two minority leaders would be appointed automatically to the Council.)

(b) the Legislative Council should serve as an out-of-session rules committee to route proposed legislation to the appropriate substantive committees.

(c) the Legislative Council should exercise administrative supervision of the legislative post-audit (See Budget and Finance Recommendation #7.)

(d) the Legislative Council should assume overall supervision of General Assembly employees and administrative agencies, and

23. The Legislative Council, as it now exists and as provided for in Art. 40, Sec. 27 of the Code of Maryland, be abolished.

49. Legislation be enacted to establish a Joint Committee on Legislative Policy and Management, providing that:

(a) It be composed of eight members of the Senate and eight members of the House-- to include ex officio from the Senate, the President, Majority Leader, the chairmen of the Finance and Judicial Proceedings Committees, and additional members to be appointed by the President, and ex officio from the House, the Speaker, Majority Leader, Minority Leader, the chairmen of the Ways and Means and Judiciary Committees, and additional members to be appointed by the Speaker.

(b) Two members from the Senate and two from the House represent the minority party.

(c) In alternate years or biennia, the Speaker of the House and the President of the Senate preside as chairman, while the other serve as vice-chairman.

(c) The Committee organize during the opening days of the session and be required to meet at least ten times throughout the year.

(e) Minutes of each meeting be taken and distributed to all members of the General Assembly.

WillsSubjectEagleton

(e) the Legislative Council should assume a supervisory role over the activities of out-of-session committees, and upon public showing or probable cause, the Legislative Council should be granted the power to remove committee chairmen and members from committees for malfeasance, misfeasance, or non-feasance while the Legislature is not in session.

The Legislative Council should be a vigorous group, and should be a guide to the entire General Assembly. In order to achieve this vitality, the Council, like Caesar's wife, must be beyond approach. To this end, the Commission believes that the Council members should be those Senators and Delegates who possess legislative ability and experience. Members of the rules committees, which operate only during the session, might be among the candidates appropriate for appointment to the Legislative Council.

(f) Duties and responsibilities of the Committee include: decisions on the nominations of administrative assistants; coordination of operation of the two houses during the legislative session; review of legislative organization, rules, procedures, working conditions and physical facilities; supervision, coordination and support of work done by joint interim committees; supervision of the Division of Legislative Services; and the development of policies to govern the conduct of members, officers and employees of the legislature.

(g) The Committee report annually on its activities to the General Assembly.

VII,8. The Commission recommends that legislative committees be given full investigatory powers, including the right to subpoena witnesses, hold hearings, and receive testimony under oath.

Investigative
Powers

48. Committees have full investigative powers, including the power to subpoena witnesses and receive testimony under oath, and the Joint Committee of Investigation be abolished.

VII,9. The Commission recommends that all committees keep a record of their activities, which would include minutes of all committee meetings and a record of testimony produced in hearings.

Committee
Records
and
Reports

43. Committee chairmen have minutes of each meeting taken and, at their discretion, have transcripts made of testimony on major bills;

44. The House amend Rule 40 to provide that lists prepared by committees on action taken at each meeting be distributed to all members of the House.

45. Committees, operating during the session, prepare brief reports on significant bills, explaining their recommendations on amendments and presenting their arguments for or against passage.

46. Committees, operating during the interim, prepare detailed reports on studies they have conducted and proposals for legislative action.

VII,10. The Commission recommends that sufficient time be allotted during General Assembly sessions for committee meetings.

