

A005-0607

10 AN ACT CONCERNING

20 **Fair Elections-Creation of a Representative Election System**

30 FOR the purpose of ensuring that all counties in the State of Maryland are guaranteed equal
40 representation in Gubernatorial elections.

50 BY repealing, and reenacting with amendments
60 Article II, Section 2, and 25
70 Constitution of Maryland

80 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, That
90 the Constitution of Maryland read as follows:

100 **Article II- Executive Department**

110 Section 2. An election for Governor and Lieutenant Governor, under this Constitution,
120 shall be held on the Tuesday next after the first Monday of November, in the
130 year nineteen hundred and seventy-four, and on the same day and month in
140 every fourth year thereafter, at the places of voting for Delegates to the General
150 Assembly; and every person qualified to vote for Delegate, shall be qualified
160 and entitled to vote for Governor and Lieutenant Governor; the election to be
170 held ~~in the same manner as the election of Delegates~~ USING A STATE
180 ELECTORAL SYSTEM, and the returns thereof, under seal, to be addressed to
190 the Speaker of the House of Delegates, and enclosed and transmitted to the
200 Secretary of State, and delivered to said Speaker, at the commencement of the
210 session of the General Assembly, next ensuing said election.

230 Section 25. A. THE WINNER OF A GUBERNATORIAL ELECTION, HELD EVERY
240 QUADRENNIAL ELECTION OR IN A SPECIAL ELECTION, SHALL BE
250 DETERMINED BASED UPON THE NUMBER OF ELECTORAL VOTES
260 RECEIVED BY EACH CANDIDATE. EACH COUNTY IN MARYLAND
270 SHALL BE GIVEN A NUMBER OF ELECTORAL VOTES,
280 ACCORDINGLY TO THE POPULATION THEREIN, AND SHALL SEND
290 ELECTORS TO A CONVENTION TO TAKE PLACE IN THE STATE
300 HOUSE, HELD NO MORE THAN ONE MONTH FOLLOWING AN
310 ELECTION. THE SECRETARY OF STATE SHALL DECIDE UPON THE
320 DATE AND TIME OF THE CONVENTION. THE AMOUNT OF
330 ELECTORS SHALL BE EQUAL TO THAT OF THE APPORTIONED
340 AMOUNT OF VOTES EACH COUNTY IS ASSIGNED. THE CHOICE OF
350 THESE ELECTORS SHALL BE MADE BY THE VARIOUS CENTRAL
360 COMMITTEES OF EACH RESPECTIVE COUNTY, AND THEIR DECISION
370 SHALL BE MADE PUBLIC PRIOR TO THE CONVENTION.
380 THE POLITICAL PARTY WHICH RECEIVES THE MOST VOTES FOR
390 GOVERNOR IN THAT COUNTY WILL THEN SEND THEIR APPOINTED
400 ELECTORS TO THE CONVENTION. UPON THE CONVENTION, EACH
410 ELECTOR SHALL MAKE THEIR DECISION FOR GOVERNOR KNOWN,
420 AND THEIR VOTE SHALL BE RECORDED BY THE SECRETARY OF
430 STATE. UPON COMPLETION OF THIS PROCESS, THE SECRETARY OF
440 STATE SHALL FINALIZE AND APPROVE THE FINAL VOTE TALLY,
450 THEREFORE VALIDATING THE ELECTION.

460 B. EACH COUNTY SHALL BE GIVEN ONE (1) ELECTORAL VOTE FOR
470 EACH GROUP OF 50,000 PEOPLE RESIDING IN THE RESPECTIVE

480 COUNTY LIMITS. ANY COUNTY WITH POPULATION LESS THAN
490 50,000 SHALL BE ASSUMED TO HAVE ONE (1) VOTE TO BE USED IN
500 GUBERNATORIAL ELECTIONS.

510 SECTION 2. BE IT FURTHER ENACTED, that this Act shall take effect January 1, 2011.

530 **MANDATES:** Martin O'Malley, Governor, State of Maryland
540 Thomas V. "Mike" Miller, President, Maryland State Senate
550 Michael E. Busch, Speaker, Maryland House of Delegates
560 Edward J. Kasemeyer, Majority Leader, Maryland State Senate
570 David R. Brinkley, Minority Leader, Maryland State Senate
580 Kumar P. Barve, Majority Leader, Maryland House of Delegates
590 Anthony J. O'Donnell, Minority Leader, Maryland House of Delegates

SPONSOR:

Dustin W. Mills
DCP, Salisbury University