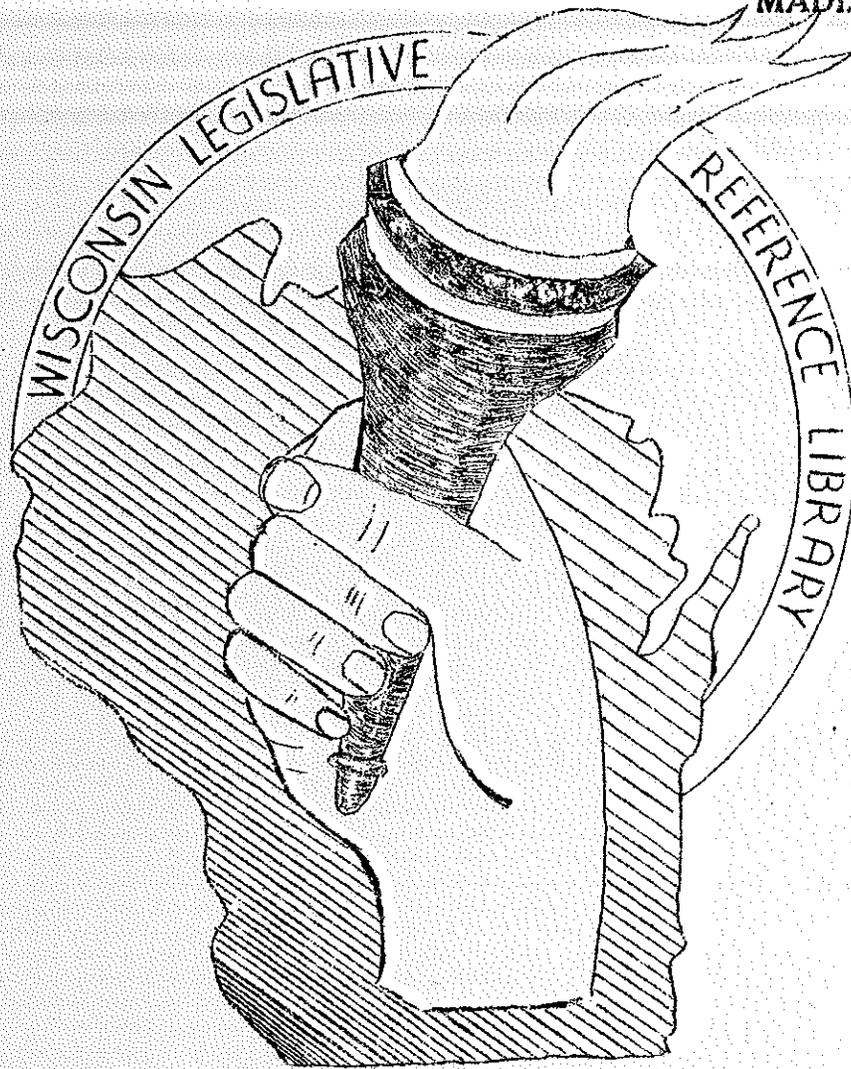


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MAKING BILLS INTO ACTS :  
THE SIGNATURE OF ENROLLED BILLS  
BY THE PRESIDING OFFICERS  
OF THE STATE LEGISLATURES

Prepared by  
THE WISCONSIN LEGISLATIVE REFERENCE LIBRARY  
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Madison 2, Wisconsin

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MAKING BILLS INTO ACTS: THE SIGNATURE OF ENROLLED BILLSBY THE PRESIDING OFFICERS OF THE STATE LEGISLATURES

## INTRODUCTION

Deeply imbedded in historical tradition is the duty of the presiding officers of the state legislatures to sign all bills after they have been passed by the houses and enrolled. In fact, in the opinion of some who like fine distinctions, it is that action which changes a bill into a legislative act. So significant was it considered at one time that it was inserted in the Constitutions of nearly half the states, and in many such documents the process was made doubly sure by requiring that it be done in the presence of one if not both houses while in session.

