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CWest's Annotated Code of Maryland [Currentness](#)

Constitution of Maryland Adopted by Convention of 1867

↗ [Article II](#). Executive Department**→ § 1. Governor**

The executive power of the State shall be vested in a Governor, whose term of office shall commence on the third Wednesday of January next ensuing his election, and continue for four years, and until his successor shall have qualified; and a person who has served two consecutive popular elective terms of office as Governor shall be ineligible to succeed himself as Governor for the term immediately following the second of said two consecutive popular elective terms.

CREDIT(S)

Acts 1947, c. 109, ratified Nov. 2, 1948; Acts 1964, c. 161, ratified Nov. 3, 1964; Acts 1970, c. 576, ratified Nov. 3, 1970.

CROSS REFERENCES

Rotations of executive officials, see [Declaration of Rights, Art. 34](#).

LIBRARY REFERENCES

States ↪ 41, 47, 51.

Westlaw Key Number Searches: 360k41; 360k47; 360k51.

RESEARCH REFERENCES

Encyclopedias

[Maryland Law Encyclopedia State Government § 20](#), Governor.

UNITED STATES CODE ANNOTATED

Successive terms of office, President, see [U.S.C.A. Const. Amend. 22](#).

NOTES OF DECISIONS

Separation of powers 1**1**. Separation of powers

Portion of Senate Bill regarding the Public Service Commission, which prematurely terminated the terms of Commission's members who had been lawfully appointed to fixed terms by the Governor, violated separation of powers doctrine in the Declaration of Rights of Maryland, and the powers of the Governor, under the Maryland Constitution, to supervise the Executive Branch, to execute the laws, and to terminate officers of the Executive Branch based on incompetency or misconduct, and thus such portion of the Bill was null and void; Commission was an Executive agency, the Legislature, which was unhappy with pending increase in electricity rates, was at-

tempting to control the actions of an Executive Branch agency, and removal of the Commissioners through the use of the Senate Bill constituted a usurpation by one department of the powers of another. (Per Cathell, J., with two judges concurring and one judge concurring in the result). [Schisler v. State, 2006, 907 A.2d 175, 394 Md. 519](#). Public Utilities ☞ 102

Executive order did not violate Maryland's constitutional separation of powers doctrine by authorizing limited collective bargaining rights for Executive Branch employees without prior legislative authorization; by statute and under State Constitution, governor had broad power and authority over Executive Branch employees and their working conditions. Const. Art. 2, §§ 1, [8, 9](#); [Code, State Government, §§ 3-302, 3-401](#); [Code, State Personnel and Pensions, § 2-201](#). [McCulloch v. Glendening, 1997, 701 A.2d 99, 347 Md. 272](#). Constitutional Law ☞ 77; Labor And Employment ☞ 1104

The courts have no power to compel, by mandamus, the governor of a state to perform any act which it may be his duty to perform in his political capacity, or which he officially, is required to perform by the constitution or laws of the state. [Miles v. Bradford, 1864, 22 Md. 170, 85 Am.Dec. 643](#). Constitutional Law ☞ 73; Mandamus ☞ 64

The judiciary has no power by mandamus to control the governor in the exercise of his duties. [Miles v. Bradford, 1864, 22 Md. 170, 85 Am.Dec. 643](#). Constitutional Law ☞ 73

MD Constitution, Art. 2, § 1, MD CONST Art. 2, § 1

Current through end of 2006 Regular Session and 2006 First Special Session.

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