

# SENATE BILL 319

P1

CONSTITUTIONAL AMENDMENT

4lr1341

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By: **Senator Simonaire**

Introduced and read first time: January 17, 2014

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Elected Offices – Filling of Vacancies – Procedures**

3 FOR the purpose of requiring that the official who is authorized or required to fill a  
4 vacancy in the office of Clerk of the Circuit Court, Judge of the Orphans' Court,  
5 Register of Wills, Sheriff, Attorney General, State's Attorney, or the  
6 Comptroller appoint a person to fill the vacancy from a person whose name is  
7 submitted in writing, within a certain time period, by a certain central  
8 committee or certain central committees of a certain political party; requiring  
9 the official to make the appointment within a certain number of days after the  
10 submission of a name; requiring the official, under certain circumstances, to  
11 appoint a person affiliated with a certain political party within a certain time  
12 period; providing that, in the case of a vacancy in a certain office, the central  
13 committees of a certain party for each county and the City of Baltimore have  
14 one vote and that, if there is a tie vote, the list of names proposed is to be  
15 submitted to a certain person; making stylistic changes; and submitting this  
16 amendment to the qualified voters of the State for their adoption or rejection.

17 BY proposing an amendment to the Maryland Constitution  
18 Article IV – Judiciary Department  
19 Section 25, 40(g), 41, and 44

20 BY proposing an amendment to the Maryland Constitution  
21 Article V – Attorney–General and State's Attorneys  
22 Section 5 and 11

23 BY proposing an amendment to the Maryland Constitution  
24 Article VI – Treasury Department  
25 Section 1

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 **Article IV – Judiciary Department**

5 25.

6 (A) There shall be a Clerk of the Circuit Court for each County and Baltimore  
7 City, who shall be elected by a plurality of the qualified voters of said County or City,  
8 and shall hold [his] **THE PERSON’S** office for four years from the time of [his] **THE**  
9 **PERSON’S** election, and until [his] **THE PERSON’S** successor is elected and qualified,  
10 and be re-eligible, subject to be removed for [wilful] **WILLFUL** neglect of duty or other  
11 misdemeanor in office, on conviction in a Court of Law.

12 (B) (1) In case of a vacancy in the office of Clerk of a Circuit Court, the  
13 Judges of that Court may fill the vacancy **IN ACCORDANCE WITH PARAGRAPH (2)**  
14 **OF THIS SUBSECTION** until the general election for Delegates to the General  
15 Assembly, to be held next thereafter, when a successor shall be elected for the term of  
16 four years.

17 (2) (i) **IF THE JUDGES OF A CIRCUIT COURT CHOOSE TO**  
18 **APPOINT A PERSON TO FILL A VACANCY UNDER PARAGRAPH (1) OF THIS**  
19 **SUBSECTION, THE JUDGES OF THE CIRCUIT COURT SHALL APPOINT A PERSON**  
20 **TO FILL THE VACANCY FROM A PERSON WHOSE NAME SHALL BE SUBMITTED TO**  
21 **THE JUDGES OF THE CIRCUIT COURT IN WRITING, WITHIN 30 DAYS AFTER THE**  
22 **OCCURRENCE OF THE VACANCY, BY THE CENTRAL COMMITTEE OF THE**  
23 **POLITICAL PARTY, IF ANY, WITH WHICH THE CLERK OF THE CIRCUIT COURT, SO**  
24 **VACATING, HAD BEEN AFFILIATED, AT THE TIME OF THE LAST ELECTION OR**  
25 **APPOINTMENT OF THE VACATING CLERK OF THE CIRCUIT COURT, IN THE**  
26 **COUNTY OR CITY FROM WHICH THE CLERK OF THE CIRCUIT COURT WAS**  
27 **APPOINTED OR ELECTED, PROVIDED THAT THE APPOINTEE SHALL BE OF THE**  
28 **SAME POLITICAL PARTY, IF ANY, AS WAS THAT OF THE CLERK OF THE CIRCUIT**  
29 **COURT, WHOSE OFFICE IS TO BE FILLED, AT THE TIME OF THE LAST ELECTION**  
30 **OR APPOINTMENT OF THE VACATING CLERK OF THE CIRCUIT COURT, AND IT**  
31 **SHALL BE THE DUTY OF THE JUDGES OF THE CIRCUIT COURT TO MAKE THE**  
32 **APPOINTMENT WITHIN 15 DAYS AFTER THE SUBMISSION THEREOF TO THEM.**

