

EMERGENCY BILL

G1

6lr1607

CF 6lr1608

By: The President (Administration) and Senators Blount, Della, Hoffman, Hughes, McFadden, Pica, Sfikas, and Young

Introduced and read first time: January 16, 1996

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments

[MACRO mk]Rules Suspended

[MACRO rmk]

Senate action: Adopted

Read second time: January 18, 1996

CHAPTER _____

1 AN ACT concerning

2 **Election Law - 7th Congressional District - Special Election**

3 FOR the purpose of enacting certain provisions that will be applicable only to the
4 nomination and election of candidates to fill the vacancy in the 7th Congressional
5 District and to the nomination and election of candidates for the next regular term
6 of office in the 7th Congressional District; requiring that the special primary and the
7 regular primary be merged; providing for the issuance of certificates of nomination;
8 providing for the declination of nominations; ~~expanding provisions relating to~~
9 ~~nomination by petition~~; authorizing the State Administrative Board of Election
10 Laws to authorize any voting system, including paper ballots, for the special general
11 election; ~~altering certain deadlines relating to the special primary and special~~
12 ~~election; authorizing the State Board to alter certain requirements for the special~~
13 ~~primary and special election~~; providing for the termination of this Act; making this
14 Act an emergency measure; and generally relating to the nomination and election of
15 candidates in the 7th Congressional District.

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That:

18 (a) This Act applies only to the election to fill the vacancy that will exist on
19 February 18, 1996 in the Office of Representative from the 7th Congressional District of
20 Maryland and to the election of an individual to serve the next full term of office from
21 that District. This Act may not be interpreted to have any effect on an election for any
22 other office or to elections in the 7th Congressional District that are held after 1996.

23 (b) This Act supersedes any conflicting provision of Article 33 of the Annotated
24 Code of Maryland.

1 (c) The special primary to nominate candidates to fill the vacancy that will exist
 2 on February 18, 1996 in the 7th Congressional District shall be merged with the regular
 3 primary to nominate candidates for the next regular term of office.

4 (d) Any individual who has filed a certificate of candidacy for the regular primary
 5 shall be deemed to have filed a certificate of candidacy for the special primary. Any other
 6 qualified individual may file a certificate of candidacy, not later than ~~2 days after the~~
 7 effective date of this Act 9:00 p.m. on Monday, January 22, for the special primary and
 8 regular primary.

9 (e) Two certificates of nomination, one for the special election and one for the
 10 regular election, shall be issued to each candidate nominated in the merged primaries.

11 (f) Notwithstanding Article 33, § 9-1(a) of the Annotated Code of Maryland, a
 12 nominee for the special election may decline the nomination by notifying the State
 13 Administrative Board of Election Laws ~~within 10 days after the special primary~~ not later
 14 than 5:00 p.m. on Wednesday, March 6. The appropriate political party shall designate a
 15 substitute nominee not later than 5:00 p.m. on Thursday, March 7. The notification shall
 16 conform to the requirements of Article 33, § 9-1(c) of the Annotated Code of Maryland.
 17 A nominee for the regular election may decline the nomination in the manner prescribed
 18 in Article 33, § 9-1(c).

19 ~~(g) Notwithstanding Article 33, § 7-1 of the Annotated Code of Maryland, an~~
 20 ~~individual of any political party affiliation may be nominated by petition in the manner~~
 21 ~~otherwise prescribed in Article 33, § 7-1.~~

22 (g) (1) Notwithstanding Article 33, § 13-1, a petition for recount and recanvass
 23 of the special primary shall be filed not later than 5:00 p.m. on Wednesday, March 6.

24 (2) Notwithstanding Article 33, § 16-4(d)(2), the State Administrative
 25 Board of Election Laws shall certify the contents and arrangement of the ballot for the
 26 special election as soon as practicable. Notwithstanding Article 33, § 16-4(f), the ballot
 27 shall be posted for one day, and any challenge must be filed by 5:00 p.m. on the day of
 28 posting.

29 (3) Notwithstanding Article 33, § 18-1, the Board of Canvassers shall
 30 convene immediately after the vote totals in the 7th Congressional District primary from
 31 Baltimore City and Baltimore County are available.

32 (4) Notwithstanding any other provision of Article 33 that sets minimum
 33 time limits, the State Administrative Board of Election Laws, by order, may reduce the
 34 amount of time required or allowed for any election-related action pertaining to the
 35 special primary or special election. The State Board may not alter any time requirement
 36 relating to voting or polling place procedures on election day.

37 (h) ~~The~~ At the request of a local board of supervisors of elections, the State
 38 Administrative Board of Election Laws may authorize the use of any voting system,
 39 including paper ballots, in the special general election.

40 (i) This Act shall be void after December 31, 1996.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
2 measure, is necessary for the immediate preservation of the public health and safety, has
3 been passed by a ye and nay vote supported by three-fifths of all of the members elected
4 to each of the two Houses of the General Assembly, and shall take effect from the date it
5 is enacted.