

UNOFFICIAL COPY OF HOUSE BILL 402
CONSTITUTIONAL AMENDMENT

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By: **Delegates Billings, C. Davis, and Hubbard**
Introduced and read first time: February 8, 1999
Assigned to: Commerce and Government Matters

A BILL ENTITLED

AN ACT concerning

Baltimore City and Baltimore County - Merger

FOR the purpose of proposing amendments to the Constitution of Maryland to dissolve the City of Baltimore as a separate political subdivision and to merge the City of Baltimore into Baltimore County as a united political subdivision governed under Article XI-A of the Constitution of Maryland; altering the number of appellate judicial circuits and judicial circuits and the number of judges assigned from a certain appellate judicial circuit; repealing certain Constitutional offices relating to Baltimore City; repealing certain Articles of the Constitution relating to Baltimore City; making stylistic changes; providing certain provisions of limited duration for the purpose of implementing this amendment; generally relating to the merger of Baltimore City and Baltimore County; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Constitution of Maryland
Declaration of Rights
Article 15

BY proposing an amendment to the Constitution of Maryland
Article I - Elective Franchise
Section 2, 5, 6, and 10

BY proposing an amendment to the Constitution of Maryland
Article III - Legislative Department
Section 35, 40A, 45, and 61(c) and (e)

BY proposing an amendment to the Constitution of Maryland
Article IV - Judiciary Department
Section 3, 11, 14, 19, 20(a), 25, 40, 41, 41A, 44, and 45

BY proposing an amendment to the Constitution of Maryland
Article V - Attorney-General and State's Attorneys
Section 2, 7, 9, 11, and 12

BY proposing a repeal of the Constitution of Maryland

Article XI - City of Baltimore

Section 1, 2, 3, 4, 5, 6, 7, 8, and 9

BY proposing an addition to the Constitution of Maryland

Article XI - City of Baltimore

Section 1

BY proposing an amendment to the Constitution of Maryland

Article XI-A - Local Legislation

Section 1, 2, 3, 4, 5, and 6

BY proposing a repeal of the Constitution of Maryland

Article XI-B - City of Baltimore - Land Development and Redevelopment

Section 1 and 2 and the article designation "Article XI-B - City of
Baltimore - Land Development and Redevelopment"

BY proposing a repeal of the Constitution of Maryland

Article XI-C - Off-Street Parking

Section 1, 2, and 3 and the article designation "Article XI-C - Off-Street
Parking"

BY proposing a repeal of the Constitution of Maryland

Article XI-D - Port Development

Section 1, 2, and 3 and the article designation "Article XI-D - Port
Development"

BY proposing a repeal of the Constitution of Maryland

Article XI-G - City of Baltimore - Residential Rehabilitation and
Commercial Financing Loans

Section 1 and 2 and the article designation "Article XI-G - City of
Baltimore - Residential Rehabilitation and Commercial Financing
Loans"

BY proposing a repeal of the Constitution of Maryland

Article XI-H - City of Baltimore - Residential Financing Loans

Section 1 and 2 and the article designation "Article XI-H - City of
Baltimore - Residential Financing Loans"

BY proposing a repeal of the Constitution of Maryland

Article XI-I - City of Baltimore - Industrial Financing Loans

Section 1 and 2 and the article designation "Article XI-I - Industrial
Financing Loans"

BY proposing an amendment to the Constitution of Maryland

Article XIII - New Counties

Section 1

BY proposing an amendment to the Constitution of Maryland
Article XIV - Amendments to the Constitution
Section 1 and 2

BY proposing an amendment to the Constitution of Maryland
Article XVI - The Referendum
Section 3(a) and 5

BY proposing an amendment to the Constitution of Maryland
Article XVII - Quadrennial Elections
Section 3 and 6

BY proposing an addition to the Constitution of Maryland
Article XVIII - Provisions of Limited Duration
Section 6

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, (Three-fifths of all the members elected to each of the two Houses concurring), That it be proposed that the Constitution of Maryland read as follows:

Declaration of Rights

Article 15.

That the levying of taxes by the poll is grievous and oppressive and ought to be prohibited; that paupers ought not to be assessed for the support of the government; that the General Assembly shall, by uniform rules, provide for the separate assessment, classification and sub-classification of land, improvements on land and personal property, as it may deem proper; and all taxes thereafter provided to be levied by the State for the support of the general State Government, and by the Counties [and by the City of Baltimore] for their respective purposes, shall be uniform within each class or sub-class of land, improvements on land and personal property which the respective taxing powers may have directed to be subjected to the tax levy; yet fines, duties or taxes may properly and justly be imposed, or laid with a political view for the good government and benefit of the community.

Article I - Elective Franchise

2.

The General Assembly shall provide by law for a uniform Registration of the names of all the voters in this State, who possess the qualifications prescribed in this Article, which Registration shall be conclusive evidence to the Judges of Election of the right of every person, thus registered, to vote at any election thereafter held in this State; but no person shall vote, at any election, Federal or State, hereafter to be held in this State, [or at any municipal election in the City of Baltimore,] unless his

name appears in the list of registered voters; the names of all persons shall be added to the list of qualified voters by the officers of Registration, who have the qualifications prescribed in the first section of this Article, and who are not disqualified under the provisions of the second and third sections thereof.

5.

It shall be the duty of the General Assembly to pass Laws to punish, with fine and imprisonment, any person, who shall remove into any election district, [or precinct of any ward of the City of Baltimore,] not for the purpose of acquiring a bona fide residence therein, but for the purpose of voting at an approaching election, or, who shall vote in any election district, or ward, in which he does not reside, (except in the case provided for in this Article,) or shall, at the same election, vote in more than one election district, or precinct, or shall vote, or offer to vote, in any name not his own, or in place of any other person of the same name, or shall vote in any county in which he does not reside.

6.

If any person shall give, or offer to give, directly or indirectly, any bribe, present or reward, or any promise, or any security, for the payment or delivery of money, or any other thing, to induce any voter to refrain from casting his vote, or to prevent him in any way from voting, or to procure a vote for any candidate or person proposed, or voted for as the elector of President, and Vice President of the United States, or Representative in Congress or for any office of profit or trust, created by the Constitution or Laws of this State, [or by the Ordinances, or Authority of the Mayor and City Council of Baltimore,] the person giving, or offering to give and the person receiving the same, and any person who gives or causes to be given, an illegal vote, knowing it to be such, at any election to be hereafter held in this State, shall, on conviction in a Court of Law, in addition to the penalties now or hereafter to be imposed by law, be forever disqualified to hold any office of profit or trust, or to vote at any election thereafter. But the General Assembly may in its discretion remove the above penalty and all other penalties upon the vote seller so as to place the penalties for the purchase of votes on the vote buyer alone.

10.

Any officer elected or appointed in pursuance of the provisions of this Constitution, may qualify, either according to the existing provisions of law, in relation to officers under the present Constitution, or before the Governor of the State, or before any Clerk of any Court of Record in any part of the State; but in case an officer shall qualify out of the County in which he resides, an official copy of his oath shall be filed and recorded in the Clerk's office of the Circuit Court of the County in which he may reside[, or in the Clerk's office of the Superior Court of the City of Baltimore, if he shall reside therein]. All words or phrases, used in creating public offices and positions under the Constitution and laws of this State, which denote the masculine gender shall be construed to include the feminine gender, unless the contrary intention is specifically expressed.