33 (ii) **IF A NAME IS NOT SUBMITTED BY THE CENTRAL**  
34 **COMMITTEE WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE**  
35 **JUDGES OF THE CIRCUIT COURT WITHIN ANOTHER PERIOD OF 15 DAYS SHALL**  
36 **APPOINT A PERSON, WHO SHALL BE AFFILIATED WITH THE SAME POLITICAL**  
37 **PARTY, IF ANY, AS WAS THAT OF THE CLERK OF THE CIRCUIT COURT, WHOSE**  
38 **OFFICE IS TO BE FILLED, AT THE TIME OF THE LAST ELECTION OR**

1 APPOINTMENT OF THE VACATING CLERK OF THE CIRCUIT COURT, AND WHO IS  
2 OTHERWISE PROPERLY QUALIFIED TO HOLD THE OFFICE OF CLERK OF THE  
3 CIRCUIT COURT IN THE COUNTY OR CITY.

4 (iii) IN THE EVENT THERE IS NO CENTRAL COMMITTEE IN  
5 THE COUNTY OR CITY IN WHICH THE VACANCY IS TO BE FILLED, THE JUDGES  
6 OF THE CIRCUIT COURT SHALL WITHIN 15 DAYS AFTER THE OCCURRENCE OF  
7 SUCH VACANCY APPOINT A PERSON, FROM THE SAME POLITICAL PARTY, IF ANY,  
8 AS THAT OF THE VACATING CLERK OF THE CIRCUIT COURT, AT THE TIME OF  
9 THE LAST ELECTION OR APPOINTMENT OF THE VACATING CLERK OF THE  
10 CIRCUIT COURT, WHO IS OTHERWISE PROPERLY QUALIFIED TO HOLD THE  
11 OFFICE OF CLERK OF THE CIRCUIT COURT IN THE COUNTY OR CITY.

12 40.

13 (g) (1) In case of a vacancy in the office of Judge of the Orphans' Court,  
14 the Governor shall appoint, subject to confirmation or rejection by the Senate, some  
15 suitable person to fill the vacancy IN ACCORDANCE WITH PARAGRAPH (2) OF THIS  
16 SUBSECTION for the residue of the term.

17 (2) (i) THE GOVERNOR SHALL APPOINT A PERSON TO FILL  
18 THE VACANCY FROM A PERSON WHOSE NAME SHALL BE SUBMITTED TO THE  
19 GOVERNOR IN WRITING, WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE  
20 VACANCY, BY THE CENTRAL COMMITTEE OF THE POLITICAL PARTY, IF ANY,  
21 WITH WHICH THE JUDGE OF THE ORPHANS' COURT, SO VACATING, HAD BEEN  
22 AFFILIATED, AT THE TIME OF THE LAST ELECTION OR APPOINTMENT OF THE  
23 VACATING JUDGE OF THE ORPHANS' COURT, IN THE COUNTY OR CITY FROM  
24 WHICH THE JUDGE OF THE ORPHANS' COURT WAS APPOINTED OR ELECTED,  
25 PROVIDED THAT THE APPOINTEE SHALL BE OF THE SAME POLITICAL PARTY, IF  
26 ANY, AS WAS THAT OF THE JUDGE OF THE ORPHANS' COURT, WHOSE OFFICE IS  
27 TO BE FILLED, AT THE TIME OF THE LAST ELECTION OR APPOINTMENT OF THE  
28 VACATING JUDGE OF THE ORPHANS' COURT, AND IT SHALL BE THE DUTY OF  
29 THE GOVERNOR TO MAKE THE APPOINTMENT WITHIN 15 DAYS AFTER THE  
30 SUBMISSION THEREOF TO THE GOVERNOR.

