

SENATE BILL 267
CONSTITUTIONAL AMENDMENT

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SB 85/95 - JPR

1998 Regular Session
8r1132
CF HB 69

By: **Senator Miller**

Introduced and read first time: February 2, 1998
Assigned to: Judicial Proceedings

Committee Report: Favorable
Senate action: Adopted
Read second time: March 10, 1998

CHAPTER _____

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;

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

4 (3) THE SECOND TERM OF THE GOVERNOR IF THE REQUEST FOR THE
5 EXERCISE OF POWER GRANTED BY SECTION 20 WAS MADE, AND THE INFORMATION
6 ON WHICH THE EXERCISE OF THIS POWER MAY BE BASED WAS AVAILABLE AT ANY
7 TIME DURING THE GOVERNOR'S FIRST TERM.

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

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