Article III - Legislative Department

35.

Extra compensation may not be granted or allowed by the General Assembly to any public Officer, Agent, Servant or Contractor, after the service has been rendered, or the contract entered into; nor may the salary or compensation of any public officer be increased or diminished during his term of office except those whose full term of office is fixed by law in excess of 4 years. [However, after January 1, 1956, for services rendered after that date, the salary or compensation of any appointed public officer of the Mayor and City Council of Baltimore may be increased or diminished at any time during his term of office; except that as to officers in the Classified City Service, when the salary of any appointed public officer of the Mayor and City Council of Baltimore however, increased or decreased, it may not again be increased or decreased, as the case may be, during the term of such public officer.]

40A.

The General Assembly shall enact no law authorizing private property to be taken for public use without just compensation, to be agreed upon between the parties, or awarded by a jury, being first paid or tendered to the party entitled to such compensation, but [where such property is situated in Baltimore City and is desired by this State or by the Mayor and City Council of Baltimore, the General Assembly may provide that such property may be taken immediately upon payment therefor to the owner or owners thereof by the State or by the Mayor and City Council of Baltimore, or into court, such amount as the State or the Mayor and City Council of Baltimore, as the case may be, shall estimate to be the fair value of said property, provided such legislation also requires the payment of any further sum that may subsequently be added by a jury; and further provided that the authority and procedure for the immediate taking of property as it applies to the Mayor and City Council of Baltimore on June 1, 1961, shall remain in force and effect to and including June 1, 1963, and] where such property is situated in Baltimore County and is desired by Baltimore County, Maryland, the County Council of Baltimore County, Maryland, may provide for the appointment of an appraiser or appraisers by a Court of Record to value such property and that upon payment of the amount of such evaluation, to the party entitled to compensation, or into Court, and securing the payment of any further sum that may be awarded by a jury, such property may be taken; and where such property is situated in Montgomery County and in the judgment of and upon a finding by the County Council of said County that there is immediate need therefor for right of way for County roads or streets, the County Council may provide that such property may be taken immediately upon payment therefor to the owner or owners thereof, or into court, such amount as a licensed real estate broker appointed by the County Council shall estimate to be the fair market value of such property, provided that the Council shall secure the payment of any further sum that may subsequently be awarded by a jury. In the various municipal corporations within Cecil County, where in the judgment of and upon a finding by the governing body of said municipal corporation that there is immediate need therefor for right of way for municipal roads, streets and extension of municipal water and sewage facilities, the governing body may provide that such property may be taken

immediately upon payment therefor to the owner or owners thereof, or into court, such amount as a licensed real estate broker appointed by the particular governing body shall estimate to be a fair market value of such property, provided that the municipal corporation shall secure the payment of any further sum that subsequently may be awarded by a jury. This Section 40A shall not apply in Montgomery County or any of the various municipal corporations within Cecil County, if the property actually to be taken includes a building or buildings.

45.

The General Assembly shall provide a simple and uniform system of charges in the offices of Clerks of Courts and Registers of Wills, in the Counties of this State [and the City of Baltimore], and for the collection thereof; provided, the amount of compensation to any of the said officers in the various Counties [and in the City of Baltimore] shall be such as may be prescribed by law.

61.

(c) The General Assembly of Maryland, by public local law, may establish or authorize the establishment of a public body or agency to undertake in a county or municipal corporation [(other than Baltimore City)] the activities authorized by this section, and may provide that any or all of the powers, except the power of taxation, herein authorized to be granted to such county or municipal corporation shall be vested in such public body or agency or in any existing public body or agency.

(e) The [provisions of this section are independent of, and shall in no way affect, the powers granted under Article XIB of the Constitution of Maryland, title "City of Baltimore -- Land Development and Redevelopment." Also, the] power provided in this section for the General Assembly to enact public local laws authorizing any municipal corporation or any county to carry out urban renewal projects prevails over the restrictions contained in Article 11A "Local Legislation" and in Article 11E "Municipal Corporations" of this Constitution.

Article IV - Judiciary Department

3.

Except for the Judges of the District Court, the Judges of the several Courts other than the Court of Appeals or any intermediate courts of appeal shall, subject to the provisions of Section 5 of this Article of the Constitution, be elected in [Baltimore City and in] each county, by the qualified voters of [the city and of] each county, respectively, all of the said Judges to be elected at the general election to be held on the Tuesday after the first Monday in November, as now provided for in the Constitution. Each of the said Judges shall hold his office for the term of fifteen years from the time of his election, and until his successor is elected and qualified, or until he shall have attained the age of seventy years, whichever may first happen, and be reeligible thereto until he shall have attained the age of seventy years, and not after. In case of the inability of any of said Judges to discharge his duties with efficiency, by reason of continued sickness, or of physical or mental infirmity, it shall be in the

power of the General Assembly, two-thirds of the members of each House concurring, with the approval of the Governor to retire said Judge from office.

11.

The election for Judges, hereinbefore provided, and all elections for Clerks, Registers of Wills, and other officers, provided in this Constitution, except State's Attorneys, shall be certified, and the returns made, by the Clerks of the Circuit Courts of the Counties[, and the Clerk of the Superior Court of Baltimore City, respectively,] AND to the Governor, who shall issue commissions to the different persons for the offices to which they shall have been, respectively, elected; and in all such elections for officers other than judges of an appellate court, the person having the greatest number of votes, shall be declared to be elected.

14.

The Court of Appeals shall be composed of seven judges, one from the First Appellate Judicial Circuit consisting of Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester Counties; [one] TWO from the Second Appellate Judicial Circuit consisting of Baltimore and Harford Counties; one from the Third Appellate Judicial Circuit, consisting of Allegany, Carroll, Frederick, Garrett, Howard, and Washington Counties; one from the Fourth Appellate Judicial Circuit, consisting of Prince George's County; one from the Fifth Appellate Judicial Circuit, consisting of Anne Arundel, Calvert, Charles, and St. Mary's Counties; [one from the Sixth Appellate Judicial Circuit, consisting of Baltimore City;] and one from the [Seventh] SIXTH Appellate Judicial Circuit, consisting of Montgomery County. The Judges of the Court of Appeals shall be residents of their respective Appellate Judicial Circuits. The term of each Judge of the Court of Appeals shall begin on the date of his qualification. One of the Judges of the Court of Appeals shall be designated by the Governor as the Chief Judge. The jurisdiction of the Court of Appeals shall be co-extensive with the limits of the State and such as now is or may hereafter be prescribed by law. It shall hold its sessions in the City of Annapolis at such time or times as it shall from time to time by rule prescribe. Its session or sessions shall continue not less than ten months in each year, if the business before it shall so require, and it shall be competent for the judges temporarily to transfer their sittings elsewhere upon sufficient cause. The salary of each Judge of the Court of Appeals shall be that now or hereafter prescribed by the General Assembly and shall not be diminished during his continuance in office. Five of the judges shall constitute a quorum, and five judges shall sit in each case unless the Court shall direct that an additional judge or judges sit for any case. The concurrence of a majority of those sitting shall be sufficient for the decision of any cause, and an equal division of those sitting in a case has the effect of affirming the decision appealed from if there is no application for reargument as hereinafter provided. In any case where there is an equal division or a three to two division of the Court a reargument before the full Court of seven judges shall be granted to the losing party upon application as a matter of right.