It is alleged that this practice was an outgrowth of abuses which followed the Civil War. Powerful interests desiring favorable legislation were said to have presented to the Governors duly enrolled bills which had never had the benefit of legislative action. To block such action, the signature of the presiding officer was required as assurance that the legislature had taken appropriate action; and to make sure that the presiding officers had not been influenced, many states required that the signatures be affixed in front of the house which allegedly passed the measure. To make even more certain that all was according to the rules, some Constitutions required that before the officers sign, the bill must be read, either in its entirety or by title. Only the most cynical would doubt that these safeguards would act as a certain barrier to nefarious actions.

If we project ourselves backwards for nearly a century, it is not difficult to see that the legislative process worked under some handicap. A very limited number of handwritten copies of bills were available. All of the legislators had not mastered the fine art of reading, especially English. The records of the progress of proposals through the legislature were not as easily accessible as they are today. There was heavy dependence on word of mouth.

As printing of bills became more general and as the record of the progress of legislation became more accessible, the need for some of the safeguards declined. The greater pressure of business near the end of the session, especially in states with a limited session, caused a breakdown in the practice if not in the law regarding the signing of bills by the presiding officers of the legislature. Only by dint of excessive hours of labor by the clerical staff, fast work and the employment of such subterfuges as covering the clock and signing dummy bills can the letter of the law be adhered to in some jurisdictions. No one presumes that the presiding officers read the bills they sign. They rely completely on the chief clerks or secretary's staff who certify that the bill is correct and the procedure proper.

It is apparent that in many states the function of signing bills has become a perfunctory task which has lost even its ceremonial values. It is doubtful if many legislators give full attention to the droning of the clerk's voice as bill after bill is read in the last few days

of the session. In fact, in at least one state it is a well-established practice for all but a corporal's guard to leave for home after the consideration of bills has ended and the ceremonial processes reach their last-minute peak.

Although all but 3 states require that the presiding officers sign all bills, some of the states do not require that the presiding officer sign in the presence of the house. In some states, such as Wisconsin, where the signature is not affixed during a session and in which there is no deadline on the signing of bills, instead of hurried meaningless conformity to the practice one gets delays occasioned by the unavailability of the presiding officers once the session has ended. This delay compounded by lags in enrollment, printing, gubernatorial consideration and publication postpone the availability of the acts themselves, of the session laws and ultimately the statutes.

Although it is generally conceded that signing bills is a mandatory duty of the presiding officers over which they have no discretion<sup>(1)</sup> and that granting some discretion would in fact give the presiding officer a veto power, in some cases it has been held that the signature is necessary to a valid act. For court cases holding that failure to sign does not invalidate an act see:

Commissioners v. Higgenbotham 17 Kan. 62  
Taylor v. Wilson 17 Neb. 88  
State v. Mo. Pacific Railroad Co. 100 Neb. 700  
Speer v. Allegheny Plank-Road Co. 22 Pa. 376  
State v. Ryan (1927) 123 Kansas 767-9

For cases holding the other way see:

Burrett v. Commissioners 120 Ill. 322  
Douglas v. Bank 1 Mo. 24  
State v. Kieseletter 45 Ohio St. 254  
Hamlett v. McCreary 153 Ky. 755  
Kavanaugh v. Chandler 255 Ky. 182  
Lynch v. Hutchinson 219 Ill. 193

In many cases an assistant or substitute is empowered to sign, and such signature is considered substantial and sufficient compliance with even a constitutional requirement that particular officers sign.<sup>(2)</sup> In Wisconsin the president pro tem of the senate signs in the absence of the Lieutenant Governor, but unless the speaker is on a prolonged absence, it is not customary for an acting speaker to sign.

