

CONSTITUTIONAL CONVENTION OF MARYLAND

PROPOSED CONSTITUTION OF 1968

the Senate shall serve as acting governor until the newly elected governor has qualified. If vacancies in the offices of governor and lieutenant governor exist at the same time after the first year of their term, the president of the Senate shall succeed to the office of governor for the remainder of the term. If a vacancy exists in the office of lieutenant governor, at a time when the lieutenant governor is authorized to serve as acting governor, the president of the Senate shall serve as acting governor. If there is a vacancy in the office of the president of the Senate at a time when he is authorized to succeed to the office of governor or is authorized to serve as acting governor, the Senate shall convene and fill the vacancy.

**Section 4.10. Powers and Duties of Successor.**

When the lieutenant governor or the president of the Senate succeeds to the office of governor, he shall have the title, powers, duties, and emoluments of that office; but when the lieutenant governor or the president of the Senate serves as acting governor, he shall have only the powers and duties of that office. When the president of the Senate serves as acting governor, he shall continue to be president of the Senate, but his duties as president shall be performed by such other person as the Senate shall select.

**Section 4.11. Adjudication of Disputes.**

The Court of Appeals shall have original and exclusive jurisdiction to adjudicate dis-

CONSTITUTION OF 1867

case there be no President of the Senate or in the case of his refusal to serve, and in the case of his death, resignation, removal from the State, or other disqualification while discharging the duties of said office of Governor, then the duties of said office shall, in like manner and for the same interval, devolve upon the Speaker of the House of Delegates, at the time such vacancy occurred; and in case there be no Speaker of the House of Delegates or in the case of his refusal to serve, and in the case of his death, resignation, removal from the State, or other disqualification while discharging the duties of said office of Governor, then the duties of said office shall, in like manner and for the same interval, devolve upon the Comptroller of the State, at the time such vacancy occurred; and in case there be no Comptroller of the State, or in the case of his refusal to serve, and in the case of his death, resignation, removal from the State or other disqualification while discharging the duties of said office of Governor, then the duties of said office shall, in like manner and for the same interval, devolve upon the Attorney General of the State, at the time such vacancy occurred. And the Legislature may provide by Law, for the impeachment of the Governor; and in case of his conviction, or his inability, may declare what person shall perform the Executive duties; and for any vacancy in said office not herein provided for, provision may be made by Law; and if such vacancy should occur without such provision being made, the Legislature shall be convened by the Secretary of State, for the purpose of filling said vacancy.

*See Art. II, sec. 7 at Section 4.09 for powers and duties of successor.*