

Senate Calendar No. 242a

Introduced by Mr. Ogden

House Calendar No. 179-A

284

# SENATE BILL No. 105

CHAPTER 673

## A BILL ENTITLED

AN ACT to amend the Constitution of Maryland by adding thereto a new Article to be entitled "Article XVI," providing for "The Referendum," and to provide for the submission of said amendment to the qualified voters of the State for adoption or rejection.

BY THE SENATE

January 29, 1914.

Introduced, read the first time and referred to the Committee on Amendments to the Constitution.

By order,

JOHN R. SULLIVAN, Secretary.

REPORT OF COMMITTEE

February 26, 1914.

Favorable report with amendments.

Senator Benson makes an unfavorable report as a minority report.

CARVILLE D. BENSON.

BY THE SENATE

March 3, 1914.

Considered and laid over under the rules.

By order,

JOHN R. SULLIVAN, Secretary.

BY THE SENATE

March 11, 1914.

Made special order for March 17 at one o'clock P. M.

By order,

JOHN R. SULLIVAN, Secretary.

*3 R + Passed*

*Referred: 2 R + p. 3 R  
1 R. Cons. Amendments.*

*3 R + Passed Filed April 17th 1914*

BY THE SENATE

March 17, 1914.

On motion of Senator Benson said bill was recommitted to the  
Committee on Amendments to the Constitution.

By order,

JOHN R. SULLIVAN, Secretary.

REPORT OF COMMITTEE

March 18, 1914.

Favorable report with amendments.

WM. J. OGDEN, Chairman.

BY THE SENATE

March 19, 1914.

Reported favorably by the Committee on Amendments to the Con-  
stitution, with proposed amendments; amendments adopted,  
read second time and ordered printed for third reading.

By order,

JOHN R. SULLIVAN, Secretary.

BY THE SENATE

March 26, 1914.

Considered on third reading and made special order for March 27  
at one o'clock P. M.

By order,

JOHN R. SULLIVAN, Secretary.

BY THE SENATE

March 27, 1914.

Rules suspended and vote reconsidered and bill placed on second  
reading file, amendments adopted and ordered engrossed for a  
third reading.

By order,

JOHN R. SULLIVAN, Secretary.

**A BILL ENTITLED**

AN ACT to amend the Constitution of Maryland by adding thereto a new Article to be entitled "Article XVI," providing for "The Referendum," and to provide for the submission of said amendment to the qualified voters of the State for adoption or rejection.

1 SECTION 1. *Be it enacted by the General Assembly of Mary-*  
2 *land, That three-fifths of all the members elected to each of*  
3 *the two Houses concurring, that the following new and addi-*  
4 *tional Article, to be known as Article XVI, title "The Refer-*  
5 *endum," be, and the same is hereby proposed as an amendment*  
6 *to the Constitution of Maryland, and if adopted by the legal*  
7 *and qualified voters thereof, as herein provided, it shall stand*  
8 *as part and as a new and additional Article of said Constitu-*  
9 *tion, to be known and entitled as aforesaid.*

ARTICLE XVI.

THE REFERENDUM.

1 SEC. 1 (a). The people reserve to themselves power known  
2 as The Referendum, by petition to have submitted to the regis-  
3 tered voters of the State, to approve or reject at the polls, any  
4 Act, or part of any Act of the General Assembly, if approved  
5 by the Governor, or, if passed by the General Assembly over  
6 the veto of the Governor;

1 (b) The provisions of this Article shall be self-executing;  
2 provided that additional legislation in furtherance thereof and  
3 not in conflict therewith may be enacted.

