

SENATE BILL 128
CONSTITUTIONAL AMENDMENT

Unofficial Copy
G1

1998 Regular Session
8r1225
CF 8r0636

By: **Senators Collins and Craig (Commission to Revise the Election Code)**

Introduced and read first time: January 21, 1998

Assigned to: Economic and Environmental Affairs

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.