Time
for
Meetings

<u>Wills</u>	<u>Subject</u>	<u>Eagleton</u>
VII,11. The Commission recommends that committees and the Legislative Council adopt a policy of holding public hearings with adequate public notice so that interested members of the public may attend.	Hearings	40. Committee hearings be improved by requesting witnesses, particularly those from the executive branch, to submit testimony in advance. 42. Announcements of hearings be made at an earlier date than presently and notification of interested individuals and groups be the responsibility of the committee.
VII,12. The Commission recommends that Senate and House substantive committees hold joint hearings whenever possible.	Joint Hearings	41. Subcommittees of House and Senate hold joint hearings whenever feasible.
	Use of Subcommittees	18. Chairmen and members of legislation committees establish subcommittees and designate chairmen, to be consented to by the House or Senate during the early days of the session, or, in special cases, later on. 19. At the discretion of the committee chairman, subcommittees be referred bills for study and recommendation to the full committee.
	Committee Procedure	47. The House and Senate adopt a rule requiring that each committee and joint interim committee adopt their own rules of procedure at the beginning of a legislative session or interim period, that a majority of members of each committee shall constitute a quorum, and that a majority of such quorum has the power to decide measures before the committee.
	Rules Committee	52. House and Senate Rules be revised to provide that present rules committees be redesignated the committee on Rules, Procedure, and Organization and that each consist of eight members, all of whom are concurrently members of the Joint Committee on Legislative Policy and Management.
<u>Budget and Finance</u>		
VIII,1. The General Assembly and the Executive Budget -- the Commission recommends that the State of Maryland retain the "balanced budget" provision of the Constitution and the authority to borrow on bonded capital improvements. The debt service on such improvements should, however, be appropriated from general revenues.	Budget and Bond Bill	67. The new Constitution retain provisions permitting the General Assembly to increase budget items relating to the legislative or judicial branches and to reduce items relating to the executive branch. 68. The budget bill shall become law when passed by both houses of the General Assembly and shall not be subject to veto by the governor. 69. The legislature play no formal role in the preparation of the budget, but legislative staff continue to attend executive budget hearings for purposes of acquiring information which will be useful in staff support of the finance committees.

WillsSubjectEagleton

VIII,2. Committee jurisdiction - money bills - the Commission recommends that the General Assembly ~~not~~ adopt a dual authorization-appropriation system. However, in view of the committee structure recommended in this report, (see Committee Organization) legislation, or portions of the budget authorizing new programs or substantially altered programs, should be initially referred to and studied by a substantive committee for program evaluation, then presented to the Ways and Means Committee (House) or Finance Committee (Senate) for appropriation evaluation.

Authorization-
Appropriation

VIII,3. Subcommittees -- joint hearings -- the Commission recommends that the House Ways and Means and Senate Finance Committees appoint joint subcommittees for the purpose of considering designated areas of the Executive Budget and that these subcommittees hold joint hearings on their budget section. The areas of consideration by these subcommittees should correspond with board executive areas of budget consideration.

Joint
Subcommittees

70. The House Ways and Means and Senate Finance Committees continue to devote their major attention during the first half of the annual session to budget bills, turning to other appropriation measures later when members have become well acquainted with executive requests for various programs and agencies.
71. House Ways and Means and Senate Finance continue to hold hearings separately before full committees.
72. Joint subcommittees, which evaluate and make recommendations for budgetary changes, be reorganized as follows:
(a) A capital budget subcommittee continue to have responsibility for capital improvements.
(b) Three additional subcommittees be constituted so that each one has responsibility for certain broad areas of state programming, such as economic affairs, state affairs, and health, education, and welfare.
(c) Subcommittees provide more detailed explanations in support of their recommendations for budget decreases to their parent committees.
73. Committee and subcommittee chairmen advise members to direct their critical attention to program evaluation and program expenditure rather than to technical details and the costs of specific line items.

VIII,4. Joint Budget-Planning Committee and Bureau of Fiscal Research-- the Commission recommends that a Joint Budget-Planning Committee be established and that the State Fiscal REsearch Bureau provide fiscal analysis and research for that committee. It is further recommended that members of this Joint Budget-Planning Committee be selected from the Senate Finance and House Ways and Means Committees.

Joint
Planning
Committees

74. A Joint Interim Committee on Finance be established and:
(a) That it be composed of 21 members from House Ways and Means and 11 members from Senate Finance.
(b) That it be divided into three standing subcommittees, one on Taxation and Fiscal Matters, another on Capital Budget, and the third on the Current Expense Budget.

