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L.A.

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House Bill No. 677.

Introduced by Mr. Speaker.

Examined by Committee on Printed Bills:

W. H. Price
Geo. B. Holland

Sealed with the Great Seal and presented to the Governor, for
his approval this 9th day of April
at 12 o'clock, 12 M.

A. Money
Chief Clerk.

CHAPTER 416.

AN ACT to propose an amendment to the Constitution of this State
by adding a new Article thereto to follow immediately after
Article XI and to be known as Article XI-A, and to provide
for the submission of said amendment to the qualified voters
of this State for adoption or rejection.

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*
2 *land, (Three-fifths of all members of each of the two Houses*
3 *concurring), That the following Article to follow immediately*
4 *after Article XI and to be known as Article XI-A be and the*
5 *same is hereby proposed as an amendment to the Constitution*
6 *of this State, which Article, if adopted by the qualified voters*
7 *of this State as herein provided, shall thereby by such adop-*
8 *tion be and become a part of the Constitution of this State.*

ARTICLE XI-A. LOCAL LEGISLATION.

1 SECTION 1. On demand of ~~the~~ Mayor of Baltimore and
2 City Council of the City of Baltimore, or on petition bear-
3 ing the signatures of not less than 20% of the registered voters
4 of said City or any County (Provided, however, that in any case
5 10,000 signatures shall be sufficient to complete a petition), the
6 Board of Election Supervisors of said City or County shall pro-
7 vide at the next general or congressional election, occurring after

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Filed April 17th 1914

8 such demand or the filing of such petition, for the election of a
9 charter board of eleven registered voters of said City or five
10 registered voters in any such Counties. Nominations for mem-
11 bers for said charter board may be made not less than forty
12 days prior to said election by the Mayor of Baltimore and ~~the~~
13 City Council of the City of Baltimore or the County Commis-
14 sioners of such County, or not less than twenty days prior to said
15 election by petition bearing the signatures written in their own
16 handwriting (and not by their mark) of not less than 5% of the
17 registered voters of the said City of Baltimore or said
18 County; provided, that in any case Two thousand signatures of
19 registered voters shall be sufficient to complete any such nomi-
20 nating petition, and if not more than eleven registered voters of
21 the City of Baltimore or not more than five registered voters
22 in any such County are so nominated their names shall not be
23 printed on the ballot, but said eleven registered voters in the
24 City of Baltimore or five in such County shall constitute said
25 charter board from and after the date of said election. At said
26 election the ballot shall contain the names of said nominees in
27 alphabetical order without any indication of the source of their
28 nomination, and shall also be so arranged as to permit the voter
29 to vote for or against the creation of said charter board, but the
30 vote cast against said creation shall not be held to bar the voter
31 from expressing his choice among the nominees for said board,
32 and if the majority of the votes cast for and against the creation
33 of said charter board shall be against said creation the election
34 of the members of said charter board shall be void; but if such
35 majority shall be in favor of the creation of said charter board,
36 then and in that event the eleven nominees of the City of Bal-
37 timore or five nominees in the County receiving the largest
38 number of votes shall constitute the charter board, and said
39 charter board, or a majority thereof, shall prepare within six
40 months from the date of said election a charter or form of gov-
41 ernment for said city or such county and present the same to the
42 Mayor of Baltimore or President of the Board of County Com-
43 missioners of such county, who shall publish the same in at least
44 two newspapers of general circulation published in said the City
45 of Baltimore or County within thirty days after it shall be re-
46 ported to him. Such charter shall be submitted to the voters of

47 said City or County at the next general or congressional election
48 after the report of said charter to said Mayor of Baltimore or
49 President of the Board of County Commissioners; and if a ma-
50 jority of the votes cast for and against the adoption of said
51 charter shall be in favor of such adoption, the said charter from
52 and after the thirtieth days from the date of such election shall
53 become the law of said City or County, subject only to the Con-
54 stitution and Public General Laws of this State, and any public
55 local laws inconsistent with the provisions of said charter and
56 any former charter of said the City of Baltimore or County
57 shall be thereby repealed.

1 SEC. 2. The General Assembly at its first session after the
2 adoption of this amendment shall by public general law provide
3 a grant of express powers for such County or Counties as may
4 thereafter form a charter under the provisions of this Article.
5 Such express powers granted to the Counties and the powers
6 heretofore granted to the City of Baltimore, as set forth in Ar-
7 ticle 4, Section 6, Public Local Laws of Maryland, shall not be en-
8 larged or extended by any charter formed under the provisions
9 of this Article, but such powers may be extended, modified,
10 amended or repealed by the General Assembly.