19.

The State shall be divided into [eight] SEVEN Judicial Circuits, in manner following, viz: The Counties of Worcester, Wicomico, Somerset, and Dorchester, shall constitute the First Circuit; the Counties of Caroline, Talbot, Queen Anne's, Kent and Cecil, the Second; the Counties of Baltimore and Harford, the Third; the Counties of Allegany, Garrett, and Washington, the Fourth; the Counties of Carroll, Howard and Anne Arundel, the Fifth; the Counties of Montgomery and Frederick, the Sixth; AND the Counties of Prince George's, Charles, Calvert, and St. Mary's, the Seventh[; and Baltimore City, the Eighth].

20.

(a) There shall be a Circuit Court for each County [and for Baltimore City]. The Circuit Courts shall have and exercise, in the respective counties,[and Baltimore City,] all the power, authority and jurisdiction, original and appellate, which the Circuit Courts of the counties exercised on the effective date of these amendments, and the greater or lesser jurisdiction hereafter prescribed by law.

25.

There shall be a Clerk of the Circuit Court for each county [and Baltimore City], who shall be elected by a plurality of the qualified voters of said County [or City,] and shall hold his office for four years from the time of his election, and until his successor is elected and qualified, and be re-eligible, subject to be removed for wilful neglect of duty or other misdemeanor in office, on conviction in a Court of Law. In case of a vacancy in the office of Clerk of a Circuit Court, the Judges of that Court may fill the vacancy until the general election for Delegates to the General Assembly, to be held next thereafter, when a successor shall be elected for the term of four years.

40.

The qualified voters of the [City of Baltimore, and of the] several Counties, except Montgomery County and Harford County, shall elect three Judges of the Orphans' Courts of [City and Counties, respectively] EACH RESPECTIVE COUNTY, who shall be citizens of the State and residents, for the twelve months preceding, in the [City or] County for which they may be elected. They shall have all the powers now vested in the Orphans' Courts of the State, subject to such changes as the Legislature may prescribe. Each of the Judges shall be paid such compensation as may be regulated by Law, to be paid by the [City or Counties, respectively] RESPECTIVE COUNTY. In case of a vacancy in the office of Judge of the Orphans' Court, the Governor shall appoint, subject to confirmation or rejection by the Senate, some suitable person to fill the vacancy for the residue of the term.

41.

There shall be a Register of Wills in each county of the State, [and the City of Baltimore,] to be elected by the legal and qualified voters of [said counties and city, respectively] EACH RESPECTIVE COUNTY, who shall hold his office for four years from the time of his election and until his successor is elected and qualified; he shall

be re-eligible, and subject at all times to removal for willful neglect of duty, or misdemeanor in office in the same manner that the Clerks of the Courts are removable. In the event of any vacancy in the office of the Register of Wills, said vacancy shall be filled by the Judges of the Orphans' Court, in which such vacancy occurs, until the next general election for Delegates to the General Assembly when a Register shall be elected to serve for four years thereafter.

41A.

The District Court shall have the original jurisdiction prescribed by law. Jurisdiction of the District Court shall be uniform throughout the State; except that in Montgomery County and other counties [and the City of Baltimore], the Court may have such jurisdiction over juvenile causes as is provided by law.

44.

There shall be elected in each county [and in Baltimore City] one person, resident in said county [or City], above the age of twenty-five years, and for at least five years preceding his election a citizen of the State, to the office of Sheriff. He shall hold office for four years, until his successor is duly elected and qualified, give such bond, exercise such powers and perform such duties as now are or may hereafter be fixed by law.

In case of vacancy by death, resignation, refusal to serve, or neglect to qualify or give bond, or by disqualification or removal from the County [or City], the Governor shall appoint a person to be Sheriff for the remainder of the official term.

The Sheriff in each county [and in Baltimore City] shall receive such salary or compensation and such expenses necessary to the conduct of his office as may be fixed by law. All fees collected by the Sheriff shall be accounted for and paid to the Treasury of the [several counties and of Baltimore City, respectively] RESPECTIVE COUNTY.

45.

Notaries Public may be appointed for each county, [and the city of Baltimore,] in the manner, for the purpose, and with the powers now fixed, or which may hereafter be prescribed by Law.

Article V - Attorney-General and State's Attorneys

2.

All elections for Attorney-General shall be certified to, and returns made thereof by the Clerks of the Circuit Courts of the several counties, and [the Clerk of the Superior Court of Baltimore City,] to the Governor of the State, whose duty it shall be to decide on the election and qualification of the person returned; and in case of a tie between two or more persons, to designate which of said persons shall qualify as Attorney General, and to administer the oath of office to the person elected.

7.

There shall be an Attorney for the State in each county [and the City of Baltimore], to be styled "The State's Attorney", who shall be elected by the voters thereof, respectively, and shall hold his office for four years from the first Monday in January next ensuing his election, and until his successor shall be elected and qualified; and shall be re-eligible thereto, and be subject to removal therefrom, for incompetency, willful neglect of duty, or misdemeanor in office, on conviction in a Court of Law, or by a vote of two-thirds of the Senate, on the recommendation of the Attorney-General.

9.

The State's Attorney shall perform such duties and receive such salary as shall be prescribed by the General Assembly. If any State's Attorney shall receive any other fee or reward than such as is or may be allowed by law, he shall, on conviction thereof, be removed from office; provided, that the State's Attorney for Baltimore City shall have the power to appoint a Deputy and such other Assistants as the Supreme Bench of Baltimore City may authorize or approve and until otherwise provided by the General Assembly, the said State's Attorney, Deputy and Assistants shall receive the following annual salaries: State's Attorney, seven thousand five hundred dollars; Deputy State's Attorney, five thousand dollars; Assistant State's Attorneys, four thousand dollars each; said salaries, or such salaries as the General Assembly may subsequently provide and such expenses for conducting the office of the State's Attorney as the Supreme Bench of Baltimore City may authorize or approve shall be paid by the Mayor and City Council of Baltimore to the extent that the total of them exceeds the fees of his office, or as the General Assembly shall otherwise provide, and the Mayor and City Council of Baltimore shall not be liable for appearance fees to the State's Attorney].

11.

In case of a vacancy in the office of State's Attorney, or of his removal from the county [or city] in which he shall have been elected, or on his conviction as herein specified, the Judge or Judges resident in the county or, if there be no resident Judge, the Judge or Judges having jurisdiction in the Circuit Court of the county in which the vacancy occurs, [or by the Supreme Bench of Baltimore City for a vacancy occurring in Baltimore City,] shall appoint a person to fill the vacancy for the residue of the term.

12.

The State's Attorney in each county[, and the City of Baltimore,] shall have authority to collect, and give receipt, in the name of the State, for such sums of money as may be collected by him, and forthwith make return of and pay over the same to the proper accounting officer. And the State's Attorney of each county, [and the City of Baltimore,] before he shall enter on the discharge of his duties, and from time to time thereafter, shall give such corporate surety bond as may hereafter be prescribed by Act of the General Assembly.

Article XI - City of Baltimore

[1.