<u>Wills</u>	<u>Subject</u>	<u>Eagleton</u>
		<p>74. (c) Each subcommittee be staffed by at least one professional from the Bureau of Fiscal Research.</p> <p>(d) These subcommittees conduct studies, evaluate executive performance, draft reports, and prepare whatever legislation necessary.</p> <p>75. If it is imperative that adoption of a system of joint interim committees be postponed for a year or two, in the meantime the legislature proceed to establish a joint budget committee to operate during the interim period.</p>
VIII,5. Fiscal Notes - The Commission recommends that the General Assembly require that presentation of the Budget, or other legislation affecting appropriations or revenues, be accompanied by fiscal notes, showing the long-term cost budget impact of new or expanded programs. These fiscal notes should include brief explanations of the advantages from any increased expenditures and new or expanded programs. The Commission also recommends that a summary of the Executive Budget, with an index to the full sections, be made available to members of the General Assembly and the public.	Fiscal Notes	<p>78. A fiscal note procedure be adopted which provides that:</p> <p>(a) The Bureau of Fiscal Research receive from Legislative Reference a copy of every bill drafted by that agency.</p> <p>(b) The bureau decide whether a bill substantially increases or decreases state revenue, appropriations, or fiscal liability, and if so prepare a fiscal note after consultation with the appropriate state department or agency.</p> <p>(c) A mimeographed note estimating fiscal impact be sent to the bill's sponsor and to each member of the committee to which the bill has been referred.</p> <p>(d) Where committee amendments have substantial fiscal effects, the bureau quickly revise fiscal-impact information.</p> <p>(e) When a bill is reported to the floor, fiscal-impact information not only be orally communicated by a committee chairman but it be included in a brief committee report or some other memorandum distributed to all members of the house.</p> <p>(f) Member proposing amendments from the floor also be required to report their fiscal effects.</p>
VIII,6. Floor consideration of Budget- the Commission recommends that the Budget be considered on the floor for final reading not later than 15 to 20 days prior to the end of the regular session.	Floor Consideration of Budget	<p>8. The present constitutional provision which allows either house to consider other appropriation bills, but prohibits final action by both houses until passage of the budget, be retained.</p> <p>9. The legislature determine, either by rule or statute, a deadline date for final passage of the budget, without provision for the budget as presented automatically becoming law.</p> <p>(a) In the case of a seventy-day session, the budget be enacted within fifty days of its submission.</p> <p>(b) In the case of a ninety-day session, the budget be enacted within sixty days of its submission.</p>

<u>Wills</u>	<u>Subject</u>	<u>Eagleton</u>
VIII,7. Legislative Auditor -- The Commission recommends creation of the office of Legislative Auditor under the supervision of the Legislative Council and that the Auditor with his staff be solely controlled and paid by the General Assembly out of its administrative budget.	Legislative Audit	79. The post-audit function be transferred by statute from the executive to the legislative branch. 80. A Bureau of Post Audit, headed by the state auditor and including the present staff of his office, be one of several separate agencies in the Division of Legislative Services, accountable to the Joint Committee on Legislative Policy and Management and working with the finance committees and the Bureau of Fiscal Research. 81. In addition to examining the legality and procedural propriety of financial transactions by state agencies, the Bureau of Post Audit collect information which will aid the General Assembly in determining whether expenditures of appropriations are efficiently and effectively accomplishing the legislature's policy objectives.
VIII,8. State Treasurer -- The Commission recommends that the Constitution be amended to transfer the appointment of the State Treasurer to the Governor, and that a member of the General Assembly or an appropriate representative, serve on the board of public works.	State Treasurer	
VIII,9. Ways and Means, Finance Committees' staff--although the Bureau of Fiscal Research performs many important functions for the Ways and Means and Finance Committees, these committees need additional competent staff, including at least two researchers (Majority and minority) and a committee clerk together with secretaries to work on taxation, capital improvements and other items of committee business not relating directly to the budget.	Staff for Money Committees	76. Staff of the Bureau of Fiscal Research be expanded and organized so that: (a) One member focus attention on the capital budget, serving the Subcommittee on the Capital Budget throughout the entire year. (b) Three members concentrate on broad areas of the operating budget, paralleling the substantive jurisdictions of the proposed House committees on Economic Affairs, State Affairs, and Health, Education and Welfare and working with functional subcommittees of Ways and Means and Finance as well as the proposed Current Expense Budget Subcommittee of the Joint Interim Committee on Finance. (c) All of the four above-mentioned professionals also provide specialized information to substantive legislation committees and individual members of the House and Senate. (d) Two members concentrate on tax and related problems, serving the two standing committees on finance during the session and the Subcommittee on Taxation and Fiscal Matters during the interim and responding to individual requests as the need arises. (e) Two members have primary responsibility for fiscal notes and also support whatever special committees need fiscal assistance during the interim period.