Although the legislatures have been forced to evolve expedients and subterfuges to operate within the framework of the Constitutions and statutes which require signature of bills by the presiding officers and although the courts have been required in some cases to interpret the procedures very liberally and admit that the letter of the law is

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(1) Mason's Manual of Legislative Procedure, 1937, sec. 540.

(2) Ibid, sec. 540; Robertson v. State, 130 Ala. 164, 30 So. 494

unattainable in certain situations, especially when there are exacting deadlines on the signature of bills, we were unable to find any evidence of any concerted movement to question the requirement in any of the 45 states requiring such signatures. Admitting the sanctity of constitutional procedures, it seems odd that the legislators should try to live under such untenable conditions.

To a minor degree it may be attributed to the desire to retain some pageantry in the legislative process. Perhaps there is some fear that the abolition of the safeguards might rekindle the evils they were created to end. In part, it is due to inertia and a lack of interest in the procedural aspects of legislation. The delays and inconveniences are soon forgotten when the session ends, and no impelling need for reform exists. In part, it is because some state legislatures have not modernized their machinery to provide broad distribution of copies of all proposals early in the process and systematic, official reporting of the progress and status of the measures at frequent intervals.

#### WISCONSIN PRACTICE

As early as 1865 a provision for the presiding officer to sign all bills was contained in the rules of both the senate and assembly in Wisconsin. Section 6 of the senate rules of 1865 said in part "he (the President) shall sign all acts, memorials, addresses and resolutions..." Section 17 of the assembly rules of 1865 provided in part "All acts, addresses and resolutions shall be signed by the Speaker..."

The modern version of this rule is contained in Joint Rule 9 which provides "When a bill shall have been duly reported as correctly enrolled, it shall be the duty of the chief clerk of the house in which it originated, to present the bill, first, to the presiding officer of the house in which it originated, and next, to the presiding officer of the other house, for their signatures, which duty shall be performed at as early an hour as possible."

Unfortunately there is little appreciation of what is entailed in the final stages of making a law. After the bill has been approved by both houses, there are 4 steps to be taken. Although they vary in detail from state to state, they are basically present.

The first step is enrollment which entails the preparation of an exact copy of the bill as passed by both houses. This is an exacting task which cannot be rushed. Recently some states have begun to use the printed version of a bill if no amendments have been adopted.

In Wisconsin the bill is then printed in proper form. Proofreading the galley and printing the bill consumes substantial time. If speedy enactment is desired the printing is bypassed by a joint resolution authorizing the signing of a typed copy. In some states the bill as passed by both houses is not printed until it appears in the session laws, and the enrolled bill is merely typed.

Next comes the signatures of the presiding officers. Where this must be done before the house during a session, it obviously must be completed before adjournment. Thus, some crowding occurs near the end of the session. If, as in Wisconsin, there is no deadline, the problem

is to keep the presiding officers available. If one or both are away from the capitol, the bills must wait their return or be sent to them by messenger.

When the bills are signed by the presiding officers and authenticated by the chief clerks, as is normally required, they go to the Governor in all but one state, North Carolina. In some states the Governor must sign before the session ends. In others, he has an absolute deadline by which time all bills must be signed. In most states, Wisconsin among them, he has a certain number of days in which to act after he receives the bills. It has, however, become customary in Wisconsin for the chief clerks to filter bills to the Governor consistent with the pace at which he can digest them. Thus, in a state like Florida all must be signed before adjournment; in Minnesota all must be signed within 3 days after adjournment; in Arkansas all bills must be signed within 20 days of the end of the session; in Georgia the Constitution requires that the Governor sign all bills within 30 days of adjournment. In Wisconsin bills have been signed by the Governor as late as 3 months after adjournment.

Finally, the act must be published. In Wisconsin this is done in the official state newspaper and the act becomes effective the day after publication unless another date is provided in the act. The pile-up of acts at the end of the session and the competition of these acts with Piggly Wiggly ads and Judge Parker comic strips for space in the paper provides an opportunity for further delays.