The Inhabitants of the City of Baltimore, qualified by Law to vote in said city for members of the House of Delegates, shall on the fourth Wednesday of October, eighteen hundred and sixty-seven, and on the same day in every fourth year thereafter, elect a person to be Mayor of the City of Baltimore, who shall have such qualifications, receive such compensation, discharge such duties, and have such powers as are now, or may hereafter be prescribed by Law; and the term of whose office shall commence on the first Monday of November succeeding his election, and shall continue for four years, and until his successor shall have qualified; and he shall be ineligible for the term next succeeding that for which he was elected.]

[2.

The City Council of Baltimore shall consist of Two Branches, one of which shall be called the First Branch, and the other the Second Branch; and each shall consist of such number of members, having such qualification, receiving such compensation, performing such duties, possessing such powers, holding such terms of office, and elected in such manner, as are now, or may hereafter be prescribed by Law.]

[3.

An election for members of the First and Second Branch of the City Council of Baltimore shall be held in the City of Baltimore on the fourth Wednesday of October, eighteen hundred and sixty-seven; and for members of the First Branch on the same day in every year thereafter; and for members of the Second Branch on the same day in every second year thereafter; and the qualification for electors of the members of the City Council shall be the same as those prescribed for the electors of Mayor.]

[4.

The regular sessions of the City Council of Baltimore, (which shall be annual,) shall commence on the third Monday of January of each year, and shall not continue more than ninety days, exclusive of Sundays; but the Mayor may convene the City Council in extra session whenever, and as often as it may appear to him that the public good may require; but no called, or extra session shall last longer than twenty days, exclusive of Sundays.]

[5.

No person, elected and qualified as Mayor, or as a member of the City Council, shall, during the term for which he was elected, hold any other office of profit or trust, created, or to be created, by the Mayor and City Council of Baltimore, or by any Law relating to the Corporation of Baltimore, or hold any employment, or position, the compensation of which shall be paid, directly or indirectly, out of the City Treasury; nor shall any such person be interested, directly or indirectly, in any contract, to which the City is a party; nor shall it be lawful for any person, holding any office,

under the City, to be interested, while holding such office, in any contract, to which the City is a party.]

[6.

The Mayor shall, on a conviction in a Court of Law; of wilful neglect of duty, or misbehavior in office, be removed from office by the Governor of the State, and a successor shall thereafter be elected, as in case of vacancy.]

[7.

From and after the adoption of this Constitution, no debt except as hereinafter provided in this section, shall be created by the Mayor and City Council of Baltimore; nor shall the credit of the Mayor and City Council of Baltimore be given, or loaned to, or in aid of any individual, association, or corporation; nor shall the Mayor and City Council of Baltimore have the power to involve the City of Baltimore in the construction of works of internal improvement, nor in granting any aid thereto, which shall involve the faith and credit of the City, nor make any appropriation therefor, unless the debt or credit is authorized by an ordinance of the Mayor and City Council of Baltimore, submitted to the legal voters of the City of Baltimore, at such time and place as may be fixed by the ordinance, and approved by a majority of the votes cast at that time and place. An ordinance for the authorization of debt or credit as aforesaid may not be submitted to the legal voters of Baltimore City unless the proposed creation of debt or extension of credit is either (1) presented to and approved by a majority of the members of the General Assembly representing Baltimore City no later than the 30th day of the regular session of the General Assembly immediately preceding its submission to the voters, or (2) authorized by an act of the General Assembly. The ordinance shall provide for the discharge of any such debt or credit within the period of 40 years from the time of contracting the same. The Mayor and City Council may, temporarily, borrow any amount of money to meet any deficiency in the City treasury, and may borrow any amount at any time to provide for any emergency arising from the necessity of maintaining the police, or preserving the health, safety and sanitary condition of the City, and may make due and proper arrangements and agreements for the renewal and extension, in whole or in part, of any and all debts and obligations created according to law before the adoption of this Constitution.

The General Assembly may, from time to time, fix a limit upon the aggregate amount of bonds and other evidences of indebtedness of the City outstanding at any one time to the same extent as it fixes such a limit upon the indebtedness of the chartered counties.]

[8.

All Laws and Ordinances now in force, applicable to the City of Baltimore, not inconsistent with this Article, shall be, and they are hereby continued until changed in due course of Law.]

[9.

The General Assembly may make such changes in this Article, except in Section seventh thereof, as it may deem best; and this Article shall not be so construed, or taken as to make the political Corporation of Baltimore independent, of, or free from the control, which the General Assembly of Maryland has over all such Corporations in this State.]

1.

EFFECTIVE JANUARY 1, 2003, THE CITY OF BALTIMORE SHALL NO LONGER EXIST AS A SEPARATE POLITICAL SUBDIVISION OF THE STATE. THE AREA WITHIN THE BOUNDARIES OF THE CITY OF BALTIMORE AS OF JULY 1, 2002, SHALL MERGE INTO AND BECOME PART OF BALTIMORE COUNTY AND SHALL BE GOVERNED AS PART OF THE COUNTY UNDER ARTICLE XI-A OF THIS CONSTITUTION.

Article XI-A - Local Legislation

1.

On [demand of the Mayor of Baltimore and City Council of the City of Baltimore, or on] petition bearing the signatures of not less than 20% of the registered voters of [said City or] any County (Provided, however, that in any case 10,000 signatures shall be sufficient to complete a petition), the Board of Election Supervisors of [said City or] THE RESPECTIVE County shall provide at the next general or congressional election, occurring after [such demand or] the filing of such petition, for the election of a charter board of [eleven registered voters of said City or] five registered voters in any such Counties. Nominations for members for said charter board may be made not less than forty days prior to said election by [the Mayor of Baltimore and City Council of the City of Baltimore or] the County Commissioners of such County, or not less than twenty days prior to said election by petition bearing the signatures written in their own handwriting (and not by their mark) of not less than 5% of the registered voters of the [said City of Baltimore or said] County; provided, that in any case Two thousand signatures of registered voters shall be sufficient to complete any such nominating petition, and if [not more than eleven registered voters of the City of Baltimore or] not more than five registered voters in any such County are so nominated their names shall not be printed on the ballot, but said [eleven registered voters in the City of Baltimore or] five REGISTERED VOTERS in such County shall constitute said charter board from and after the date of said election. At said election the ballot shall contain the names of said nominees in alphabetical order without any indication of the source of their nomination, and shall also be so arranged as to permit the voter to vote for or against the creation of said charter board, but the vote cast against said creation shall not be held to bar the voter from expressing his choice among the nominees for said board, and if the majority of the votes cast for and against the creation of said charter board shall be against said creation the election of the members of said charter board shall be void; but if such majority shall be in favor of the creation of said charter board, then and in that event the [eleven nominees of the City of Baltimore or] five nominees in the County receiving the largest number of votes shall constitute the charter board, and said

charter board, or a majority thereof, shall prepare within 18 months from the date of said election a charter or form of government for [said city or such] THE county and present the same to the [Mayor of Baltimore or] President of the Board of County Commissioners of such county, who shall publish the same in at least two newspapers of general circulation published in the [City of Baltimore or] County within thirty days after it shall be reported to him. Such charter shall be submitted to the voters of [said City or] THE County at the next general or Congressional election after the report of said charter to [said Mayor of Baltimore or] THE President of the Board of County Commissioners; and if a majority of the votes cast for and against the adoption of said charter shall be in favor of such adoption, the said charter from and after the thirtieth day from the date of such election shall become the law of [said City or] THE County, subject only to the Constitution and Public General Laws of this State, and any public local laws inconsistent with the provisions of said charter and any former charter of the [City of Baltimore or] County shall be thereby repealed.