1 SEC. 2. No law enacted by the General Assembly shall take  
2 effect until the first day of June next after the session  
3 at which it may be passed, unless it contain a Section de-  
4 claring such law an emergency law and necessary for the im-  
5 mediate preservation of the public health or safety, and passed  
6 upon a ye and nay vote supported by three-fifths of all the  
7 members elected to each of the two Houses of the General  
8 Assembly; provided, however, that said period of suspension  
9 may be extended as provided in Section 3 (b) hereof. If be-

10 fore said first day of June there shall have been filed with the  
11 Secretary of the State a petition to refer to a vote of the  
12 people any law or part of a law capable of referendum, as  
13 in this Article provided, the same shall be referred by the  
14 Secretary of State to such vote, and shall not become a law  
15 or take effect until thirty days after its approval by a majority  
16 of the electors voting thereon at the next ensuing election held  
17 throughout the State for Members of the House of Representa-  
18 tives of the United States. An emergency law shall remain  
19 in force notwithstanding such petition, but shall stand re-  
20 pealed thirty days after having been rejected by a majority of  
21 the qualified electors voting thereon; provided, however, that  
22 no measure creating or abolishing any office, or changing the  
23 salary, term or duty of any officer, or granting any franchise  
24 or special privilege, or creating any vested right or interest,  
25 shall be enacted as an emergency law. No law making any  
26 appropriation for maintaining the State Government, or for  
27 maintaining or aiding any public institution, not exceeding  
28 the next previous appropriation for the same purpose, shall be  
29 subject to rejection or repeal under this Section. The in-  
30 crease in any such appropriation for maintaining or aiding  
31 any public institution shall only take effect as in the case of  
32 other laws, and such increase or any part thereof specified  
33 in the petition, may be referred to a vote of the people upon  
34 petition.

1 SEC. 3 (a). The referendum petition against an Act or  
2 part of an Act passed by the General Assembly, shall be suffi-  
3 cient if signed by ten thousand qualified voters of the State  
4 of Maryland, of whom not more than half shall be residents  
5 of Baltimore City, or of any one County; provided that any  
6 *Public Local Law for any one County or the City of Baltimore,*  
7 shall be referred by the Secretary of State only to the people  
8 of said County or City of Baltimore, upon a referendum peti-  
9 tion of ten per cent. of the qualified voters of said County or  
10 City of Baltimore as the case may be, calculated upon the  
11 whole number of votes cast therein respectively for Governor  
12 at the last preceding Gubernatorial election.

1 (b) If more than one-half, but less than the full number of  
2 signatures required to complete any referendum petition  
3 against any law passed by the General Assembly, be filed with

4 Secretary of State before the first day of June, the time for  
5 the law to take effect, and for filing the remainder of signa-  
6 tures to complete the petition shall be extended to the thirtieth  
7 day of the same month, with like effect.

1 SEC. 4. A petition may consist of several papers, but each  
2 paper shall contain the full text of the Act or part of Act  
3 petitioned upon; and there shall be attached to each such  
4 paper an affidavit of the person procuring the signatures  
5 thereon that of the said person's own personal knowledge  
6 every signature thereon is genuine and bona fide, and that the  
7 signers are registered voters of the State of Maryland, and of  
8 the City of Baltimore, or County, as the case may be, as set op-  
9 posite their names, and no other verification shall be required.

1 SEC. 5 (a). The General Assembly shall provide for fur-  
2 nishing the voters of the State the text of all measures to be  
3 voted upon by the people; provided, that until otherwise pro-  
4 vided by law the same shall be published in the manner pre-  
5 scribed by Article XIV of the Constitution for the publication  
6 of proposed Constitutional Amendments.

1 (b) All laws referred under the provisions of this Article  
2 shall be submitted separately on the ballots to the voters of  
3 the people, but if containing more than two hundred words,  
4 the full text shall not be printed on the official ballots, but  
5 the Secretary of State shall prepare and submit a ballot title  
6 of each such measure in such form as to present the pur-  
7 pose of said measure concisely and intelligently. The bal-  
8 lot title may be distinct from the legislative title, but in any  
9 case the legislative title shall be sufficient. Upon each of the  
10 ballots, following the ballot title or text, as the case may be,  
11 of each such measure, there shall be printed the words "For  
12 the referred law" and "Against the referred law," as the case  
13 may be. The votes cast for and against any such referred  
14 law shall be returned to the Governor in the manner pre-  
15 scribed with respect to proposed amendments to the Con-  
16 stitution under Article XIV of this Constitution, and the  
17 Governor shall proclaim the result of the election, and, if it  
18 shall appear that the majority of the votes cast on any such  
19 measure were cast in favor thereof, the Governor shall by his  
20 proclamation declare the same having received a majority of  
21 the votes to have been adopted by the people of Maryland as  
22 a part of the laws of the State, to take effect thirty days after