31 (ii) IF A NAME IS NOT SUBMITTED BY THE CENTRAL  
32 COMMITTEE WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE  
33 GOVERNOR WITHIN ANOTHER PERIOD OF 15 DAYS SHALL APPOINT A PERSON,  
34 WHO SHALL BE AFFILIATED WITH THE SAME POLITICAL PARTY, IF ANY, AS WAS  
35 THAT OF THE JUDGE OF THE ORPHANS' COURT, WHOSE OFFICE IS TO BE  
36 FILLED, AT THE TIME OF THE LAST ELECTION OR APPOINTMENT OF THE  
37 VACATING JUDGE OF THE ORPHANS' COURT, AND WHO IS OTHERWISE  
38 PROPERLY QUALIFIED TO HOLD THE OFFICE OF JUDGE OF THE ORPHANS'  
39 COURT IN THE COUNTY OR CITY.

1                   (III) IN THE EVENT THERE IS NO CENTRAL COMMITTEE IN  
2 THE COUNTY OR CITY IN WHICH THE VACANCY IS TO BE FILLED, THE  
3 GOVERNOR SHALL WITHIN 15 DAYS AFTER THE OCCURRENCE OF SUCH  
4 VACANCY APPOINT A PERSON, FROM THE SAME POLITICAL PARTY, IF ANY, AS  
5 THAT OF THE VACATING JUDGE OF THE ORPHANS' COURT, AT THE TIME OF THE  
6 LAST ELECTION OR APPOINTMENT OF THE VACATING JUDGE OF THE ORPHANS'  
7 COURT, WHO IS OTHERWISE PROPERLY QUALIFIED TO HOLD THE OFFICE OF  
8 JUDGE OF THE ORPHANS' COURT IN THE COUNTY OR CITY.

9 41.

10           (A) There shall be a Register of Wills in each county of the State, and the  
11 City of Baltimore, to be elected by the legal and qualified voters of said counties and  
12 city, respectively, who shall hold [his] **THE PERSON'S** office for four years from the  
13 time of [his] **THE PERSON'S** election and until [his] **THE PERSON'S** successor is  
14 elected and qualified; [he] **THE PERSON** shall be re-eligible, and subject at all times  
15 to removal for willful neglect of duty, or misdemeanor in office in the same manner  
16 that the Clerks of the Courts are removable.

17           (B) (1) In the event of any vacancy in the office of the Register of Wills,  
18 said vacancy shall be filled by the Judges of the Orphans' Court, in which such  
19 vacancy occurs, **IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION** until  
20 the next general election for Delegates to the General Assembly when a Register shall  
21 be elected to serve for four years thereafter.

22           (2) (I) **THE JUDGES OF THE ORPHANS' COURT SHALL APPOINT**  
23 **A PERSON TO FILL THE VACANCY FROM A PERSON WHOSE NAME SHALL BE**  
24 **SUBMITTED TO THE JUDGES OF THE ORPHANS' COURT IN WRITING, WITHIN 30**  
25 **DAYS AFTER THE OCCURRENCE OF THE VACANCY, BY THE CENTRAL**  
26 **COMMITTEE OF THE POLITICAL PARTY, IF ANY, WITH WHICH THE REGISTER OF**  
27 **WILLS, SO VACATING, HAD BEEN AFFILIATED, AT THE TIME OF THE LAST**  
28 **ELECTION OR APPOINTMENT OF THE VACATING REGISTER OF WILLS, IN THE**  
29 **COUNTY OR CITY FROM WHICH THE REGISTER OF WILLS WAS APPOINTED OR**  
30 **ELECTED, PROVIDED THAT THE APPOINTEE SHALL BE OF THE SAME POLITICAL**  
31 **PARTY, IF ANY, AS WAS THAT OF THE REGISTER OF WILLS, WHOSE OFFICE IS TO**  
32 **BE FILLED, AT THE TIME OF THE LAST ELECTION OR APPOINTMENT OF THE**  
33 **VACATING REGISTER OF WILLS, AND IT SHALL BE THE DUTY OF THE JUDGES OF**  
34 **THE ORPHANS' COURT TO MAKE THE APPOINTMENT WITHIN 15 DAYS AFTER**  
35 **THE SUBMISSION THEREOF TO THE JUDGES OF THE ORPHANS' COURT.**

36           (II) IF A NAME IS NOT SUBMITTED BY THE CENTRAL  
37 COMMITTEE WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE  
38 JUDGES OF THE ORPHANS' COURT WITHIN ANOTHER PERIOD OF 15 DAYS

1 SHALL APPOINT A PERSON, WHO SHALL BE AFFILIATED WITH THE SAME  
2 POLITICAL PARTY, IF ANY, AS WAS THAT OF THE REGISTER OF WILLS, WHOSE  
3 OFFICE IS TO BE FILLED, AT THE TIME OF THE LAST ELECTION OR  
4 APPOINTMENT OF THE VACATING REGISTER OF WILLS, AND WHO IS OTHERWISE  
5 PROPERLY QUALIFIED TO HOLD THE OFFICE OF REGISTER OF WILLS IN THE  
6 COUNTY OR CITY.

