

HOUSE BILL 248
CONSTITUTIONAL AMENDMENT

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1999 Regular Session
9r0967

By: **Delegate Fulton**

Introduced and read first time: February 3, 1999

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - City Manager**

3 FOR the purpose of adding a new section to the Constitution of Maryland providing
4 for a City Manager for the City of Baltimore to be the chief administrative
5 officer of Baltimore City with certain powers; providing for the appointment,
6 term, compensation, and removal of the City Manager; requiring the City
7 Manager to perform certain duties concerning the officers and employees of the
8 Baltimore City government and the budget of Baltimore City; and submitting
9 this amendment to the qualified voters of the State of Maryland for their
10 adoption or rejection.

11 BY proposing an addition to the Constitution of Maryland
12 Article XI - City of Baltimore
13 Section 10

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 XI - City of Baltimore**

18 10.

19 (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE OR ARTICLE
20 XI-A OF THIS CONSTITUTION, OR ANY LAW ENACTED UNDER THIS ARTICLE OR
21 ARTICLE XI-A OF THIS CONSTITUTION, THERE SHALL BE A CITY MANAGER FOR THE
22 CITY OF BALTIMORE WHO SHALL BE APPOINTED AND HAVE THE POWERS
23 PRESCRIBED BY THIS SECTION AND BY LAW ENACTED IN ACCORDANCE WITH THIS
24 SECTION.

25 (B) THE CITY MANAGER SHALL BE THE CHIEF ADMINISTRATIVE OFFICER OF
26 BALTIMORE CITY AND SHALL BE RESPONSIBLE FOR THE ADMINISTRATION OF ALL
27 BALTIMORE CITY MATTERS AND THE DAILY OPERATION OF THE BALTIMORE CITY
28 GOVERNMENT.

1 (C) (1) THE CITY COUNCIL OF BALTIMORE CITY SHALL APPOINT THE CITY
2 MANAGER.

3 (2) THE TERM AND COMPENSATION OF THE CITY MANAGER SHALL BE
4 AS PRESCRIBED BY LAW OF THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY.

5 (3) THE CITY MANAGER MAY BE REMOVED ONLY FOR JUST CAUSE BY
6 VOTE OF THREE-QUARTERS OF THE CITY COUNCIL.

7 (D) THE CITY MANAGER SHALL:

8 (1) ASSIST THE MAYOR IN APPOINTING ANY OFFICER OF THE
9 BALTIMORE CITY GOVERNMENT, SUBJECT TO THE ADVICE AND CONSENT OF THE
10 CITY COUNCIL;

11 (2) WHEN GOOD FOR THE SERVICE, SUSPEND OR REMOVE ANY OFFICER
12 OF THE BALTIMORE CITY GOVERNMENT, AFTER PRIOR NOTIFICATION TO THE
13 MAYOR AND CITY COUNCIL;

14 (3) APPOINT, AND WHEN GOOD FOR THE SERVICE, SUSPEND OR REMOVE
15 ANY EMPLOYEE OF THE BALTIMORE CITY GOVERNMENT, EXCEPT AS WHERE THE
16 CITY MANAGER MAY AUTHORIZE THE HEAD OF A DEPARTMENT OR OFFICE TO
17 APPOINT, SUSPEND, OR REMOVE SUBORDINATES IN THE DEPARTMENT OR OFFICE;

18 (4) PREPARE AND SUBMIT ANNUALLY THE BUDGET OF BALTIMORE CITY
19 TO THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY;

20 (5) PERFORM ANY OTHER FUNCTION THAT MAY BE GRANTED BY LAW OF
21 THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
23 determines that the amendment to the Constitution of Maryland proposed by this Act
24 affects only Baltimore City and that the provisions of Article XIV, Section 1 of the
25 Constitution concerning local approval of constitutional amendments apply.

26 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
27 proposed as an amendment to the Constitution of Maryland shall be submitted to the
28 legal and qualified voters of this State at the next general election to be held in
29 November, 2000 for their adoption or rejection in pursuance of directions contained in
30 Article XIV of the Constitution of this State. At that general election, the vote on this
31 proposed amendment to the Constitution shall be by ballot, and upon each ballot
32 there shall be printed the words "For the Constitutional Amendment" and "Against
33 the Constitutional Amendment," as now provided by law. Immediately after the
34 election, all returns shall be made to the Governor of the vote for and against the
35 proposed amendment, as directed by Article XIV of the Constitution, and further
36 proceedings had in accordance with Article XIV.