Wills

Subject

Eagleton

Staff
for
Money
Committees

77. The Bureau of Fiscal Research perform the following functions:
- (a) Continue to collect, tabulate, and publish basic data on local government finance in Maryland.
 - (b) Assist interim committees, particularly Joint Finance, in reviewing the performance of executive departments and agencies, evaluating certain programs, assessing special funds, and considering the impact of federal aid.
 - (c) During the session, assist in budgetary review by attending executive hearings, briefing committee members before legislative hearings begin, helping to schedule hearings, bring to the attention of members major policy questions and alternative courses of action, program levels, or priorities, and issue a relatively brief document analyzing salient parts of the governor's budget.

Budget
Document

82. The budget document contain more complete and, if possible, precise information on program purpose, administrative ends and means, past accomplishments, and future objectives, and particular attention be devoted to the development of meaningful criteria of program performance.
83. The budget document include the following types of information:
- (a) An introductory explanation, mainly to facilitate understanding of the organization and terms of the budget.
 - (b) Expenditure information for a period of at least three prior years.
 - (c) Estimates of expenditures beyond the forthcoming fiscal period.
 - (d) Requests made by state agencies as well as the governor's budgetary recommendation.
 - (e) A distinction among program amounts sought for (1) continuing the present level of services, (2) changing the operating level of services, and (3) providing new and different services.
84. A document to accompany the budget explain major policy considerations and decisions implicit in the governor's budgetary recommendations.

Legislative Staff, Facilities and Automation

IX, 1. The Commission recommends that two full-time, year-round, professionally trained, career staff members (majority and minority) and one secretary be employed for each major committee of the Senate and House.

Full-time
Staff

35. Each major committee of the House and Senate (including Finance, Judicial Proceedings, and Economic Affairs in the Senate and Ways and Means and Judiciary, as well as the proposed committees on Economic Affairs, State Affairs, and Health, Education, and Welfare in the House) be authorized to employ a qualified administrative assistant, as well as a secretary, on a full-time basis throughout the entire.

WillsSubjectEagletonFull-time
Staff

36. During interim periods, committee staff be assigned to the appropriate joint interim committee to assist in its work.
37. The administrative assistant be responsible to the committee through the office of chairman.
38. Chairmen of each major committee of the House and Senate nominate candidates for administrative assistant positions and nominations be reviewed and decided on by the Joint Committee on Legislative Policy and Management.
39. The Joint Committee on Legislative Policy and Management determine appropriate salary levels -- generally comparable to those of other professional staff of the legislature -- for administrative assistants with varying qualifications and experience.
63. The Joint Committee on Legislative Policy and Management weigh seriously on a case-by-case basis the authorization of funds to employ consultants when requested by standing and interim committees with particular projects or studies to accomplish.
87. The legislature employ sufficient secretarial personnel to support the work of standing and interim committees, to assist legislative service agencies, and to aid members during the course of legislative sessions.

