

CHAPTER 114
(Senate Bill 83)

AN ACT concerning

Governor – “Lame Duck” Appointments

FOR the purpose of limiting the power of a Governor during certain periods to appoint a person to an office in the Executive Branch ~~or to certain offices in the Judicial Branch~~; subjecting certain appointments to ~~review~~ *approval* by the next succeeding Governor; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Constitution of Maryland
Article II – Executive Department
Section 10A

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

Article II – Executive Department

10A.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A GOVERNOR MAY NOT APPOINT A PERSON TO AN OFFICE IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT ~~OR TO AN OFFICE IN THE JUDICIAL BRANCH OF STATE GOVERNMENT THAT DOES NOT REQUIRE CONFIRMATION BY THE SENATE~~ DURING:

~~(1) THE PERIOD FOLLOWING THE LAST GENERAL ELECTION HELD DURING THE FINAL TERM OF A GOVERNOR; OR~~

~~(2) THE PERIOD BETWEEN A PRIMARY OR GENERAL ELECTION IN WHICH A GOVERNOR IS NOT RENOMINATED OR REELECTED AND THE INAUGURATION OF THE NEXT SUCCEEDING GOVERNOR.~~

(1) THE PERIOD BETWEEN A PRIMARY ELECTION IN WHICH THE GOVERNOR IS NOT RENOMINATED OR IS INELIGIBLE TO SUCCEED HIMSELF AND THE INAUGURATION OF THE NEXT SUCCEEDING GOVERNOR; OR

(2) IF THE GOVERNOR IS NOMINATED IN THE PRIMARY ELECTION BUT DEFEATED IN THE GENERAL ELECTION, THE PERIOD BETWEEN THE GENERAL ELECTION AND THE INAUGURATION OF THE NEXT SUCCEEDING GOVERNOR.

(B) ~~(1)~~ IN AN EMERGENCY DURING THE PERIODS DESCRIBED IN SUBSECTION (A) OF THIS SECTION, A GOVERNOR MAY APPOINT A PERSON TO AN OFFICE IN THE EXECUTIVE BRANCH ~~OR THE JUDICIAL BRANCH~~ THAT THE GOVERNOR HAS THE POWER TO FILL ON A TEMPORARY BASIS UPON FILING A