
CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG
Mayor



DEPARTMENT OF LAW
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BALTIMORE, MD 21202

January 10, 2020

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: Mayor and City Council Resolution 19-0380 – Charter Amendment –
Veto

Dear President and City Council Members:

The Law Department has reviewed Mayor and City Council Resolution 19-0380 for form and legal sufficiency. Under Article XI-A, Section 5 of the Maryland Constitution, a resolution, such as City Council Resolution 19-0380, is an appropriate method of initiating an amendment to the Baltimore City Charter. If passed by the Mayor and City Council, the Resolution would be placed on the ballot and would take effect thirty days after being approved by the voters. Md. Const., Art. XI-A, § 5.

This resolution would reduce the number of votes needed to override a mayoral veto from three-fourths of the members of the City Council to two-thirds of those members by amending Section 5(b)(3) of Article IV of the City Charter. It would also delete Section 5(d) of that same Article, thereby no longer having a separate veto process for items of appropriation. Rather, removal of Section 5(d) would require a mayor to veto an entire appropriation bill, not exercise a line item to veto some, but not all, items appropriation in a bill.

How a government operates to pass its legislation is an appropriate subject for the City Charter. *See, e.g., Atkinson v. Anne Arundel County*, 236 Md. App. 139, 177 (2018). As there are no legal impediments to these changes, the Law Department can approve the Resolution for form and legal sufficiency.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Hilary Ruley".

Hilary Ruley
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Matthew Stegman, Mayor's Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervala, Chief Solicitor
Ashlea Brown, Assistant Solicitor