

CA002-0405

10 **AN AMENDMENT TO THE CONSTITUTION OF THE MARYLAND STUDENT**
20 **LEGISLATURE CONCERNING ELECTION PROCEDURES**

30 FOR the purpose of clarifying procedures for the election of members of the Council of State to include the
40 use of run-off elections in cases where no candidate for a single office achieves a majority of votes cast.

50 BY repealing, and reenacting, with amendments
60 Article X: Election of Officers
70 Section VII
80 Maryland Student Legislature Constitution

90 **Preamble**

100 **WHEREAS:** The Constitution of the Maryland Student Legislature, in Article X, Section VII,
110 Subsection E, requires that candidates for all offices of the Council of State must receive
120 a simple majority of votes cast for their respective offices in order to be elected; and,

130 **WHEREAS:** If more than two candidates seek an office of the Council of State, there is the possibility
140 that no one candidate will achieve a majority of votes cast; and,

150 **WHEREAS:** In governmental elections, when a portion of the vote is required in order to win an
160 election, the traditional method of ensuring that one candidate receives a majority of
170 votes cast is to hold a run-off election; and,

180 **WHEREAS:** The Maryland Student Legislature should take steps to codify a method of ensuring that
190 one candidate for each office garners a simple majority of votes cast for their respective
200 offices; and,

210 **WHEREAS:** The simplest process for remedying the potential calamity that could be created due to the
220 absence of specific election procedures is to amend the Constitution to explicitly mandate
230 the use of run-off elections.

240 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, that the
250 Constitution of the Maryland Student Legislature reads as follows:

260 **Article X: Election of Officers**

270 Section VII: Election Proceedings shall follow the procedural order established below:

280 A. Elections will commence with the offices of Speaker of the Assembly, Secretary of
290 State, Attorney General, Lieutenant Governor, and Governor.

300 B. The Presiding Officer will open election proceedings by stating the procedures
310 contained in this section. In the case of an office where the Secretary of State has
320 certified no candidates the Presiding Officer shall then ask for nominations from the
330 floor. A person nominated from the floor must meet all requirements established in
340 Section V.

350 C. The Presiding Officer will then recognize an individual designated by each candidate
360 who shall officially place the name of the certified candidate into nomination and be
370 given the opportunity to speak on the candidates behalf for a period not greater than 5
380 minutes, followed by a person designated by the candidate who shall second the
390 nomination and be given the opportunity to speak on the candidates behalf for a period
400 not greater than 5 minutes.

410 D. After all candidates have been nominated and seconded, each candidate, in
420 alphabetical order shall have the opportunity to address the General Assembly for up to
430 10 minutes.

440 E. After all candidates for all offices have been given the opportunity to address the
450 General Assembly, the Presiding Officer shall order ballots distributed to each individual
460 member, to be returned anonymously, with a simple majority required for election to
470 office.

480 F. Upon the conclusion of tallying and recording of the ballots, the designee shall
490 notify the Presiding Officer of the results, who shall announce the results immediately.

500 G. IN THE EVENT THAT NO ONE CANDIDATE FOR AN OFFICE ACHIEVES A
510 SIMPLE MAJORITY OF VOTES CAST FOR THAT OFFICE, THE PRESIDING
520 OFFICER SHALL ANNOUNCE THAT A RUN-OFF ELECTION SHALL BE HELD
530 IMMEDIATELY. RUN-OFF ELECTIONS SHALL BE HELD BETWEEN THE TWO
540 CANDIDATES FOR THE CONTESTED OFFICE WHO RECEIVED THE MOST
550 VOTES DURING THE NORMAL VOTING SESSION. THE PRESIDING OFFICER
560 SHALL ORDER BALLOTS DISTRIBUTED FOR THE RUN-OFF ELECTION TO
570 EACH INDIVIDUAL MEMBER, TO BE RETURNED ANONYMOUSLY, WITH A
580 SIMPLE MAJORITY REQUIRED FOR ELECTION TO OFFICE.

590 ~~G~~-H. The results of any election are subject to appeal, provided that the appeal is
600 submitted in writing to the State Government within 24 hours of the election. The State
610 Government, less any member who is a candidate affected by the appeal, shall hear the
620 appeal within 24 hours of its receipt and issue a judgment requiring a 3/4 majority to
630 overturn the election and having overturned the results shall order it held anew.

640 AND BE IT FURTHER ENACTED, that this shall take effect immediately following its passage.

650 **MANDATES:** Byron Macfarlane, Governor, Maryland Student Legislature
660 Sasha Miles, Lieutenant Governor, Maryland Student Legislature
670 Christal Shrader, Attorney General, Maryland Student Legislature
680 Anna Barvir, Secretary of State, Maryland Student Legislature
690 Kelley Harris, Speaker of the Assembly, Maryland Student Legislature
700 Megan Sands, Comptroller, Maryland Student Legislature
710 Douglas Testerman, Chairman, Board of Directors, Maryland Student Legislature

Sponsor:
Byron E. Macfarlane
Governor
University of Maryland, College Park
governor@msl.org