2.

The General Assembly shall by public general law provide a grant of express powers for such County or Counties as may thereafter form a charter under the provisions of this Article. Such express powers granted to the Counties [and the powers heretofore granted to the City of Baltimore, as set forth in Article 4, Section 6, Public Local Laws of Maryland,] shall not be enlarged or extended by any charter formed under the provisions of this Article, but such powers may be extended, modified, amended or repealed by the General Assembly.

3.

Every charter so formed shall provide for an elective legislative body in which shall be vested the law-making power of [said City or] THE County. Such legislative body [in the City of Baltimore shall be known as the City Council of the City of Baltimore, and in any county] shall be known as the County Council of the County. The chief executive officer, if any such charter shall provide for the election of such executive officer, or the presiding officer of said legislative body, if such charter shall not provide for the election of a chief executive officer, shall be known [in the City of Baltimore as Mayor of Baltimore, and in any County] as the President or Chairman of the County Council of the County, and all references in the Constitution and laws of this State to [the Mayor of Baltimore and City Council of the City of Baltimore or to] the County Commissioners of the Counties, shall be construed to refer to [the Mayor of Baltimore and City Council of the City of Baltimore and to] the President or Chairman and County Council herein provided for whenever such construction would be reasonable. From and after the adoption of a charter by [the City of Baltimore, or] any County of this State, as hereinbefore provided, the [Mayor of Baltimore and City Council of the City of Baltimore or the] County Council of said County, subject to the Constitution and Public General Laws of this State, shall have full power to enact local laws of [said City or] THE County including the power to repeal or amend local laws of [said City or] THE County enacted by the General Assembly, upon all matters covered by the express powers granted as above provided, and, as expressly authorized by statute, to provide for the filling of a vacancy in the County Council by special election; provided that nothing herein contained shall be construed to

authorize or empower the County Council of any County in this State to enact laws or regulations for any incorporated town, village, or municipality in said County, on any matter covered by the powers granted to said town, village, or municipality by the Act incorporating it, or any subsequent Act or Acts amendatory thereto. Provided, however, that the charters for the various Counties shall specify the number of days, not to exceed forty-five, which may but need not be consecutive, that the County Council of the Counties may sit in each year for the purpose of enacting legislation for such Counties, and all legislation shall be enacted at the times so designated for that purpose in the charter, and the title or a summary of all laws and ordinances proposed shall be published once a week for two successive weeks prior to enactment followed by publication once after enactment in at least one newspaper of general circulation in the county, so that the taxpayers and citizens may have notice thereof. The validity of emergency legislation shall not be affected if enacted prior to the completion of advertising thereof. [These provisions concerning publication shall not apply to Baltimore City.] All such local laws enacted by the [Mayor of Baltimore and City Council of the City of Baltimore or the] Council of the Counties as hereinbefore provided, shall be subject to the same rules of interpretation as those now applicable to the Public Local Laws of this State, except that in case of any conflict between said local law and any Public General Law now or hereafter enacted the Public General Law shall control.

4.

From and after the adoption of a charter under the provisions of this Article by [the City of Baltimore or] any County of this State, no public local law shall be enacted by the General Assembly for [said City or] THE County on any subject covered by the express powers granted as above provided. Any law so drawn as to apply to two or more of the geographical subdivisions of this State shall not be deemed a Local Law, within the meaning of this Act. The term "geographical sub-division" herein used shall be taken to mean [the City of Baltimore or] any of the Counties of this State.

5.

Amendments to any charter adopted by [the City of Baltimore or by] any County of this State under the provisions of this Article may be proposed by a resolution of the [Mayor of Baltimore and the City Council of the City of Baltimore, or the] Council of the County, or by a petition signed by not less than 20% of the registered voters of the [City or] County, provided, however, that in any case 10,000 signatures shall be sufficient to complete a petition. A petition shall be filed with the [Mayor of Baltimore or the] President of the County Council. An amendment so proposed shall be submitted to the voters of the [City or] County at the next general or congressional election occurring after the passage of the resolution or the filing of the petition. If at the election the majority of the votes cast for and against the amendment shall be in favor thereof, the amendment shall be adopted and become a part of the charter of the [City or] County from and after the thirtieth day after said election. The amendments shall be published by the [Mayor of Baltimore or] President of the County Council once a week for five successive weeks prior to the election in at least one newspaper published in [said City or] THE County.

6.

The power heretofore conferred upon the General Assembly to prescribe the number, compensation, powers and duties of the County Commissioners in each County[, and the power to make changes in Sections 1 to 6 inclusive, Article XI of this Constitution, when expressly granted as hereinbefore provided,] are hereby transferred to the voters of each County [and the voters of City of Baltimore, respectively], provided that said powers so transferred shall be exercised only by the adoption or amendment of a charter as hereinbefore provided; and provided further that this Article shall not be construed to authorize the exercise of any powers in excess of those conferred by the Legislature upon said Counties [or City] as this Article sets forth.

[Article XI-B City of Baltimore - Land Development and Redevelopment]

[1.

The General Assembly of Maryland, by public local law, may authorize and empower the Mayor and City Council of Baltimore:

(a) To acquire, within the boundary lines of Baltimore City, land and property of every kind, and any right, interest, franchise, easement or privilege therein, by purchase, lease, gift, condemnation or any other legal means, for development or redevelopment, including, but not limited to, the comprehensive renovation or rehabilitation thereof; and

(b) To sell, lease, convey, transfer or otherwise dispose of any of said land or property, regardless of whether or not it has been developed, redeveloped, altered or improved and irrespective of the manner or means in or by which it may have been acquired, to any private, public or quasi public corporation, partnership, association, person or other legal entity.

No land or property taken by the Mayor and City Council of Baltimore for any of the aforementioned purposes or in connection with the exercise of any of the powers which may be granted to the Mayor and City Council of Baltimore pursuant to this Article by exercising the power of eminent domain, shall be taken without just compensation, as agreed upon between the parties, or awarded by a jury, being first paid or tendered to the party entitled to such compensation.

All land or property needed, or taken by the exercise of the power of eminent domain, by the Mayor and City Council of Baltimore for any of the aforementioned purposes or in connection with the exercise of any of the powers which may be granted to the Mayor and City Council of Baltimore pursuant to this Article is hereby declared to be needed or taken for a public use.]

[2.

The General Assembly of Maryland may grant to the Mayor and City Council of Baltimore any and all additional power and authority necessary or proper to carry into full force and effect any and all of the specific powers which the General

Assembly is authorized to grant to the Mayor and City Council of Baltimore pursuant to this Article and to fully accomplish any and all of the purposes and objects contemplated by the provisions of this Article, provided such additional power or authority is not inconsistent with the terms and provisions of this Article or with any other provision or provisions of the Constitution of Maryland. The General Assembly may place such other and further restrictions or limitations on the exercise of any of the powers which it may grant to the Mayor and City Council of Baltimore under the provisions of this Article as it may deem proper and expedient.]

[Article XI-C - Off-Street Parking]

[1.

