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April 30, 2007

The Honorable Martin O'Malley
Governor of Maryland
State House
Annapolis, Maryland 21401-1991

RE: Senate Bill 1

Dear Governor O'Malley:

We have reviewed and approve for constitutionality and legal sufficiency SB 1, a proposed constitutional amendment authorizing the General Assembly to establish a process for early voting.

Although to be effective a proposed constitutional amendment need not be submitted to the Governor for signing, *Warfield v. Vandiver*, 101 Md. 78 (1905), we recommend that this legislation be acted on by the Governor because it contains statutory provisions in addition to the constitutional amendment. *See* SB 1 at Sections 2 and 3.¹

We are also enclosing two advice letters on the bill.

Very truly yours,

/s/

Douglas F. Gansler

¹ Although the practice has been restricted by recent amendments to the rules of both houses, it is constitutionally permissible to include ordinary legislation in a constitutional amendment as long as all provisions relate to a single subject. *See* Letter of Advice to Hon. Roy Dyson, Feb. 13, 2007).

Attorney General

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cc: Joseph Bryce
Secretary of State
Karl Aro