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By: **Senator Miller**
Introduced and read first time: February 2, 1998
Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2   **Governor - Pardons and Reprieves**

3 FOR the purpose of amending the Constitution to limit the power of the Governor to
4   exercise certain powers during the period following the last general election held
5   during the final term of the Governor, during the period between a primary
6   election in which a Governor is not renominated and the inauguration of the
7   next succeeding Governor; and, under certain circumstances, during the second
8   term of a Governor; providing a certain exception; and submitting this
9   amendment to the qualified voters of the State of Maryland for their adoption or
10   rejection.

11 BY proposing an addition to the Constitution of Maryland
12   Article II - Executive Department
13   Section 20A

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

17   **Article II - Executive Department**

18 20A.

19   EXCEPT AS OTHERWISE PROVIDED BY STATUTE, THE GOVERNOR MAY NOT
20 EXERCISE THE POWERS GRANTED BY SECTION 20 OF THIS ARTICLE DURING:

21   (1)   THE PERIOD FOLLOWING THE LAST GENERAL ELECTION HELD
22 DURING THE FINAL TERM OF THE GOVERNOR;

23   (2)   THE PERIOD BETWEEN A PRIMARY ELECTION IN WHICH THE
24 GOVERNOR IS NOT RENOMINATED AND THE INAUGURATION OF THE NEXT
25 SUCCEEDING GOVERNOR; OR

26   (3)   THE SECOND TERM OF THE GOVERNOR IF THE REQUEST FOR THE
27 EXERCISE OF POWER GRANTED BY SECTION 20 WAS MADE, AND THE INFORMATION

1 ON WHICH THE EXERCISE OF THIS POWER MAY BE BASED WAS AVAILABLE AT ANY
2 TIME DURING THE GOVERNOR'S FIRST TERM.

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

7   SECTION 3. AND BE IT FURTHER ENACTED, That the aforegoing section
8 proposed as an amendment to the Constitution of Maryland shall be submitted to the
9 legal and qualified voters of this State at the next general election to be held in
10 November, 1998 for their adoption or rejection in pursuance of directions contained in
11 Article XIV of the Constitution of this State. At that general election, the vote on this
12 proposed amendment to the Constitution shall be by ballot, and upon each ballot
13 there shall be printed the words "For the Constitutional Amendments" and "Against
14 the Constitutional Amendments," as now provided by law. Immediately after the
15 election, all returns shall be made to the Governor of the vote for and against the
16 proposed amendment, as directed by Article XIV of the Constitution, and further
17 proceedings had in accordance with Article XIV.