

SENATE BILL 3

Unofficial Copy

1996 Regular Session

CONSTITUTIONAL AMENDMENT

(PRE-FILED)

G1
SB 712/95 - EEA

6lr1423

By: Senator Miller

Requested: November 15, 1995

Introduced and read first time: January 10, 1996

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Elections - Municipal Corporation and Baltimore City Officers**

3 FOR the purpose of proposing amendments to the Constitution of Maryland to require
4 that elections for officers of the municipal corporations of the State and of
5 Baltimore City be held only in the four-year election cycle concurrent with elections
6 for officers of the State and the counties; providing for a certain provision of limited
7 duration that requires certain State and local officials to implement the
8 amendments; and submitting this amendment to the qualified voters of the State of
9 Maryland for their adoption or rejection.

10 BY proposing an addition to the Constitution of Maryland
11 Article XI-E - Municipal Corporations
12 Section 7

13 BY proposing an amendment to the Constitution of Maryland
14 Article XVII - Quadrennial Elections
15 Section 1 through 3

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

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

22 **Article XI-E - Municipal Corporations**

23 7.

24 ALL ELECTIONS FOR OFFICERS OF MUNICIPAL CORPORATIONS SHALL BE HELD
25 ONLY IN EVERY FOURTH YEAR AS PROVIDED IN ARTICLE XVII.

26 **Article XVII - Quadrennial Elections**

27 1.

2

1 The purpose of this Article is to reduce the number of elections by providing that all
2 State [and county], COUNTY, BALTIMORE CITY, AND MUNICIPAL CORPORATION
3 elections shall be held only in every fourth year, and at the time provided by law for
4 holding congressional elections, and to bring the terms of appointive officers into
5 harmony with the changes effected in the time of the beginning of the terms of elective
6 officers. The administrative and judicial officers of the State shall construe the provisions
7 of this Article so as to effectuate that purpose. For the purpose of this Article only the
8 word "officers" shall be construed to include those holding positions and other places of
9 employment in the state [and county], COUNTY, BALTIMORE CITY, AND MUNICIPAL
10 CORPORATION governments whose terms are fixed by law OR CHARTER PROVISION,
11 but it shall not include any appointments made by the Board of Public Works, nor
12 appointments by the Governor for terms of three years.

13 2.

14 Elections by qualified voters for State [and county], COUNTY, BALTIMORE CITY,
15 AND MUNICIPAL CORPORATION officers shall be held on the Tuesday next after the first
16 Monday of November, in the year nineteen hundred and twenty-six, and on the same day
17 in every fourth year thereafter.

18 3.

19 All State [and county], COUNTY, BALTIMORE CITY, AND MUNICIPAL
20 CORPORATION officers elected by qualified voters (except judges of the Circuit Courts,
21 judges of the Supreme Bench of Baltimore City, judges of the Court of Appeals and
22 judges of any intermediate courts of appeal) shall hold office for terms of four years, and
23 until their successors shall qualify.

24 **Article XVIII - Provisions of Limited Duration**

25 6.

26 (A) FOR THE PURPOSE OF IMPLEMENTING THE AMENDMENTS PROPOSED BY
27 CHAPTER ____ OF THE ACTS OF THE GENERAL ASSEMBLY OF 1996 (S.B. ____)
28 (6LR1423) CONCERNING ELECTIONS OF MUNICIPAL CORPORATION AND BALTIMORE
29 CITY OFFICERS, THIS SECTION TEMPORARILY IS PART OF ARTICLE XVII -
30 QUADRENNIAL ELECTIONS, SECTION 1 OF THE CONSTITUTION. THIS SECTION SHALL
31 EXPIRE, IN ACCORDANCE WITH ARTICLE XIV, SECTION 1A OF THE CONSTITUTION,
32 ON JULY 1, 1998.

33 (B) IF APPROVED BY THE VOTERS IN THE GENERAL ELECTION HELD IN
34 NOVEMBER, 1996, THE AMENDMENTS TO THE CONSTITUTION PROPOSED BY
35 CHAPTER ____ OF THE ACTS OF THE GENERAL ASSEMBLY OF 1996 (S.B. ____)
36 (6LR1423) SHALL TAKE EFFECT JULY 1, 1998. BETWEEN THE TIME OF RATIFICATION
37 BY THE VOTERS AND JULY 1, 1998, THE GENERAL ASSEMBLY, THE STATE
38 ADMINISTRATIVE BOARD OF ELECTION LAWS, THE LOCAL BOARDS OF
39 SUPERVISORS OF ELECTIONS IN EACH COUNTY OF THE STATE AND IN BALTIMORE
40 CITY, AND THE ELECTED OFFICERS OF BALTIMORE CITY AND ALL THE MUNICIPAL
41 CORPORATIONS IN THE STATE SHALL TAKE ALL ACTIONS NECESSARY TO
42 IMPLEMENT THE AMENDMENTS. THESE ACTIONS SHALL INCLUDE:

1 (1) ALTERING ANY MUNICIPAL CHARTER OR BALTIMORE CITY
2 CHARTER PROVISIONS REGARDING THE TERMS OF OFFICE FOR ELECTED OFFICERS
3 SO THAT ALL OFFICERS ELECTED AFTER JULY 1, 1998 ARE ELECTED IN ACCORDANCE
4 WITH THE PROVISIONS OF THE STATE CONSTITUTION;

5 (2) PROVIDING FOR THE AUTHORITY FOR THE CONDUCT OF THE
6 ELECTIONS IN ALL THE MUNICIPAL CORPORATIONS AND IN BALTIMORE CITY; AND

7 (3) ENSURING THAT ANY PERSON WHO IS NOT A CITIZEN OF THE
8 UNITED STATES, AND WHO IS QUALIFIED TO VOTE IN A MUNICIPAL ELECTION
9 UNDER THE TERMS OF THE CHARTER FOR THE MUNICIPAL CORPORATION IN
10 WHICH THE PERSON RESIDES, MAY NOT BE DENIED THE OPPORTUNITY TO VOTE
11 FOR MUNICIPAL OFFICERS.

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

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