

**HOUSE BILL 125**  
CONSTITUTIONAL AMENDMENT

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1998 Regular Session  
8r0636  
CF 8r1225

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By: **Delegates Arnick and Getty (Commission to Revise the Election Code)**

Introduced and read first time: January 16, 1998

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Election Law - Publication Requirements - Constitutional Amendments and**  
3                                   **Referenda**

4 FOR the purpose of eliminating specific publication requirements for certain bills  
5 proposing amendments to the Maryland Constitution and certain referendum;  
6 providing that publication requirements shall be provided for by law; and  
7 submitting this amendment to the qualified voters of the State of Maryland for  
8 their adoption or rejection.

9 BY proposing an amendment to the Constitution of Maryland  
10 Article XIV - Amendments to the Constitution  
11 Section 1

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

15                                   **Article XIV - Amendments to the Constitution**

16 1.

17 The General Assembly may propose Amendments to this Constitution; provided  
18 that each Amendment shall be embraced in a separate bill, embodying the Article or  
19 Section, as the same will stand when amended and passed by three-fifths of all the  
20 members elected to each of the two Houses, by yeas and nays, to be entered on the  
21 Journals with the proposed Amendment. The requirement in this section that an  
22 amendment proposed by the General Assembly shall be embraced in a separate bill  
23 shall not be construed or applied to prevent the General Assembly from (1) proposing  
24 in one bill a series of amendments to the Constitution of Maryland for the general  
25 purpose of removing or correcting constitutional provisions which are obsolete,  
26 inaccurate, invalid, unconstitutional, or duplicative; or (2) embodying in a single  
27 Constitutional amendment one or more Articles of the Constitution so long as that  
28 Constitutional amendment embraces only a single subject. The bill or bills proposing  
29 amendment or amendments shall be publicized[, either by publishing,] by order of  
30 the Governor, [in at least two newspapers, in each County, where so many may be  
31 published, and where not more than one may be published, then in that newspaper,

1 and in three newspapers published in the City of Baltimore, once a week for four  
2 weeks, or as otherwise ordered by the Governor] in a manner provided by law,  
3 immediately preceding the next ensuing general election, at which the proposed  
4 amendment or amendments shall be submitted, in a form to be prescribed by the  
5 General Assembly, to the qualified voters of the State for adoption or rejection. The  
6 votes cast for and against said proposed amendment or amendments, severally, shall  
7 be returned to the Governor, in the manner prescribed in other cases, and if it shall  
8 appear to the Governor that a majority of the votes cast at said election on said  
9 amendment or amendments, severally, were cast in favor thereof, the Governor shall,  
10 by his proclamation, declare the said amendment or amendments having received  
11 said majority of votes, to have been adopted by the people of Maryland as part of the  
12 Constitution thereof, and thenceforth said amendment or amendments shall be part  
13 of the said Constitution. If the General Assembly determines that a proposed  
14 Constitutional amendment affects only one county or the City of Baltimore, the  
15 proposed amendment shall be part of the Constitution if it receives a majority of the  
16 votes cast in the State and in the affected County or City of Baltimore, as the case  
17 may be. When two or more amendments shall be submitted to the voters of this State  
18 at the same election, they shall be so submitted as that each amendment shall be  
19 voted on separately.

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

24 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
25 proposed as an amendment to the Constitution of Maryland shall be submitted to the  
26 legal and qualified voters of this State at the next general election to be held in  
27 November, 1998 for their adoption or rejection in pursuance of directions contained in  
28 Article XIV of the Constitution of this State. At that general election, the vote on this  
29 proposed amendment to the Constitution shall be by ballot, and upon each ballot  
30 there shall be printed the words "For the Constitutional Amendments" and "Against  
31 the Constitutional Amendments," as now provided by law. Immediately after the  
32 election, all returns shall be made to the Governor of the vote for and against the  
33 proposed amendment, as directed by Article XIV of the Constitution, and further  
34 proceedings had in accordance with Article XIV.