

# SENATE BILL 1029

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CONSTITUTIONAL AMENDMENT

8lr2002

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By: **Senators Madaleno, Ferguson, Lee, Smith, and Zucker**

Introduced and read first time: February 5, 2018

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Oil and Gas Drilling and Production – Restrictions**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to impose  
4 certain restrictions on the drilling or production of oil or gas in the State and to  
5 prohibit the General Assembly, on or after a certain date, from authorizing any  
6 drilling for oil or gas except by an act passed in a certain manner and if approved  
7 through a certain referendum; and submitting this amendment to the qualified  
8 voters of the State for their adoption or rejection.

9 BY proposing an addition to the Maryland Constitution  
10 New Article XX – Oil and Gas Drilling and Production  
11 Section 1

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

15 **ARTICLE XX – OIL AND GAS DRILLING AND PRODUCTION**

16 **1.**

17 **(A) A PERSON MAY CONDUCT DRILLING OR PRODUCTION OF OIL OR GAS IN**  
18 **THE STATE ONLY:**

19 **(1) IN A MANNER THAT MINIMIZES EFFECTS ON THE SURROUNDING**  
20 **ENVIRONMENT; AND**

21 **(2) IF THE PROJECT HAS BEEN SUBJECT TO PROPER EVALUATION**  
22 **AND USES THE MOST ENVIRONMENTALLY SOUND DRILLING AND PRODUCTION**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 METHODS TO PREVENT ADVERSE ENVIRONMENTAL CONSEQUENCES THAT WOULD  
2 BE DETRIMENTAL TO THE GENERAL WELFARE, HEALTH, SAFETY, AND PROPERTY  
3 INTERESTS OF THE CITIZENS OF THE STATE.

4 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
5 ON OR AFTER NOVEMBER 15, 2018, THE GENERAL ASSEMBLY MAY NOT AUTHORIZE  
6 ANY DRILLING FOR OIL OR GAS IN THE STATE.

7 (2) THE GENERAL ASSEMBLY MAY AUTHORIZE DRILLING FOR OIL OR  
8 GAS ONLY:

9 (I) BY AN ACT THAT HAS BEEN PASSED BY A YEA AND NAY VOTE  
10 SUPPORTED BY THREE-FIFTHS OF ALL THE MEMBERS ELECTED TO EACH OF THE  
11 TWO HOUSES OF THE GENERAL ASSEMBLY; AND

12 (II) IF APPROVAL IS GRANTED THROUGH A REFERENDUM,  
13 AUTHORIZED BY AN ACT OF THE GENERAL ASSEMBLY, IN A GENERAL ELECTION BY  
14 A MAJORITY OF THE QUALIFIED VOTERS IN THE STATE.

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

19 SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the  
20 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified  
21 voters of the State at the next general election to be held in November 2018 for adoption or  
22 rejection pursuant to Article XIV of the Maryland Constitution. At that general election,  
23 the vote on the proposed amendment to the Constitution shall be by ballot, and on each  
24 ballot there shall be printed the words “For the Constitutional Amendment” and “Against  
25 the Constitutional Amendment”, as now provided by law. Immediately after the election,  
26 all returns shall be made to the Governor of the vote for and against the proposed  
27 amendment, as directed by Article XIV of the Maryland Constitution, and further  
28 proceedings had in accordance with Article XIV.