Thus, the bill which the legislature approved in a rush may well require not days but weeks and even months to become state law.

#### THE RESULTS OF OUR STUDY

In May of 1958 we submitted a questionnaire to every state requesting certain information regarding the procedures for signing bills. Every state replied, many offering valuable additional information regarding their own procedures.

In the following paragraphs the results of our inquiry are summarized.

1. Must the presiding officers of both houses sign a bill before it goes to the Governor? (See table at end for compilation of results)

In 45 of the 48 states this is true. Only in Maryland, Michigan and Rhode Island is there no requirement for such signature. Often the requirement is spelled out in the Constitution. Typical of the provisions of this requirement is Section 66 of the Alabama Constitution which reads as follows:

"The presiding officer of each House shall, in the presence of the House over which he presides, sign all bills and joint resolutions passed by the Legislature, after the same shall have been publicly read at length immediately before signing, and the fact of reading and signing shall be entered upon the Journal; but the reading at length may be dispensed with by a two-thirds vote of a quorum present, which fact shall also be entered on the Journal."

Commenting on this process in Alabama one author said:

"Signature of the Presiding Officer. The Constitution requires that the presiding officer of each house sign all bills and resolutions passed. This must be done while the house is in session and all bills and resolutions must be read at length, unless such reading is dispensed with by a two-thirds vote. The journal must show that these provisions have been carried out.

"Under the Constitution of 1875, the presiding officer was required to sign all bills, but he was not required to do it while the House was in session. The new requirement provoked some discussion in the Constitutional Convention of 1901. One group contended that in signing a bill the presiding officer became responsible for its accuracy and that he should not be expected to sign bills which he had not examined. Others insisted that having the bills signed in the presence of the house after being read at length would prevent trickery and fraud. In practice, the signing of bills by the presiding officer is nothing more than a clerical act. Nobody regards it as placing any additional responsibility upon the presiding officer.

"Each legislative day, at the time set aside for this duty in the order of business, the report of the Committee on Enrolled Bills is made and a clerk brings to the presiding officer's desk all bills which have been enrolled. The numbers of the bills are announced and the titles are read. The presiding officer then pronounces this formula:

"The Speaker of the House (or the President of the Senate) in the presence of the House (Senate) after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the House (Senate) present, and immediately after their titles had been publicly read at length by the Clerk of the House (Secretary of the Senate) signed the foregoing bills, the titles of which are set out in the foregoing report of the Committee on Enrolled Bills."

"Actually no vote is taken and the consent of two-thirds of the quorum present is assumed. Frequently the presence of a quorum is assumed also." (3)

A similar statement regarding Indiana is as follows:

"Every bill, when passed, must be signed by the presiding officer of each house (Const. Art. IV, Sec. 25). After a bill has been reported correctly enrolled, it is then ready for signature. A bill is signed first by the Speaker of the House and then by the President of the Senate. All bills must be signed when the House or Senate is in session. When the presiding officer has affixed his name to the bill, he says: 'The Chair has signed Enrolled House (or Senate) Bill No. \_\_\_\_\_.'" (4)

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(3) Farmer, Hallie, The Legislative Process in Alabama, Ala. Univ. Bureau of Public Administration, 1949, pp. 74-5

(4) Ind. Legislative Bureau, Legislative Procedure in the General Assembly of the State of Indiana, 1954, p. 50

In Maryland the Constitution in Article 3, Section 30, provides that the Governor must sign in the presence of the presiding officers and chief clerks of both houses. The official copy of the bill contains the endorsements from the committee which handled the bill and the endorsements of the two clerks as the bill passes through successive readings.

As a matter of fact, the presiding officers usually sign the bills when the Governor signs them merely to indicate they were present. However, when the president of the senate refused to sign a bill of which he strongly disapproved in 1957, there was never any question about its validity. As may be suspected, the signers make no effort to read the bills when signing them.