7 (III) IN THE EVENT THERE IS NO CENTRAL COMMITTEE IN  
8 THE COUNTY OR CITY IN WHICH THE VACANCY IS TO BE FILLED, THE JUDGES  
9 OF THE ORPHANS' COURT SHALL WITHIN 15 DAYS AFTER THE OCCURRENCE OF  
10 SUCH VACANCY APPOINT A PERSON, FROM THE SAME POLITICAL PARTY, IF ANY,  
11 AS THAT OF THE VACATING REGISTER OF WILLS, AT THE TIME OF THE LAST  
12 ELECTION OR APPOINTMENT OF THE VACATING REGISTER OF WILLS, WHO IS  
13 OTHERWISE PROPERLY QUALIFIED TO HOLD THE OFFICE OF REGISTER OF  
14 WILLS IN THE COUNTY OR CITY.

15 44.

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

22 (B) (1) In case of vacancy by death, resignation, refusal to serve, or neglect  
23 to qualify or give bond, or by disqualification or removal from the County or City, the  
24 Governor shall appoint a person IN ACCORDANCE WITH PARAGRAPH (2) OF THIS  
25 SUBSECTION to be Sheriff for the remainder of the official term.

26 (2) (I) THE GOVERNOR SHALL APPOINT A PERSON TO FILL  
27 THE VACANCY FROM A PERSON WHOSE NAME SHALL BE SUBMITTED TO THE  
28 GOVERNOR IN WRITING, WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE  
29 VACANCY, BY THE CENTRAL COMMITTEE OF THE POLITICAL PARTY, IF ANY,  
30 WITH WHICH THE SHERIFF, SO VACATING, HAD BEEN AFFILIATED, AT THE TIME  
31 OF THE LAST ELECTION OR APPOINTMENT OF THE VACATING SHERIFF, IN THE  
32 COUNTY OR CITY FROM WHICH THE SHERIFF WAS APPOINTED OR ELECTED,  
33 PROVIDED THAT THE APPOINTEE SHALL BE OF THE SAME POLITICAL PARTY, IF  
34 ANY, AS WAS THAT OF THE SHERIFF, WHOSE OFFICE IS TO BE FILLED, AT THE  
35 TIME OF THE LAST ELECTION OR APPOINTMENT OF THE VACATING SHERIFF,  
36 AND IT SHALL BE THE DUTY OF THE GOVERNOR TO MAKE THE APPOINTMENT  
37 WITHIN 15 DAYS AFTER THE SUBMISSION THEREOF TO THE GOVERNOR.

1           **(II) IF A NAME IS NOT SUBMITTED BY THE CENTRAL**  
2 **COMMITTEE WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE**  
3 **GOVERNOR WITHIN ANOTHER PERIOD OF 15 DAYS SHALL APPOINT A PERSON,**  
4 **WHO SHALL BE AFFILIATED WITH THE SAME POLITICAL PARTY, IF ANY, AS WAS**  
5 **THAT OF THE SHERIFF, WHOSE OFFICE IS TO BE FILLED, AT THE TIME OF THE**  
6 **LAST ELECTION OR APPOINTMENT OF THE VACATING SHERIFF, AND WHO IS**  
7 **OTHERWISE PROPERLY QUALIFIED TO HOLD THE OFFICE OF SHERIFF IN THE**  
8 **COUNTY OR CITY.**

9           **(III) IN THE EVENT THERE IS NO CENTRAL COMMITTEE IN**  
10 **THE COUNTY OR CITY IN WHICH THE VACANCY IS TO BE FILLED, THE**  
11 **GOVERNOR SHALL WITHIN 15 DAYS AFTER THE OCCURRENCE OF SUCH**  
12 **VACANCY APPOINT A PERSON, FROM THE SAME POLITICAL PARTY, IF ANY, AS**  
13 **THAT OF THE VACATING SHERIFF, AT THE TIME OF THE LAST ELECTION OR**  
14 **APPOINTMENT OF THE VACATING SHERIFF, WHO IS OTHERWISE PROPERLY**  
15 **QUALIFIED TO HOLD THE OFFICE OF SHERIFF IN THE COUNTY OR CITY.**