1 SEC. 3. Every charter so formed shall provide for an elec-
2 tive legislative body in which shall be vested the law-making
3 power of said City or County. Such legislative body in the City
4 of Baltimore shall be known as the City Council of the City of
5 Baltimore, and in any County shall be known as the County
6 Council of the County. The chief executive officer, if any such
7 charter shall provide for the election of such executive officer,
8 or the presiding officer of said legislative body, if such charter
9 shall not provide for the election of a chief executive officer,
10 shall be known in the City of Baltimore as Mayor of Baltimore,
11 and in any County as the President of the County Council of
12 the County, and all references in the Constitution and laws of
13 this State to the Mayor of Baltimore and City Council of the
14 City of Baltimore or to the County Commissioners of the Coun-
15 ties, shall be construed to refer to the Mayor of Baltimore and
16 City Council of the City of Baltimore and to the President and
17 County Council herein provided for whenever such construc-
18 tion would be reasonable. From and after the adoption of a

19 charter by the City of Baltimore, or any County of this State, as
20 hereinbefore provided, the Mayor of Baltimore and City Coun-
21 cil of the City of Baltimore or the County Council of said
22 County, subject to the Constitution and Public General Laws
23 of this State, shall have full power to enact local laws of said
24 City or County including the power to repeal or amend local
25 laws of said city or county enacted by the General Assembly,
26 upon all matters covered by the express powers granted as
27 above provided; provided that nothing herein contained shall
28 be construed to authorize or empower the County Council of
29 any County in this State to enact laws or regulations for any
30 incorporated town, village, or municipality in said County, on
31 any matter covered by the powers granted to said town, vil-
32 lage, or municipality by the Act incorporating it, or any sub-
33 sequent Act or Acts amendatory thereto. Provided, however,
34 that the charters for the various Counties shall provide that
35 the County Council of the Counties shall not sit more than one
36 month in each year for the purpose of enacting legislation for
37 such Counties, and all legislation shall be enacted during the
38 month so designated for that purpose in the charter, and all
39 laws and ordinances so enacted shall be published once a week
40 for three successive weeks in at least one newspaper published
41 in such Counties, so that the taxpayers and citizens may have
42 notice thereof. This provision shall not apply to Baltimore
43 City. All such local laws enacted by the Mayor of Baltimore
44 and City Council of the City of Baltimore or the Council of the
45 Counties as hereinbefore provided, shall be subject to the same
46 rules of interpretation as those now applicable to the Public
47 Local Laws of this State, except that in case of any conflict be-
48 tween said local law and any Public General Law now or here-
49 after enacted the Public General Law shall control.

1 SEC. 4. From and after the adoption of a charter under the
2 provisions of this Article by the City of Baltimore or any County
3 of this State, no public local law shall be enacted by the General
4 Assembly for said City or County on any subject covered by the
5 express powers granted as above provided. Any law so drawn
6 as to apply to two or more of the geographical sub-divisions
7 of this State shall not be deemed a Local Law, within the mean-
8 ing of this Act. The term "geographical sub-division" herein

9 used shall be taken to mean the City of Baltimore or any of the
10 Counties of this State.

1 SEC. 5. Amendments to any charter adopted by the City of
2 Baltimore or by any County of this State under the provisions
3 of this Article may be proposed by a resolution of the Mayor
4 of Baltimore and the City Council of said the City of Baltimore,
5 or the Council of said County, or by a petition signed by not
6 less than 20% of the registered voters of said City or County,
7 provided, however, that in any case 10,000 signatures shall be
8 sufficient to complete a petition, and filed with the Mayor of
9 Baltimore or the President of the County Council, and when so
10 proposed shall be submitted to the voters of said City or County
11 at the next general or congressional election occurring after the
12 passage of said resolution, or the filing of said petition; and if
13 at said election the majority of the votes cast for and against
14 said amendment shall be in favor thereof, said amendment shall
15 be adopted and become a part of the charter of said City or
16 County from and after the thirtieth day after said election.
17 Said amendments shall be published by said Mayor of Balti-
18 more or President of the County Council once a week for five
19 successive weeks prior to said election in at least one newspaper
20 published in said City or County.