Michigan formerly required the presiding officers to sign the original bill, and it resulted in a continuous flow of mail between the capitol and homes of the presiding officers. Several years ago the system was changed whereby the chief clerks sign to indicate that the bill passed their houses and the Governor then signed it.

Rhode Island is the third state in which the presiding officers do not sign the bills.

2. Is this done during a session of the house? In 28 cases the bills must be signed in the presence of the house. In South Carolina it must be done in joint session. In 4 cases it may be done before the session and in 13 cases it is not done before the session.

3. Is there a time limit during which the bill must be signed by the presiding officer? In 8 cases a specific time limit exists but only in Kansas was the limit given. It is 2 days. Actually, of course, every state which requires signature in the presence of the house has a time limit which is the day of sine die adjournment. In 33 states there is no specific time limit set although in Colorado and Washington, for example, as we have said, it is set by the requirement that bills be signed in the presence of the house.

4. Can anyone sign instead of the presiding officer? This question was intended to determine if the speaker or the president of the house were required to sign or if they could delegate it to the acting speaker or president pro tempore or other temporary officer. The replies indicate that some of the informants interpreted the question to ask if anyone other than the presiding officer could sign. The replies indicated that 11 states permit someone other than the presiding officers to sign. In most cases the presiding officer, whoever he may be, may sign.

6. If the presiding officer must sign before the house assembled, how is it possible to have all the bills ready for signature before the adjournment?

As we have seen, 28 states require that the bills be signed in the presence of the house. This means that the legislature must stay in

session until the last bill has been signed in its presence. This in itself obviously creates substantial pressure on the clerical staff to get the enrolling done so the bills can be signed, but in cases where there is a limited session the problem becomes increasingly acute. Not only must the clerical staff cope with the jam at the end of the session, but they must do it before the deadline for the adjournment of the session. As should be obvious when an avalanche of work meets a constitutional deadline, something has to give.

Let us look at the 28 states which require signatures before the house to see what expedients have been evolved to complete the work of enrollment prior to signature.

In 18 states the staff carries at least part of the brunt of the problem by having to work exceptionally hard to get all the bills ready for signature before adjournment.

In 16 states the presiding officers sign typed copies rather than printed copies, thereby eliminating the delay of printing.

In 3 cases the presiding officers sign dummy bills or inserts which are attached to the enrolled bills when ready.

In Kansas where all bills must be signed before adjournment, but not before the house, the legislature sets a time for cessation of bill considerations. Then the staff and printers work hard to get all acts printed and the legislature continues in session for several days with a skeleton membership until the deadline, for the sole purpose of being in session when bills are approved.

It is apparent that Wisconsin has as much elbowroom as possible in the signing of bills because it has a limitless session, the presiding officers do not have to sign before the house and there is no time limit in which they must sign. It would be interesting to know what would happen at the opposite extreme, in Florida for example, if the legislature passed a 100-page bill on the last day of the session. The presiding officers must sign before the houses, the Governor must sign before adjournment and there is a time limitation on the session.

What is the effect of the tight schedule in some states on the lag between adjournment and the publication of the session laws. Looking at the 28 states which require signature before the house which means that all bills clear both houses by adjournment as compared with Wisconsin in which the last bill clears some 90 days after adjournment we find the following results:

Number of Months after Adjournment when Session Laws Are Available

A. In states which require signature before house and where there is a deadline:

Number of Months	States
2	Idaho, Utah
2-3	Ky., S. Dak.
3	Ala., N.C., N. Dak., Tex., Va.
3-4	Fla., Ind. Mont.
4	None
4-5	Wyo.

A.--continued

Number of Months	States
5	Colo.
5-6	La.
6	Ariz., Mo., Wash.
6-8	Tenn.

B. In states where there is no limited session:

Number of Months	States
3	Iowa, Nebr., S.C.
4-5	Okla.
6	Miss., Ohio, Pa.
12	Mass.