The General Assembly of Maryland, by public local law, may authorize the Mayor and City Council of Baltimore:

(a) Within the City of Baltimore to acquire land and property of every kind, and any right, interest, franchise, easement or privilege therein, by purchase, lease, gift, condemnation or any other legal means, for storing, parking and servicing self-propelled vehicles, provided, that no petroleum products shall be sold or offered for sale at any entrance to or exit from, any land so acquired or at any entrance to, or exit from, any structure erected thereon, when any entrance to, or exit from, any such land or structure faces on a street or highway which is more than 25 feet wide from curb to curb; and

(b) To sell, lease, convey, transfer or otherwise dispose of any of said land or property, regardless of whether or not it has been developed, redeveloped, altered, or improved and irrespective of the manner or means in or by which it may have been acquired, to any private, public or quasi public corporation, partnership, association, person or other legal entity.

No land or property taken by the Mayor and City Council of Baltimore for any of the aforementioned purposes or in connection with the exercise of any of the powers which may be granted to the Mayor and City Council of Baltimore pursuant to this Article by exercising the power of eminent domain, shall be taken without just compensation, as agreed upon between the parties, or awarded by a jury, being first paid or tendered to the party entitled to such compensation.

All land or property needed, or taken by the exercise of the power of eminent domain, by the Mayor and City Council of Baltimore for any of the aforementioned purposes or in connection with the exercise of any of the powers which may be granted to the Mayor and City Council of Baltimore pursuant to this Article is hereby declared to be needed or taken for a public use.]

[2.

The General Assembly of Maryland may grant to the Mayor and City Council of Baltimore any and all additional power and authority necessary or proper to carry into full force and effect any and all of the specific powers which the General

Assembly is authorized to grant to the Mayor and City Council of Baltimore pursuant to this Article and to fully accomplish any and all of the purposes and objects contemplated by the provisions of this Article, provided such additional power or authority is not inconsistent with the terms and provisions of this Article or with any other provision or provisions of the Constitution of Maryland. The General Assembly may place such other and further restrictions or limitations on the exercise of any of the powers which it may grant to the Mayor and City Council of Baltimore under the provisions of this Article as it may deem proper and expedient.]

[3.

In addition to the powers granted and exercised under Sections 1 and 2, the Mayor and City Council of Baltimore may, by ordinance, borrow money to finance the establishment, construction, erection, alteration, expansion, enlarging, improving, equipping, repairing, maintaining, operating, controlling, and regulating of off-street parking facilities owned or to be owned by the Mayor and City Council of Baltimore, and evidence such borrowing by the issuance of revenue bonds, notes or other obligations to be secured by a pledge of the revenues derived from such facilities, and may further pledge revenues collected from parking taxes, parking fees or charges, parking fines or any other revenue derived from the parking of motor vehicles in the City of Baltimore to or for the payment of such revenue bonds, notes or other obligations; and for such purposes the Commissioners of Finance are empowered to maintain a fund consisting of the revenue pledged herein. The bonds, notes or other obligations issued hereunder and the pledge of revenues, taxes, fees, charges or fines provided for herein shall not constitute a general obligation of nor a pledge of the faith and credit or taxing power of the Mayor and City Council of Baltimore and shall not constitute a debt of the Mayor and City Council of Baltimore within the meaning of Section 7 of Article XI of the Constitution of Maryland. The ordinance may prescribe the form and terms of the bonds, notes or other obligations, the time and manner of public or private sale thereof, and the method and terms of payment therefor, and may authorize the Commissioners of Finance by resolution to determine any matters hereinabove recited and to do any and all things necessary or appropriate in connection with the issuance and sale thereof.]

[Article XI-D - Port Development]

[1.

The General Assembly of Maryland, by public local law, may authorize the Mayor and City Council of Baltimore:

(a) To acquire land and property of every kind, and any right, interest, franchise, easement or privilege therein, in adjoining or in the vicinity of the Patapsco River or its tributaries, by purchase, lease, gift, condemnation or any other legal means, for or in connection with extending, developing or improving the harbor or port of Baltimore and its facilities and the highways and approaches thereto; and providing, further, that the Mayor and City Council of Baltimore shall not acquire any such land or property, or any such right, interest, franchise, easement or privilege therein, for any of said purposes, in any of the counties of this State without the prior

consent and approval by resolution duly passed after a public hearing, by the governing body of the county in which such land or property, or such right, interest, franchise, easement or privilege therein, is situate; and provided, further, that Anne Arundel County shall retain jurisdiction and power to tax any land so acquired by the Mayor and City Council of Baltimore under the provisions of this Act.

(b) To sell, lease, convey, transfer or otherwise dispose of any of said land or property, regardless of whether or not it is undeveloped or has been developed, redeveloped, altered, or improved and irrespective of the manner or means in or by which it may have been acquired, to any private, public or quasi public corporation, partnership, association, person or other legal entity.

No land or property taken by the Mayor and City Council of Baltimore for any of the aforementioned purposes or in connection with the exercise of any of the powers which may be granted to the Mayor and City Council of Baltimore pursuant to this Article by exercising the power of eminent domain, shall be taken without just compensation, as agreed upon between the parties, or awarded by a jury, being first paid or tendered to the party entitled to such compensation.

All land or property needed, or taken by the exercise of the power of eminent domain, by the Mayor and City Council of Baltimore for any of the aforementioned purposes or in connection with the exercise of any of the powers which may be granted to the Mayor and City Council of Baltimore pursuant to this Article is hereby declared to be needed or taken for a public use.]

[2.

The General Assembly of Maryland may grant to the Mayor and City Council of Baltimore any and all additional power and authority necessary or proper to carry into full force and effect any and all of the specified powers which the General Assembly is authorized to grant to the Mayor and City Council of Baltimore pursuant to this Article and to fully accomplish any and all of the purposes and objects contemplated by the provisions of this Article, provided such additional power or authority is not inconsistent with the terms and provisions of this Article or with any other provision or provisions of the Constitution of Maryland. The General Assembly may place such other and further restrictions or limitations on the exercise of any of the powers which it may grant to the Mayor and City Council of Baltimore under the provisions of this Article as it may deem proper and expedient.]

[3.

Provided, however, that no public local law enacted under the provisions and authority of this Article shall be enacted or construed to authorize the Mayor and City Council of Baltimore to exercise or apply any of the powers or authority in this Article enumerated within the territorial limits of Howard County.]

[Article XI-G - City of Baltimore - Residential Rehabilitation and Commercial Financing Loans]

[1.

The General Assembly of Maryland, by public local law, may authorize the Mayor and City Council of Baltimore:

(a) To make or contract to make financial loans to any person or other legal entity to be used for or in connection with the rehabilitation, renovation, redevelopment or improvement of buildings or structures located within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for residential purposes.

(b) To guarantee or insure financial loans made by third parties to any person or other legal entity to be used for or in connection with the rehabilitation, renovation, redevelopment or improvement of buildings or structures located within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for residential purposes.

(c) To make or contract to make financial loans to any person or other legal entity to be used for or in connection with the purchase or acquisition of leasehold or fee simple interests in buildings or structures, and for construction, reconstruction, erection, development, rehabilitation, renovation, redevelopment or improvement of buildings or structures, located within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for commercial purposes.

