

HOUSE BILL 725

P5

CONSTITUTIONAL AMENDMENT

1lr2248

By: **Delegate Ivey**

Introduced and read first time: January 26, 2021

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Constitutional Amendment – Legislative Sessions**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to add a certain
4 number of legislative sessions each year; providing for the lengths of certain
5 legislative sessions each year; making a clarifying change; and submitting this
6 amendment to the qualified voters of the State for their adoption or rejection.

7 BY proposing an amendment to the Maryland Constitution
8 Article III – Legislative Department
9 Section 14 and 15

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

13 **Article III – Legislative Department**

14 14.

15 The General Assembly shall meet on the second Wednesday of January, nineteen
16 hundred and seventy-one, and on the same day in every year thereafter[.]; **ON THE**
17 **SECOND WEDNESDAY OF JUNE TWO THOUSAND AND TWENTY-THREE, AND ON THE**
18 **SAME DAY IN EVERY YEAR THEREAFTER; ON THE SECOND WEDNESDAY OF OCTOBER**
19 **TWO THOUSAND AND TWENTY-THREE, AND ON THE SAME DAY IN EVERY YEAR**
20 **THEREAFTER;** and at no other time, unless convened by joint proclamation of the President
21 of the Senate and the Speaker of the House of Delegates under Section 17(g) of Article II of
22 this Constitution or by Proclamation of the Governor. The Governor shall issue a
23 Proclamation convening the General Assembly in extraordinary session if a majority of the
24 members elected to the Senate and a majority of the members elected to the House of
25 Delegates join in a petition to the Governor requesting that the Governor convene the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



General Assembly in extraordinary session, and the Governor shall convene the General Assembly on the date specified in the petition. This section does not affect the Governor's power to convene the General Assembly in extraordinary session pursuant to Section 16 of Article II of this Constitution.

15.

(1) The General Assembly may continue its **JANUARY** session so long as in its judgment the public interest may require, for a period not longer than ninety days in each year. The ninety days shall be consecutive unless otherwise provided by law. The General Assembly may extend its **JANUARY** session beyond ninety days, but not exceeding an additional thirty days, by resolution concurred in by a three-fifths vote of the membership in each House. **THE GENERAL ASSEMBLY MAY CONTINUE ITS JUNE SESSION SO LONG AS IN ITS JUDGMENT THE PUBLIC INTEREST MAY REQUIRE, FOR A PERIOD NOT LONGER THAN THIRTY DAYS IN EACH YEAR. THE THIRTY DAYS SHALL BE CONSECUTIVE UNLESS OTHERWISE PROVIDED BY LAW.** The General Assembly may continue its **OCTOBER** session so long as in its judgment the public interest may require, for a period not longer than thirty days in each year. **THE THIRTY DAYS SHALL BE CONSECUTIVE UNLESS OTHERWISE PROVIDED BY LAW.** When the General Assembly is convened by Proclamation of the Governor, the session shall not continue longer than thirty days, but no additional compensation other than mileage and other allowances provided by law shall be paid members of the General Assembly for special session.

(2) Any compensation and allowances paid to members of the General Assembly shall be as established by a commission known as the General Assembly Compensation Commission. The Commission shall consist of nine members, five of whom shall be appointed by the Governor, two of whom shall be appointed by the President of the Senate, and two of whom shall be appointed by the Speaker of the House of Delegates. Members of the General Assembly and officers and employees of the Government of the State of Maryland or of any county, city, or other governmental unit of the State shall not be eligible for appointment to the Commission. Members of the Commission shall be appointed for terms of four years commencing on June 1 of each gubernatorial election year. Members of the Commission are eligible for re-appointment. Any member of the Commission may be removed by the Governor prior to the expiration of his term for official misconduct, incompetence, or neglect of duty. The members shall serve without compensation but shall be reimbursed for expenses incurred in carrying out their responsibilities under this section. Decisions of the Commission must be concurred in by at least five members.

(3) Within 15 days after the beginning of the regular session of the General Assembly in 1974 and within 15 days after the beginning of the regular **JANUARY** session in each fourth year thereafter, the Commission by formal resolution shall submit its determinations for compensation and allowances to the General Assembly. The General Assembly may reduce or reject, but shall not increase any item in the resolution. The resolution, with any reductions that shall have been concurred in by joint resolution of the General Assembly, shall take effect and have the force of law as of the beginning of the

1 term of office of the next General Assembly. Rates of compensation and pensions shall be
2 uniform for all members of the General Assembly, except that the officers of the Senate and
3 the House of Delegates may receive higher compensation as determined by the General
4 Assembly Compensation Commission. The provisions of the Compensation Commission
5 resolution shall continue in force until superseded by any succeeding resolution.

6 (4) In no event shall the compensation and allowances be less than they were
7 prior to the establishment of the Compensation Commission.

8 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
9 determines that the amendment to the Maryland Constitution proposed by Section 1 of this
10 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland
11 Constitution concerning local approval of constitutional amendments do not apply.

12 SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the
13 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified
14 voters of the State at the next general election to be held in November 2022 for adoption or
15 rejection pursuant to Article XIV of the Maryland Constitution. At that general election,
16 the vote on the proposed amendment to the Constitution shall be by ballot, and on each
17 ballot there shall be printed the words “For the Constitutional Amendment” and “Against
18 the Constitutional Amendment”, as now provided by law. Immediately after the election,
19 all returns shall be made to the Governor of the vote for and against the proposed
20 amendment, as directed by Article XIV of the Maryland Constitution, and further
21 proceedings had in accordance with Article XIV.