C. In states where signature is not required before house:

Number of Months	States
2-3	Oreg.
2-4	Ga.
3	Calif., Conn., Ill, Kans., N.M.
3-4	Maine
3-6	Del.
4	Minn., Nev., Wis.
4-7	N.H.
5-8	N.J.
6	Ark., W.Va.
6-8	Vt.
9	N.Y.

D. In states where presiding officers do not sign:

Number of Months	States
2	Mich.
2-3	Md.
6	R.I.

It would appear that whether or not the presiding officer must sign and when he must sign has little to do with the lag in the publication of the session laws.

7. Authentication of bill by clerks.

In Michigan and Rhode Island where the presiding officers no longer sign bills, acts are authenticated by the chief clerks or secretaries. In Maryland where there is no requirement that the chief clerks or presiding officers sign but merely that they all be present when the Governor acts, they sign to attest to their presence.

It is a common practice for both the chief clerks or secretaries or at least the clerk of the house of origin to sign in states which require the presiding officer to sign. This is in the nature of an authentication and probably has more significance than any other signature prior to that of the Governor.

8. Is there any other peculiarity in your law regarding signing?

In 6 states attention was called to additional factors in the

procedure of signing bills. These are listed in the footnotes to the table at the end of this report, items 32 to 36.

9. If you require this routine signing of bills has there ever been a movement to abolish it?

Oddly enough, not a single state reported any substantial movement to abolish the requirement that the presiding officers sign all bills even though it, along with other elements, sometimes places them in a position where they must in effect circumvent the Constitution by subterfuge. Two reasons are advanced for continuing the practice. In the first place, it is often a constitutional provision thereby making it difficult to abolish. Secondly, it fills the gaps in the session when the assembled legislators are waiting for other work.

## CONCLUSIONS

The descriptions of the process of signing bills found in many manuals makes it apparent that it is a perfunctory process. Where the Constitution requires that the bill be read in full at that time, the reading is often waived. It is further apparent that the presiding officers do not read the bills before they sign them. They depend on the authentication of the secretary or chief clerk. Nothing like the close scrutiny provided by the executive is given when the presiding officer signs. It is, in the overwhelming number of cases if not always, a formality.

Underlying it, however, is a basic issue which illustrates two attitudes which are all too common. The first is a reluctance to re-evaluate procedures in light of modern developments. In the days when one or two handwritten copies of a bill were all that were available, it was necessary to provide more verbal information regarding such proposals. Today printed copies of bills are generally available at some stage of the proceedings, and reading from the rostrum is no longer necessary.

In the second place, the present practice places a tremendous burden on the staff. All too frequently members of the legislature have no real concept of what the staff must do and what hazards of inaccuracy result from prolonged work under pressure by a group of people who are normally temporary employes.

On the following pages the results of the survey are summarized in tabular form. The headings for the columns in the table are as follows:

1. Must the presiding officers of both houses sign a bill before it goes to the governor?
2. Is this done during a session of the house?
3. Is there a time limit during which the bill must be signed by the presiding officer?
4. Can anyone sign instead of the presiding officer?

5. If yes, who?

6. If the presiding officer must sign before the house assembled, how is it possible to have all the bills ready for signature before the adjournment?

A. Does the staff work like fury?

B. Does he sign typed copies?

C. Does he sign dummy copies?

7. If there is no requirement that the presiding officer sign, does the chief clerk or someone else authenticate the bill?