IX, 2. The Commission recommends that one legislative or administrative assistant be employed during the session for each of the following leaders: the President of the Senate, the Speaker of the House, and the majority and minority leaders of each house. These assistants should serve in a legislative, advisory, and political capacity, and their appointments should be made directly by the appropriate leader.

Administra-
tive
Assistants

50. The Speaker of the House and President of the Senate each be authorized to employ, with the consent of the Joint Committee on Legislative Policy and Management, an administrative assistant, each of whom will serve primarily as staff to the Joint Legislative Committee.
51. The Minority Leaders of the House and Senate each be authorized to appoint an administrative assistant to serve minority party leaders and members.

IX, 3. The Commission recommends that each of the Legislative leaders mentioned in Recommendation #1 be empowered to employ a permanent secretary year-round.

Secretary
for
Leaders

IX, 4. The Commission recommends that the staffs of the Legislative Reference Service and the State Fiscal Research Bureau be increased so that they will be capable of fulfilling their statutory functions.

Legislative
Reference &
Fiscal
Research

53. All legislative service agencies and staff be responsible exclusively to the General Assembly, and not to the governor, department heads, or other boards.

WillsSubjectEagleton

Legislative
Reference &
Fiscal
Research

54. For the most effective assistance in policy research, fiscal analysis, budgetary review, oversight of executive performance, bill drafting, and legal counsel, a Division or Department of Legislative Services be established, and include the following agencies:
 - Bureau of Legislative Reference
 - Bureau of Policy Research
 - Bureau of Fiscal Research
 - Bureau of Post Audit
55. Each bureau be headed by a director, who shall be responsible to the General Assembly through the Joint Committee on Legislative Policy and Management and who shall report to the Joint Legislative Committee at least four times each year.
56. There be established an Advisory Panel on Legislative Management and Services, to be composed of seven members appointed quadrennially--two to be appointed by the President of the Senate, two by the Speaker of the House, and three by the Governor, but not to include members of the legislative or executive branch.
57. Whenever the directorship of a bureau of the Division of Legislative Services must be filled, the Advisory Panel will recommend a list of qualified candidates and the Joint Committee on Legislative Policy and Management will appoint one person from such list to the vacant position.
58. Bureau directors have discretionary authority with regard to the selection, assignment, and retention of members of their own staffs.
59. A Bureau of Policy Research, staffed by a director and four professionals, perform the following duties:
 - (a) Provide specialized research assistance to the House Judiciary Committee, the proposed House Committees on Economic Affairs, State Affairs, and Health, Education, and Welfare, the Senate Judicial Proceedings Committee and the Senate Economic Affairs Committee.
 - (b) Provide specialized research assistance to the proposed Joint Interim Committee on Judiciary and the Joint Interim Committee on Economic and Social Affairs.
 - (c) Respond to research requests made by individual legislators.
 - (d) Prepare abstracts and explanations of executive agency reports and other state publications as well as occasional information or research bulletins.
60. A Bureau of Legislative Reference, consisting of a director, about seven full-time attorneys, and a few clerical assistants, perform the following duties:
 - (a) Draft bills in accord with the precepts that equal service be given all legislators, work is kept confidential, and all drafts faithfully carry out the ideas of the requestors.
 - (b) Approve the form of all bills introduced into the General Assembly.
 - (c) Maintain a record of drafting requests and instructions given by the requestor.
 - (d) Prepare a brief analysis to accompany all bills and important resolutions drafted.
 - (e) Assist all committees in drafting amendments to legislation under their scrutiny.

WillsSubjectEagleton

Legislative
Reference &
Fiscal
Research

60. (f) Provide legal counsel and advisory opinions on parliamentary points and the constitutionality or other legal implications of legislation.

(g) Begin a preliminary program of statutory and code revision, particularly to suggest formal improvements and point out areas in greatest need of corrective revision.

(h) Provide legal assistance to committees, especially to the standing judiciary committees and the proposed Joint Interim Committee on Judiciary.

(i) Prepare and distribute, after the third week of the legislative session, a biweekly progress reporter containing a cross-referenced record of introduced bills and legislative action.