16           **(C) The Sheriff in each county and in Baltimore City shall receive such salary**  
17 **or compensation and such expenses necessary to the conduct of [his] THE SHERIFF'S**  
18 **office as may be fixed by law. All fees collected by the Sheriff shall be accounted for**  
19 **and paid to the Treasury of the several counties and of Baltimore City, respectively.**

## 20           **Article V – Attorney–General and State’s Attorneys**

21           **5.**

22           **(A) In case of vacancy in the office of Attorney General, occasioned by death,**  
23 **resignation, removal from the State, or from office, or other disqualification, the**  
24 **Governor shall appoint a person IN ACCORDANCE WITH SUBSECTION (B) OF THIS**  
25 **SECTION to fill the vacancy for the residue of the term.**

26           **(B) (1) THE GOVERNOR SHALL APPOINT A PERSON TO FILL THE**  
27 **VACANCY FROM A PERSON WHOSE NAME SHALL BE SUBMITTED TO THE**  
28 **GOVERNOR IN WRITING, WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE**  
29 **VACANCY, BY THE CENTRAL COMMITTEES OF THE COUNTIES AND THE CITY OF**  
30 **BALTIMORE OF THE POLITICAL PARTY, IF ANY, WITH WHICH THE ATTORNEY**  
31 **GENERAL, SO VACATING, HAD BEEN AFFILIATED, AT THE TIME OF THE LAST**  
32 **ELECTION OR APPOINTMENT OF THE VACATING ATTORNEY GENERAL,**  
33 **PROVIDED THAT THE APPOINTEE SHALL BE OF THE SAME POLITICAL PARTY, IF**  
34 **ANY, AS WAS THAT OF THE ATTORNEY GENERAL, WHOSE OFFICE IS TO BE**  
35 **FILLED, AT THE TIME OF THE LAST ELECTION OR APPOINTMENT OF THE**  
36 **VACATING ATTORNEY GENERAL, AND IT SHALL BE THE DUTY OF THE**  
37 **GOVERNOR TO MAKE THE APPOINTMENT WITHIN 15 DAYS AFTER THE**  
38 **SUBMISSION THEREOF TO THE GOVERNOR.**

1           **(2) IF A NAME IS NOT SUBMITTED BY THE CENTRAL COMMITTEES**  
2 **WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE GOVERNOR**  
3 **WITHIN ANOTHER PERIOD OF 15 DAYS SHALL APPOINT A PERSON, WHO SHALL**  
4 **BE AFFILIATED WITH THE SAME POLITICAL PARTY, IF ANY, AS WAS THAT OF THE**  
5 **ATTORNEY GENERAL, WHOSE OFFICE IS TO BE FILLED, AT THE TIME OF THE**  
6 **LAST ELECTION OR APPOINTMENT OF THE VACATING ATTORNEY GENERAL, AND**  
7 **WHO IS OTHERWISE PROPERLY QUALIFIED TO HOLD THE OFFICE OF ATTORNEY**  
8 **GENERAL.**

9           **(3) THE CENTRAL COMMITTEE OF EACH COUNTY AND THE CITY**  
10 **OF BALTIMORE SHALL HAVE ONE VOTE FOR SUBMITTING THE NAME OF A**  
11 **QUALIFIED PERSON. IF THERE IS A TIE VOTE AMONG THE CENTRAL**  
12 **COMMITTEES, THE LIST OF NAMES THERE PROPOSED SHALL BE SUBMITTED TO**  
13 **THE GOVERNOR, AND THE GOVERNOR SHALL MAKE THE APPOINTMENT FROM**  
14 **THE LIST.**

15 11.