8. Is there any peculiarity in your law?

9. Has there ever been any movement to abolish the practice of requiring presiding officers to sign the bills?

TABULAR REPRESENTATION OF THE RESULTS OF THE INQUIRY

State	1	2	3	4	5	6			7	8	9
						A	B	C			
Ala.	Yes	Yes	No	No	---	Yes	Yes	No	---	(31)	No
Ariz.	Yes	Yes	Yes	No	---	Yes	No	No	---	No	No
Ark.	Yes	No	No	No	---	---	---	---	---	No	---
Calif.	Yes	No	No	No	---	---	---	---	---	No	No
Colo.	Yes	Yes	No(8)	Yes	(13)	Yes	Yes	Yes(20)	No	No	No(37)
Conn.	No	---	---	Yes	(14)	Yes	No	No	Yes	No	No
Del.	Yes	Yes	No	No	---	---	---	---	---	---	---
Fla.	Yes	Yes	Yes	No	---	No	Yes	Yes(21)	No	(32)	No
Ga.	Yes	No	Yes	No	---	---	---	---	---	No	---
Idaho	Yes	Yes	No	Yes	(15)	No	No	No	No	No	No
Ill.	Yes	No	No	Yes	(16)	---	---	---	(27)	(33)	No
Ind.	Yes	Yes	No	---	---	---	---	---	---	---	---
Iowa	Yes	Yes	No	Yes	(16)	Yes	---	---	(28)	No	No
Kans.	Yes	No	Yes	No	---	Yes	No	No	---	No	No
Ky.	Yes	Yes	No	No	---	---	---	---	---	---	---
La.	Yes	Yes	(10)	No	---	Yes	---	---	---	---	No
Maine	Yes	(3)	---	No	---	Yes	---	---	---	No	No
Md.	No(1)	---	---	---	---	---	---	---	(29)	---	Yes(39)
Mass.	Yes	Yes	No(11)	Yes	(16)	Yes	Yes	No	---	---	No
Mich.	No	---	---	---	---	---	---	---	Yes	No	(40)
Minn.	Yes	No	Yes	No	---	---	Yes	---	---	---	No
Miss.	Yes	Yes	No	Yes	(16)	---	Yes	---	---	---	---
Mo.	Yes	Yes	---	No	---	---	Yes	---	---	---	No
Mont.	Yes	Yes	No	No	---	Yes	---	---	---	No	---
Nebr.	Yes(2)	Yes	No	Yes	(17)	No	No	No	No	---	No
Nev.	Yes	(4)	No	No	---	---	---	---	---	(34)	No
N.H.	Yes	No	No	No	---	---	---	---	---	---	No
N.J.	Yes	No	No	No	---	---	---	---	---	No	---
N.M.	Yes	(5)	No	No	---	Yes	Yes	Yes(23)	No	---	No
N.Y.	Yes	(6)	No(12)	Yes	(16)	---	No	No	No	No	No
N.C.	Yes	Yes	No	No	---	---	Yes	---	---	(35)	No
N.Dak.	Yes	Yes	No	No	---	Yes	Yes	No	---	No	No

## TABULAR REPRESENTATION OF THE RESULTS OF THE INQUIRY--continued

State	1	2	3	4	5	6			7	8	9
						A	B	C			
Ohio	Yes	Yes	No	No	--	Yes	--	--	--	No	No
Okla.	Yes	Yes	No	Yes	(16)	Yes	Yes	--	No	No	No
Oreg.	Yes	No	No	No	--	--	--	--	--	--	--
Pa.	Yes	Yes	Yes	No	--	--	--	--(24)	--	(36)	No
R.I.	No	--	--	--	--	--	--	--	Yes	--	No
S.C.	Yes	(7)	No	No	--	No	No	No	No	--	No
S.Dak.	Yes	Yes	No	No	--	--	Yes	--	--	No	No
Tenn.	Yes	Yes	No	No	--	--	Yes	--	--	No	No
Tex.	Yes	Yes	No	No	--	Yes	Yes	No(25)	--	No	No
Utah	Yes	Yes	No	No	--	Yes	No	No	No	--	No
Vt.	Yes	Yes	No	No	--	--	No	No	(30)	No	--
Va.	Yes	Yes	Yes	No	--	Yes	--	--	No	--	No
Wash.	Yes	Yes	No(8)	No	--	--	Yes	--	--	--	No(41)
W.Va.	Yes	No	No	No	--	--	--	--	--	--	No
Wis.	Yes	No	No	Yes	(18)	--	--	--	--	--	Yes
Wyo.	Yes	Yes	Yes	No	(16)	Yes	Yes	No(26)	--	--	--