(d) To guarantee or insure financial loans made by third parties to any person or other legal entity to be used for or in connection with the purchase or acquisition of leasehold or fee simple interests in buildings or structures, and for construction, reconstruction, erection, development, rehabilitation, renovation, redevelopment or improvement of buildings or structures, located within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for commercial purposes.

(e) Any and all financial loans made by the Mayor and City Council of Baltimore; any and all guarantees or insurance commitments made by the Mayor and City Council of Baltimore in connection with any of said loans; and any and all money used or expended by the Mayor and City Council of Baltimore in connection with said loans, guarantees, or insurance commitments, pursuant to the power and authority hereinabove vested in the municipality, and any and all acts performed by the Mayor and City Council of Baltimore in connection with any powers which may be granted to the Mayor and City Council of Baltimore pursuant to this Article, are all hereby declared to be needed, contracted for, expended or exercised for a public use.

(f) In the event of any conflict between the provisions of this Article and those of Article XI, Section 7, of the Constitution of Maryland, or any other provisions of said Constitution, then the provisions of this Article shall control.]

[2.

The General Assembly of Maryland may grant to the Mayor and City Council of Baltimore any and all additional power and authority necessary or proper to carry into full force and effect any and all of the specific powers which the General Assembly is authorized to grant to the Mayor and City Council of Baltimore pursuant to this Article, and to fully accomplish any and all of the purposes and objects contemplated by the provisions of this Article, provided such additional power or authority is not inconsistent with the terms and provisions of this Article or with any other provision or provisions of the Constitution of Maryland, except as provided in this Article. The General Assembly may place such other and further restrictions or limitations on the exercise of any of the powers which it may grant to the Mayor and City Council of Baltimore under the provisions of this Article as it may deem proper and expedient.]

[Article XI-H - City of Baltimore - Residential Financing Loans]

[1.

The General Assembly of Maryland, by public local law, may authorize the Mayor and City Council of Baltimore:

(a) To make or contract to make financial loans to any person or other legal entity to be used for or in connection with the purchase, acquisition, construction, erection or development of buildings or structures, including any land necessary therefor, within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for residential purposes.

(b) To guarantee or insure financial loans made by third parties to any person or other legal entity which are to be used for or in connection with the purchase, acquisition, construction, erection or development of buildings or structures, including any land necessary therefor, within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for residential purposes.

(c) Any and all financial loans made by the Mayor and City Council of Baltimore; any and all guarantees or insurance commitments made by the Mayor and City Council of Baltimore in connection with any of the loans; and any and all money used or expended by the Mayor and City Council of Baltimore in connection with the loans, guarantees, or insurance commitments, pursuant to the power and authority hereinabove vested in the municipality, and any and all acts performed by the Mayor and City Council of Baltimore in connection with any powers which may be granted to the Mayor and City Council of Baltimore pursuant to this Article, are all declared to be needed, contracted for, expended or exercised for a public use.

(d) In the event of any conflict between the provisions of this Article and those of Article XI, Section 7, of the Constitution of Maryland, or any other provisions of the Constitution, then the provisions of this Article shall control.]

[2.

The General Assembly of Maryland may grant to the Mayor and City Council of Baltimore any and all additional power and authority necessary or proper to carry into full force and effect any and all of the specific powers which the General Assembly of Maryland is authorized to grant to the Mayor and City Council of Baltimore pursuant to this Article, and to fully accomplish any and all of the purposes and objects contemplated by the provisions of this Article, provided such additional power or authority is not inconsistent with the terms and provisions of this Article or with any other provision or provisions of the Constitution of Maryland, except as provided in this Article. The General Assembly may place such other and further restrictions or limitations on the exercise of any of the powers which it may grant to the Mayor and City Council of Baltimore under the provisions of this Article as it may deem proper and expedient.]

[Article XI-I - City of Baltimore - Industrial Financing Loans]

[1.

The General Assembly of Maryland, by public local law, may authorize the Mayor and City Council of Baltimore:

(a) To make or contract to make financial loans to any person or other legal entity to be used for or in connection with the purchase, acquisition, construction, reconstruction, erection, development, redevelopment, rehabilitation, renovation, modernization or improvement of buildings or structures, including any land necessary therefor, within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for industrial purposes.

(b) To guarantee or insure financial loans made by third parties to any person or other legal entity which are to be used for or in connection with the purchase, acquisition, construction, reconstruction, erection, development, redevelopment, rehabilitation, renovation, modernization, or improvement of buildings or structures, including any land necessary therefor, within the boundaries of Baltimore City, which buildings or structures are to be used or occupied for industrial purposes.

(c) Any and all financial loans made by the Mayor and City Council of Baltimore; any and all guarantees or insurance commitments made by the Mayor and City Council of Baltimore in connection with any of the loans; and any and all money used or expended by the Mayor and City Council of Baltimore in connection with the loans, guarantees, or insurance commitments, pursuant to the power and authority hereinabove vested in the municipality, and any and all acts performed by the Mayor and City Council of Baltimore in connection with any powers which may be granted to the Mayor and City Council of Baltimore pursuant to this Article, are all declared to be needed, contracted for, expended or exercised for a public use.

(d) In the event of any conflict between the provisions of this Article and those of Article XI, Section 7, of the Constitution of Maryland, or any other provisions of the Constitution, then the provisions of this Article shall control.]

[2.

The General Assembly of Maryland may grant to the Mayor and City Council of Baltimore any and all additional power and authority necessary or proper to carry into full force and effect any and all of the specific powers which the General Assembly of Maryland is authorized to grant to the Mayor and City Council of Baltimore pursuant to this Article, and to fully accomplish any and all of the purposes and objects contemplated by the provisions of this Article, provided such additional power or authority is not inconsistent with the terms and provisions of this Article or with any other provision or provisions of the Constitution of Maryland, except as provided in this Article. The General Assembly may place such other and further restrictions or limitations on the exercise of any of the powers which it may grant to the Mayor and City Council of Baltimore under the provisions of this Article as it may deem proper and expedient.]

Article XIII - New Counties

1.

The General Assembly may provide, by Law, for organizing new Counties, locating and removing county seats, and changing county lines; but no new county shall be organized without the consent of the majority of the legal voters residing within the limits proposed to be formed into said new county; and whenever a new county shall be proposed to be formed out of portions of two or more counties, the consent of a majority of the legal voters of such part of each of said counties, respectively, shall be required; nor shall the lines of any county [nor of Baltimore City] be changed without the consent of a majority of the legal voters residing within the district, which under said proposed change, would form a part of a county [or of Baltimore City] different from that to which it belonged prior to said change; and no new county shall contain less than four hundred square miles, nor less than ten thousand inhabitants; nor shall any change be made in the limits of any county, whereby the population of said county would be reduced to less than ten thousand inhabitants, or its territory reduced to less than four hundred square miles. No county lines heretofore validly established shall be changed except in accordance with this section.

Article XIV - Amendments to the Constitution

1.