16           **(A) In case of a vacancy in the office of State's Attorney, or of [his] THE**  
17 **PERSON'S removal from the county or city in which [he] THE PERSON shall have**  
18 **been elected, or on [his] THE PERSON'S conviction as herein specified, the Judge or**  
19 **Judges resident in the county or, if there be no resident Judge, the Judge or Judges**  
20 **having jurisdiction in the Circuit Court of the county in which the vacancy occurs, or**  
21 **by the Supreme Bench of Baltimore City for a vacancy occurring in Baltimore City,**  
22 **shall appoint a person IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION to**  
23 **fill the vacancy for the residue of the term.**

24           **(B) (1) THE OFFICIAL AUTHORIZED TO FILL THE VACANCY SHALL**  
25 **APPOINT A PERSON TO FILL THE VACANCY FROM A PERSON WHOSE NAME SHALL**  
26 **BE SUBMITTED TO THE OFFICIAL IN WRITING, WITHIN 30 DAYS AFTER THE**  
27 **OCCURRENCE OF THE VACANCY, BY THE CENTRAL COMMITTEE OF THE COUNTY**  
28 **OR CITY OF THE POLITICAL PARTY, IF ANY, WITH WHICH THE STATE'S**  
29 **ATTORNEY, SO VACATING, HAD BEEN AFFILIATED, AT THE TIME OF THE LAST**  
30 **ELECTION OR APPOINTMENT OF THE VACATING STATE'S ATTORNEY, PROVIDED**  
31 **THAT THE APPOINTEE SHALL BE OF THE SAME POLITICAL PARTY, IF ANY, AS**  
32 **WAS THAT OF THE STATE'S ATTORNEY, WHOSE OFFICE IS TO BE FILLED, AT THE**  
33 **TIME OF THE LAST ELECTION OR APPOINTMENT OF THE VACATING STATE'S**  
34 **ATTORNEY, AND IT SHALL BE THE DUTY OF THE OFFICIAL TO MAKE THE**  
35 **APPOINTMENT WITHIN 15 DAYS AFTER THE SUBMISSION THEREOF TO THE**  
36 **OFFICIAL.**

37           **(2) IF A NAME IS NOT SUBMITTED BY THE CENTRAL COMMITTEE**  
38 **WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE OFFICIAL**

1 WITHIN ANOTHER PERIOD OF 15 DAYS SHALL APPOINT A PERSON, WHO SHALL  
 2 BE AFFILIATED WITH THE SAME POLITICAL PARTY, IF ANY, AS WAS THAT OF THE  
 3 STATE'S ATTORNEY, WHOSE OFFICE IS TO BE FILLED, AT THE TIME OF THE LAST  
 4 ELECTION OR APPOINTMENT OF THE VACATING STATE'S ATTORNEY, AND WHO  
 5 IS OTHERWISE PROPERLY QUALIFIED TO HOLD THE OFFICE OF STATE'S  
 6 ATTORNEY.

7 (3) IN THE EVENT THERE IS NO CENTRAL COMMITTEE IN THE  
 8 COUNTY OR CITY IN WHICH THE VACANCY IS TO BE FILLED, THE OFFICIAL  
 9 SHALL WITHIN 15 DAYS AFTER THE OCCURRENCE OF SUCH VACANCY APPOINT A  
 10 PERSON, FROM THE SAME POLITICAL PARTY, IF ANY, AS THAT OF THE VACATING  
 11 STATE'S ATTORNEY, AT THE TIME OF THE LAST ELECTION OR APPOINTMENT OF  
 12 THE VACATING STATE'S ATTORNEY, WHO IS OTHERWISE PROPERLY QUALIFIED  
 13 TO HOLD THE OFFICE OF STATE'S ATTORNEY IN THE COUNTY OR CITY.

#### 14 Article VI – Treasury Department

15 1.

16 (A) There shall be a Treasury Department, consisting of a Comptroller  
 17 chosen by the qualified electors of the State, who shall receive such salary as may be  
 18 fixed by law; and a Treasurer, to be appointed on joint ballot by the two Houses of the  
 19 Legislature at each regular session in which begins the term of the Governor, who  
 20 shall receive such salary as may be fixed by law. The terms of office of the Comptroller  
 21 and Treasurer shall be for four years, and until their successors shall qualify; and  
 22 neither of the officers shall be allowed, or receive any fees, commissions or perquisites  
 23 of any kind in addition to [his] THE OFFICER'S salary for the performance of any duty  
 24 or services whatsoever.