- (1) Nothing is said in Constitution by way of requiring the presiding officers and the clerks to sign the bill. As a general rule, however, they do sign them at the same time the Governor signs bills, simply by way of attestation that they were present. This signature is not held to be necessary, however. In 1957 the president of the senate refused to sign a bill of which he strongly disapproved and there was never any question about its validity.
- (2) Because there is only one house, only one presiding officer exists.
- (3) Early in the session signing is usually done late in the afternoon in the officer's office, after any person who may be thinking of moving reconsideration has had ample time to make his desire known. During the rush the signing takes place at the rostrum as the routine permits. Each officer signs when the bill has passed his house rather than after the bill has passed both houses.
- (4) In Nevada it is done both ways. No law on the matter.
- (5) It is done during the session if the legislature has not adjourned.
- (6) Both ways, but mostly after adjournment of daily session.
- (7) At a joint session of both houses called for that purpose.
- (8) All bills must be signed by sine die adjournment.
- (9) Within 2 days but cannot be complied with because of printing problems.
- (10) Without delay.
- (11) Immediately.
- (12) In fact, sign same day.
- (13) Presiding officers.
- (14) Clerks and legislative comm.
- (15) President pro tem.
- (16) Acting president or acting speaker.
- (17) Speaker who is second in order.
- (18) President pro tempore in senate, but no one in assembly.
- (19) About one-fourth of all bills are signed after adjournment.
- (20) Signs typed copies if amended. If not amended, may sign original printed copies. Sometimes dummies signed.

## TABULAR REPRESENTATION OF THE RESULTS OF THE INQUIRY--footnotes cont.

- (21) During bill jam at end of session, blanks are signed by speaker and president and attached to bills later.
- (22) The clock is stopped.
- (23) All bills typed. The officers have signed a number of signature pages which are then inserted.
- (24) The final print as passed by both houses is the one signed. No serious problem in connection with waiting for printing.
- (25) Clock is turned back on last day of session if necessary.
- (26) The house or senate recesses until the bills have been enrolled and are ready for signature.
- (27) By initials in addition to presiding officers.
- (28) Chief clerk and secretary of senate sign bills, originating in their houses, in addition to presiding officers.
- (29) Clerks do sign at same time Governor signs bill, simply by way of attestation that they were present.
- (30) After signature of bills by presiding officers and Governor, the engrossed acts are signed by the same officials and the engrossing clerk.
- (31) See Section 66 of Constitution.
- (32) Clerk and secretary also sign, but at their convenience.
- (33) Bills signed even after adjournment.
- (34) Presiding officers and chief clerks of both houses must sign.
- (35) All passed legislation is signed by chairman of enrolling committee of each body and by presiding officer of each body.
- (36) Chief clerks of both houses authenticate - before respective presiding officers sign.
- (37) Recently the first printed copy of a bill can be used as the enrolled bill and signed as such.
- (38) Required by Constitution.
- (39) We often have some comment about the relatively cumbersome procedure in Maryland but no one has ever been sufficiently disturbed about it to attempt any change in the constitutional requirement. Probably most of the legislators are not aware that other states have a simpler procedure.
- (40) After talking with both the Clerk of the House of Representatives and Secretary of the Senate, they inform me that this system works very well and indicates that this system has been in effect for several years, although at one time the procedure required the presiding officers to sign the original bill, which meant that in many cases as soon as the session was finished there had to be a continuous flow of mail between the capitol and the homes of the presiding officers, which meant several days delay in the enrolling of the bill and the presentation to the Governor.
- (41) No, because the signing is often used as a time consumer while waiting for a report, distinguished visitor, etc.