The General Assembly may propose Amendments to this Constitution; provided that each Amendment shall be embraced in a separate bill, embodying the Article or Section, as the same will stand when amended and passed by three-fifths of all the members elected to each of the two Houses, by yeas and nays, to be entered on the Journals with the proposed Amendment. The requirement in this section that an amendment proposed by the General Assembly shall be embraced in a separate bill shall not be construed or applied to prevent the General Assembly from (1) proposing in one bill a series of amendments to the Constitution of Maryland for the general purpose of removing or correcting constitutional provisions which are obsolete,

inaccurate, invalid, unconstitutional, or duplicative; or (2) embodying in a single Constitutional amendment one or more Articles of the Constitution so long as that Constitutional amendment embraces only a single subject. The bill or bills proposing amendment or amendments shall be publicized, either by publishing, by order of the Governor, in at least two newspapers, in each County, where so many may be published, and where not more than one may be published, then in that newspaper, [and in three newspapers published in the City of Baltimore,] once a week for four weeks, or as otherwise ordered by the Governor in a manner provided by law, immediately preceding the next ensuing general election, at which the proposed amendment or amendments shall be submitted, in a form to be prescribed by the General Assembly, to the qualified voters of the State for adoption or rejection. The votes cast for and against said proposed amendment or amendments, severally, shall be returned to the Governor, in the manner prescribed in other cases, and if it shall appear to the Governor that a majority of the votes cast at said election on said amendment or amendments, severally, were cast in favor thereof, the Governor shall, by his proclamation, declare the said amendment or amendments having received said majority of votes, to have been adopted by the people of Maryland as part of the Constitution thereof, and thenceforth said amendment or amendments shall be part of the said Constitution. If the General Assembly determines that a proposed Constitutional amendment affects only one county [or the City of Baltimore], the proposed amendment shall be part of the Constitution if it receives a majority of the votes cast in the State and in the affected County [or City of Baltimore, as the case may be]. When two or more amendments shall be submitted to the voters of this State at the same election, they shall be so submitted as that each amendment shall be voted on separately.

2.

It shall be the duty of the General Assembly to provide by Law for taking, at the general election to be held in the year nineteen hundred and seventy, and every twenty years thereafter, the sense of the People in regard to calling a Convention for altering this Constitution; and if a majority of voters at such election or elections shall vote for a Convention, the General Assembly, at its next session, shall provide by Law for the assembling of such convention, and for the election of Delegates thereto. Each County [, and Legislative District of the City of Baltimore,] shall have in such Convention a number of Delegates equal to its representation in both Houses at the time at which the Convention is called. But any Constitution, or change, or amendment of the existing Constitution, which may be adopted by such Convention, shall be submitted to the voters of this State, and shall have no effect unless the same shall have been adopted by a majority of the voters voting thereon.

Article XVI - The Referendum

3.

(a) The referendum petition against an Act or part of an Act passed by the General Assembly, shall be sufficient if signed by three percent of the qualified voters of the State of Maryland, calculated upon the whole number of votes cast for Governor at the last preceding Gubernatorial election, of whom not more than half are

residents of [Baltimore City, or of] any one County. However, any Public Local Law for any one County [or the City of Baltimore,] shall be referred by the Secretary of State only to the people of the County [or City of Baltimore,] upon a referendum petition of ten percent of the qualified voters of the County [or City of Baltimore, as the case may be], calculated upon the whole number of votes cast respectively for Governor at the last preceding Gubernatorial election.

5.

(a) The General Assembly shall provide for furnishing the voters of the State the text of all measures to be voted upon by the people; provided, that until otherwise provided by law the same shall be published in the manner prescribed by Article XIV of the Constitution for the publication of proposed Constitutional Amendments.

(b) All laws referred under the provisions of this Article shall be submitted separately on the ballots to the voters of the people, but if containing more than two hundred words, the full text shall not be printed on the official ballots, but the Secretary of State shall prepare and submit a ballot title of each such measure in such form as to present the purpose of said measure concisely and intelligently. The ballot title may be distinct from the legislative title, but in any case the legislative title shall be sufficient. Upon each of the ballots, following the ballot title or text, as the case may be, of each such measure, there shall be printed the words "for the referred law" and "Against the referred law," as the case may be. The votes cast for and against any such referred law shall be returned to the Governor in the manner prescribed with respect to proposed amendments to the Constitution under Article XIV of this Constitution, and the Governor shall proclaim the result of the election, and, if it shall appear that the majority of the votes cast on any such measure were cast in favor thereof, the Governor shall by his proclamation declare the same having received a majority of the votes to have been adopted by the people of Maryland as a part of the laws of the State, to take effect thirty days after such election, and in like manner and with like effect the Governor shall proclaim the result of the local election as to any Public Local Law which shall have been submitted to the voters of any County [or of the City of Baltimore].

Article XVII - Quadrennial Elections

3.

All State and county officers elected by qualified voters (except judges of the Circuit Courts, [judges of the Supreme Bench of Baltimore City,] judges of the Court of Appeals and judges of any intermediate courts of appeal) shall hold office for terms of four years, and until their successors shall qualify.

6.

The terms of the Members of the Board of Supervisors of Elections of [Baltimore City and of] the several counties shall commence on the first Monday of June next ensuing their appointment.

Article XVIII - Provisions of Limited Duration

6.

IF APPROVED BY THE VOTERS IN THE GENERAL ELECTION HELD NOVEMBER, 2000, THE CHANGES TO THIS CONSTITUTION PROPOSED BY CHAPTER _____ OF THE ACTS OF THE GENERAL ASSEMBLY OF 1999 (H.B. _____) (9LR1218) SHALL TAKE EFFECT JANUARY 1, 2003. TO IMPLEMENT THE AMENDMENTS, THE GENERAL ASSEMBLY OF MARYLAND, THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY, AND THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY SHALL TAKE ANY ACTIONS NECESSARY TO IMPLEMENT THE MERGER OF THE CITY OF BALTIMORE INTO BALTIMORE COUNTY BETWEEN RATIFICATION BY THE VOTERS AND JANUARY 1, 2003, INCLUDING, BUT NOT LIMITED TO, ALLOCATION OF EXISTING DEBT OF THE CITY OF BALTIMORE, TRANSFER OF PROPERTY, PROTECTION OF EMPLOYEE PENSION RIGHTS, MERGER, WHERE APPROPRIATE, OF BALTIMORE CITY EMPLOYEES INTO THE BALTIMORE COUNTY GOVERNMENT, MERGER OF THE SCHOOL SYSTEMS, AND REALIGNMENT OF BALTIMORE COUNTY COUNCILMANIC DISTRICTS. TO THE EXTENT NECESSARY TO IMPLEMENT THE AMENDMENTS TO THIS CONSTITUTION, THIS SECTION OVERRIDES ANY CONFLICTING PROVISION IN THE BALTIMORE COUNTY CHARTER.

SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Constitution of Maryland proposed by this Act affects multiple jurisdictions and that the provisions of Article XIV, Section 1 of the Constitution concerning local approval of constitutional amendments do not apply.

SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section proposed as an amendment to the Constitution of Maryland shall be submitted to the legal and qualified voters of this State at the next general election to be held in November, 2000 for their adoption or rejection in pursuance of directions contained in Article XIV of the Constitution of this State. At that general election, the vote on this proposed amendment to the Constitution shall be by ballot, and upon each ballot there shall be printed the words "For the Constitutional Amendments" and "Against the Constitutional Amendments," as now provided by law. Immediately after the election, all returns shall be made to the Governor of the vote for and against the proposed amendment, as directed by Article XIV of the Constitution, and further proceedings had in accordance with Article XIV.