25 (B) In case of a vacancy in the office of the Comptroller by death or otherwise,  
 26 the Governor, by and with the advice and consent of the Senate, shall fill such vacancy  
 27 by appointment IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION, to  
 28 continue until another election and until the qualification of the successor. In case of a  
 29 vacancy in the office of the Treasurer by death or otherwise, the Deputy Treasurer  
 30 shall act as Treasurer until the next regular or extraordinary session of the  
 31 Legislature following the creation of the vacancy, whereupon the Legislature shall  
 32 choose a successor to serve for the duration of the unexpired term of office.

33 (C) (1) THE GOVERNOR SHALL APPOINT A PERSON TO FILL THE  
 34 VACANCY IN THE OFFICE OF THE COMPTROLLER FROM A PERSON WHOSE NAME  
 35 SHALL BE SUBMITTED TO THE GOVERNOR IN WRITING, WITHIN 30 DAYS AFTER  
 36 THE OCCURRENCE OF THE VACANCY, BY THE CENTRAL COMMITTEES OF THE  
 37 COUNTIES AND THE CITY OF BALTIMORE OF THE POLITICAL PARTY, IF ANY,  
 38 WITH WHICH THE COMPTROLLER, SO VACATING, HAD BEEN AFFILIATED, AT THE  
 39 TIME OF THE LAST ELECTION OR APPOINTMENT OF THE VACATING

1    **COMPTROLLER, PROVIDED THAT THE APPOINTEE SHALL BE OF THE SAME**  
2    **POLITICAL PARTY, IF ANY, AS WAS THAT OF THE COMPTROLLER, WHOSE OFFICE**  
3    **IS TO BE FILLED, AT THE TIME OF THE LAST ELECTION OR APPOINTMENT OF**  
4    **THE VACATING COMPTROLLER, AND IT SHALL BE THE DUTY OF THE GOVERNOR**  
5    **TO MAKE THE APPOINTMENT WITHIN 15 DAYS AFTER THE SUBMISSION**  
6    **THEREOF TO THE GOVERNOR.**

7           **(2) IF A NAME IS NOT SUBMITTED BY THE CENTRAL COMMITTEES**  
8    **WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE GOVERNOR**  
9    **WITHIN ANOTHER PERIOD OF 15 DAYS SHALL APPOINT A PERSON, WHO SHALL**  
10   **BE AFFILIATED WITH THE SAME POLITICAL PARTY, IF ANY, AS WAS THAT OF THE**  
11   **COMPTROLLER, WHOSE OFFICE IS TO BE FILLED, AT THE TIME OF THE LAST**  
12   **ELECTION OR APPOINTMENT OF THE VACATING COMPTROLLER, AND WHO IS**  
13   **OTHERWISE PROPERLY QUALIFIED TO HOLD THE OFFICE OF THE**  
14   **COMPTROLLER.**

15           **(3) THE CENTRAL COMMITTEE OF EACH COUNTY AND THE CITY**  
16   **OF BALTIMORE SHALL HAVE ONE VOTE FOR SUBMITTING THE NAME OF A**  
17   **QUALIFIED PERSON. IF THERE IS A TIE VOTE AMONG THE CENTRAL**  
18   **COMMITTEES, THE LIST OF NAMES THERE PROPOSED SHALL BE SUBMITTED TO**  
19   **THE GOVERNOR, AND THE GOVERNOR SHALL MAKE THE APPOINTMENT FROM**  
20   **THE LIST.**

21           **(D) The Comptroller and the Treasurer shall keep their offices at the seat of**  
22   **government, and shall take such oaths and enter into such bonds for the faithful**  
23   **discharge of their duties as are now or may hereafter be prescribed by law.**

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

29           **SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section**  
30   **proposed as an amendment to the Maryland Constitution shall be submitted to the**  
31   **qualified voters of the State at the next general election to be held in November 2014**  
32   **for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.**  
33   **At that general election, the vote on this proposed amendment to the Constitution**  
34   **shall be by ballot, and upon each ballot there shall be printed the words “For the**  
35   **Constitutional Amendment” and “Against the Constitutional Amendment,” as now**  
36   **provided by law. Immediately after the election, all returns shall be made to the**  
37   **Governor of the vote for and against the proposed amendment, as directed by Article**  
38   **XIV of the Maryland Constitution, and further proceedings had in accordance with**  
39   **Article XIV.**