

CONSTITUTIONAL AMENDMENT

P1

7lr1801

By: Delegate Barve

Introduced and read first time: January 31, 1997

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Reorganization of State Government by Executive Order - Repeal**

3 FOR the purpose of repealing a provision of the Constitution of Maryland that authorizes
4 the Governor to make changes in the organization of the Executive Branch through
5 the issuance of an executive order; delaying the effect of this amendment until
6 January 1, 2003; and submitting this amendment to the qualified voters of the State
7 of Maryland for their adoption or rejection.

8 BY proposing a repeal of the Constitution of Maryland
9 Article II - Executive Department
10 Section 24

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

14 **Article II - Executive Department**

15 [24.

16 The Governor may make changes in the organization of the Executive Branch of the
17 State Government, including the establishment or abolition of departments, offices,
18 agencies, and instrumentalities, and the reallocation or reassignment of functions,
19 powers, and duties among the departments, offices, agencies, and instrumentalities of the
20 Executive Branch. Where these changes are inconsistent with existing law, or create new
21 governmental programs they shall be set forth in executive orders in statutory form which
22 shall be submitted to the General Assembly within the first ten days of a regular session.
23 An executive order that has been submitted shall become effective and have the force of
24 law on the date designated in the Order unless specifically disapproved, within fifty days
25 after submission, by a resolution of disapproval concurred in by a majority vote of all
26 members of either House of the General Assembly. No executive order reorganizing the
27 Executive Branch shall abolish any office established by this Constitution or shall change
28 the powers and duties delegated to particular officers or departments by this
29 Constitution.]

30 SECTION 2. AND BE IT FURTHER ENACTED, That the repeal of Article II,
31 Section 24 of the Constitution of Maryland shall take effect January 1, 2003.

1 SECTION 3. AND BE IT FURTHER ENACTED, That the General Assembly
2 determines that the amendment to the Constitution of Maryland proposed by this Act
3 affects multiple jurisdictions and that the provisions of Article XIV, Section 1 of the
4 Constitution concerning local approval of constitutional amendments do not apply.

5 SECTION 4. AND BE IT FURTHER ENACTED, That the foregoing section
6 proposed as an amendment to the Constitution of Maryland shall be submitted to the
7 legal and qualified voters of this State at the next general election to be held in
8 November, 1998 for their adoption or rejection in pursuance of directions contained in
9 Article XIV of the Constitution of this State. At that general election, the vote on this
10 proposed amendment to the Constitution shall be by ballot, and upon each ballot there
11 shall be printed the words "For the Constitutional Amendments" and "Against the
12 Constitutional Amendments," as now provided by law. Immediately after the election, all
13 returns shall be made to the Governor of the vote for and against the proposed
14 amendment, as directed by Article XIV of the Constitution, and further proceedings had
15 in accordance with Article XIV.