1 SEC. 6. The power heretofore conferred upon the General
2 Assembly to prescribe the number, compensation, powers and
3 duties of the County Commissioners in each County, and the
4 power to make changes in Sections 1 to 6 inclusive, Article XI
5 of this Constitution, when expressly granted as hereinbefore
6 provided, are hereby transferred to the voters of each County
7 and the voters of City of Baltimore, respectively, provided that
8 said powers so transferred shall be exercised only by the adop-
9 tion or amendment of a charter as hereinbefore provided; and
10 provided further that this Article shall not be construed to au-
11 thorize the exercise of any powers in excess of those conferred
12 by the Legislature upon said Counties or City as this Article
13 sets forth.

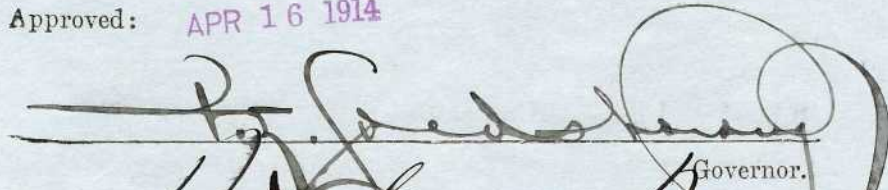
1 SEC. 7. The word "Petition" as used in this Article means
2 one or more sheets written or printed, or partly written and
3 partly printed; "Signature" means the signature of a regis-
4 tered voter written by himself in his own handwriting (and

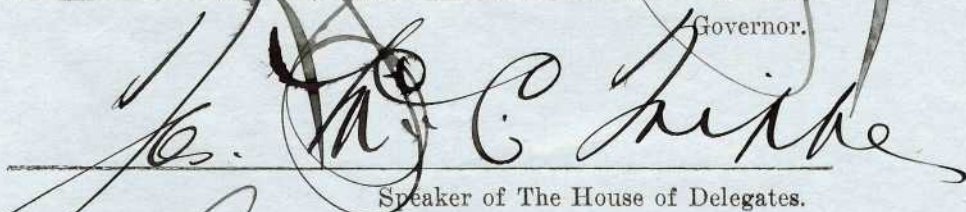
5 not by his mark), together with the ward or district and pre-
6 cinct in which he is registered. The authenticity of such signa-
7 tures and the fact that the persons so signing are registered
8 voters shall be evidenced by the affidavit of one or more reg-
9 istered voters of the City or County in which said voters so
10 signing are registered, and one affidavit may apply to or cover
11 any number of signatures to such petition. The false signing
12 of any name, or the signing of any fictitious name to said peti-
13 tion shall be forgery, and the making of any false affidavit in
14 connection with said petition shall be perjury.

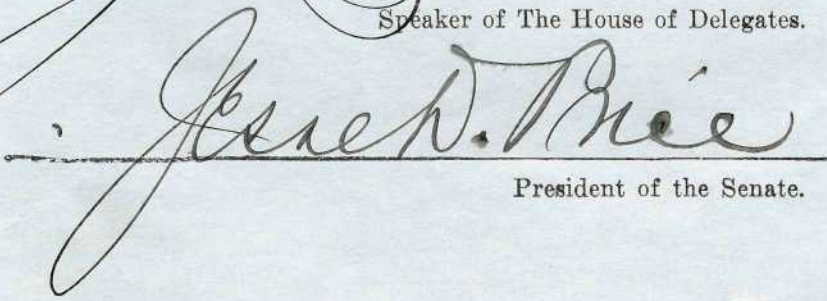
1 SEC. 2. *And be it further enacted by the authority aforesaid,*
2 That the aforesaid Article hereby proposed as an amendment to
3 the Constitution shall be, at the next general election for mem-
4 bers of the General Assembly held in this State, submitted to
5 the legal and qualified voters thereof for their adoption or re-
6 jection in pursuance of the directions contained in Article XIV
7 of the Constitution of this State, and at the said General elec-
8 tion the vote on the said proposed amendment to the Constitu-
9 tion shall be by ballot, and upon each ballot shall be printed
10 the words, "For Constitutional Amendment" and "Against
11 Constitutional Amendment" as now provided by law, and im-

12 mediately after said election due return shall be made to the
13 Governor of the vote for and against said proposed amendment
14 as directed by said Fourteenth Article of the Constitution.

Approved: APR 16 1914


Governor.


Speaker of The House of Delegates.


President of the Senate.

Executive Department
This Act in order of
approval

is Number 709

