

CONSTITUTIONAL AMENDMENT

(PRE-FILED)

P6
HB 247/95 - CGM

6lr0231

By: Delegate Leopold

Requested: August 16, 1995

Introduced and read first time: January 10, 1996

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Gubernatorial Term - Commencement**

3 FOR the purpose of altering the date on which the term of the Governor shall commence;
4 repealing the requirement that the election returns for Governor be sealed and
5 delivered to the Speaker of the House of Delegates; generally relating to the
6 commencement of the Governor's term; and submitting this amendment to the
7 qualified voters of the State of Maryland for their adoption or rejection.

8 BY proposing an amendment to the Constitution of Maryland
9 Article II - Executive Department
10 Section 1 and 2

11 BY proposing a repeal of the Constitution of Maryland
12 Article II - Executive Department
13 Section 3

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

17 **Article II - Executive Department**

18 1.

19 The executive power of the State shall be vested in a Governor, whose term of office
20 shall commence on the [third] FIRST Wednesday of January next ensuing his election,
21 EXCEPT THAT IF THAT DAY IS THE FIRST OF JANUARY, THE GOVERNOR'S TERM OF
22 OFFICE SHALL COMMENCE ON THE FIRST THURSDAY OF JANUARY, and continue for
23 four years, and until his successor shall have qualified; and a person who has served two
24 consecutive popular elective terms of office as Governor shall be ineligible to succeed
25 himself as Governor for the term immediately following the second of said two
26 consecutive popular elective terms.

27 2.

28 An election for Governor and Lieutenant Governor, under this Constitution, shall
29 be held on the Tuesday next after the first Monday of November, in the year nineteen
30 hundred and seventy-four, and on the same day and month in every fourthyear

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1 thereafter, at the places of voting for Delegates to the General Assembly; and every
2 person qualified to vote for Delegate, shall be qualified and entitled to vote for Governor
3 and Lieutenant Governor; the election to be held in the same manner as the election of
4 Delegates[, and the returns thereof, under seal, to be addressed to the Speaker of the
5 House of Delegates, and enclosed and transmitted to the Secretary of State, and
6 delivered to said Speaker, at the commencement of the session of the General Assembly,
7 next ensuing said election].

8 [3.

9 The Speaker of the House of Delegates shall then open the said Returns, in the
10 presence of both Houses; and the persons having the highest number of votes for these
11 offices, and being constitutionally eligible, shall be the Governor and Lieutenant
12 Governor, and shall qualify, in the manner herein prescribed, on the third Wednesday of
13 January next ensuing his election, or as soon thereafter as may be practicable.]

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

18 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
19 proposed as an amendment to the Constitution of Maryland shall be submitted to the
20 legal and qualified voters of this State at the next general election to be held in
21 November, 1996 for their adoption or rejection in pursuance of directions contained in
22 Article XIV of the Constitution of this State. At that general election, the vote on this
23 proposed amendment to the Constitution shall be by ballot, and upon each ballot there
24 shall be printed the words "For the Constitutional Amendments" and "Against the
25 Constitutional Amendments," as now provided by law. Immediately after the election, all
26 returns shall be made to the Governor of the vote for and against the proposed
27 amendment, as directed by Article XIV of the Constitution, and further proceedings had
28 in accordance with Article XIV.