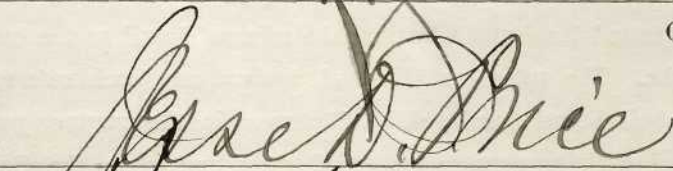
23 such election, and in like manner and with like effect the  
24 Governor shall proclaim the result of the local election as to  
25 any Public Local Law which shall have been submitted to the  
26 voters of any County or the City of Baltimore.


1 Sec. 6. No law or Constitutional Amendment, licensing,  
2 regulating, prohibiting, or submitting to local option, the  
3 manufacture or sale of malt or spirituous liquors, shall be  
4 referred or repealed under any Act of the provisions of this  
5 Article.

1 Sec. 2. *And be it enacted by the General Assembly of*  
2 *Maryland,* That the foregoing Article hereby proposed as an  
3 amendment to the Constitution of this State, at the next  
4 General Election for Members of the General Assembly to be  
5 held in this State, shall be submitted to the legal and qualified  
6 voters thereof for their adoption or rejection in pursuance of  
7 the directions contained in Article XIV of the Constitution  
8 of this State, and that at such General Election the vote upon  
9 said proposed amendment to the Constitution shall be by bal-  
10 lot, and upon each ballot there shall be printed the words "For  
11 the Constitutional Amendment" and "Against the Constitu-  
12 tional Amendment," as prescribed by law, and immediately  
13 after said election due returns shall be made ~~by~~ <sup>to</sup> the Governor  
14 of the vote for and against said amendment as directed by  
15 the said Article XIV of the Constitution.

Approved: APR 16 1914

  
Governor.

  
President of the Senate.

  
Speaker of The House of Delegates.

*Executive Department*  
*This Act in order of*  
*approval*

*is Number* 676



Sealed with the Great Seal and presented to the Governor, for  
his approval this.....*9*.....day of.....*April*.....  
at.....*6*.....o'clock,.....*P*.....M.

*John P. Sullivan*

Secretary.

BY THE HOUSE OF DELEGATES

.....1914

Reported favorably from the.....with amendment; amendment adopted, read the second time

By order,

Chief Clerk.

BY THE HOUSE OF DELEGATES

.....1914  
4/4

Read third time and passed by.....Yeas and.....Nays

By order,



Chief Clerk.

BY THE SENATE

.....1914

House of Delegates amendment Concurred in and bill passed by Yeas and Nays as amended

By order,

Secretary.



Examined by Committee on Printed Bills

*Wm. Cusson*  
*Benj. Watkins, Jr.*

BY THE SENATE

..... *3/31* ..... 1914

Read third time and passed by yeas and nays

By order,

*John Phillips*  
Secretary.

BY THE HOUSE OF DELEGATES

..... *4/2* ..... 1914

Read the first time and referred to.....

*Constitutional Amendments*

By order,

*A. S. Sweeney*

Chief Clerk.

~~Returned with recommendation that~~

~~it be referred to Baltimore City Delegation~~

*Favorable Report by Committee on  
amendments to the Constitution*

*Engine N. Waters  
Chairman*

BY THE HOUSE OF DELEGATES

Reported favorably from the..... *Constitutional Amendments* ..... 1914  
and read the second time.

By order,

*A. S. Sweeney*

Chief Clerk.