(j) Prepare a monthly newsletter for distribution during the interim period, containing brief reports of interim committee action.

IX,5. The Commission recommends that the Legislative Reference Service establish a legislative intern program. Qualified graduate research associates should be employed through private foundation assistance and in cooperation with Maryland's colleges, universities and law schools.

Interns

66. In collaboration with local universities and, perhaps, the executive branch, the Joint Committee on Policy and Management formulate an internship program under which about four graduate students may spend about ten months each year working for standing and interim committees of the General Assembly.

IX,6. The Commission recommends that a comprehensive study be immediately undertaken by the Legislature to determine needs for physical facilities, directed toward supplying each Senator and Delegate and each committee with adequate working space.

Space
and
Facilities

89. The General Assembly, primarily through the Joint Committee on Legislative Policy and Management, exercise constant review of requirements for facilities and office equipment and take whatever action appropriate to meet its physical needs.

IX,7. This Commission recommends that the General Assembly begin a study to determine the feasibility of adapting automation procedures to Maryland's legislative needs.

Automation
and
Computers

65 The Joint Committee on Legislative Policy and Management study most diligently computerized information processing, with a view toward adapting statutory search and retrieval processes to the needs of the legislature.

WillsSubjectEagletonLocal Legislation and Home Rule

X,1. The Commission commends the General Assembly for the impetus it has given home rule and recommends that the General Assembly adopt multi-optional home rule and legislative home rule in a concerted effort to relieve the Legislature of the burden of enacting local legislation.

Home
Rule

13. By constitutional provision or statute, means be devised to relieve the General Assembly of the burden of considering local legislation and to permit purely local matters to be decided at the county or municipal level.

Conflicts of Interest and Lobbying

XI,1. The Commission recommends the enactment of a strong, viable conflicts-of-interest law applicable to members of the General Assembly.

Conflicts
of
Interest

86. The General Assembly continue to devote intensive efforts to the formulation of effective means to control legislative conflicts of interest and the Joint Committee on Legislative Policy and Management turn its attention to developing and then enforcing a legislative code of ethics.

XI,2. The Commission recommends that the Attorney General Office's be specifically empowered to advise members of the Legislature individually on ethical questions and that a board of ethics, under Legislative Council supervision, be established to act on complaints of alleged violations.

Ethics

XI,3. The Commission recommends strict enforcement of Maryland's lobbying laws, including (a) filing of all amounts expended directly or indirectly for conducting lobbying activities, (b) submission of complete information upon registration, (c) prohibition of lobbying on the floors of the Senate and House Chambers, and (d) a code of ethics to govern the conduct of all registered lobbyists.

Lobbying

General Assembly Costs

XII,1. The Commission recommends that all costs of running the Legislature be clearly enumerated on the public record with justification for such expenses.

Costs
Publicized

XII,2. The Commission recommends that sufficient monies be allocated to legislators to cover additional expenses in year-round committee meetings. Travel allowances should be continued. All such monies spent should be clearly placed on the public record, and each legislator should be required to account for any such monies used.

Annual
Expenses

88. The Joint Committee on Legislative Policy and Management carefully oversee the expense allowances of legislators and continuously assess the need for augmenting them periodically as legislative work increases.

WillsSubjectEagleton

XII,3. The Commission recommends that adequate funds be appropriated to maintain the new legislative programs and procedures recommended in this report.

Funds
For
Programs.

92. The people of Maryland recognize that legislative improvement is necessary, appreciate the additional expenditures required, and evidence a willingness to bear the costs of strengthening the General Assembly.

Legislative Information

XIII,1. The Commission recommends that the Eagleton Institute, which has received a board of public works grant and is now beginning its study of the General Assembly, develop comprehensive recommendations for the modernization of the Legislative Reference Service and the Fiscal Research Bureau.

Eagleton
to Make
Recommendations

XIII,2. The Commission recommends that the Legislature provide adequate facilities for the news media covering legislative sessions in Annapolis.

Press
Room