

HOUSE BILL 1339

B1

8lr3069
CF SB 213

By: **Delegates McKay, West, Buckel, Glass, Hornberger, McComas, McConkey, Parrott, and Wivell**

Introduced and read first time: February 9, 2018

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Budget – Mandated Appropriations – Reductions**

3 FOR the purpose of requiring a certain report of the Board of Revenue Estimates to include
4 certain estimates; authorizing the Governor, under certain circumstances, to reduce
5 by up to a certain amount certain mandated appropriations in the budget bill; and
6 generally relating to reducing certain mandated appropriations.

7 BY repealing and reenacting, with amendments,

8 Article – State Finance and Procurement

9 Section 6–106(b) and 7–108

10 Annotated Code of Maryland

11 (2015 Replacement Volume and 2017 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – State Finance and Procurement**

15 6–106.

16 (b) (1) In December, March, and September of each year, the Board shall
17 submit to the Governor and, in accordance with § 2–1246 of the State Government Article,
18 to the General Assembly, a report that:

19 (i) contains an itemized statement of the estimated State revenues
20 from all sources for the fiscal year following the fiscal year in which the report is made; and

21 (ii) includes any recommendations of the Board.

22 (2) (i) Subject to subparagraph (ii) of this paragraph, the Governor

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 shall state the most recent estimates of revenues reported by the Board in the proposed
2 budget and any supplemental budget submitted to the General Assembly.

3 (ii) If the Governor uses different estimates of revenues in the
4 formulation of the proposed budget and any supplemental budget submitted to the General
5 Assembly than those reported by the Board, a statement providing an explanation as to the
6 differences shall be included together with those submissions.

7 (3) The report required under paragraph (1) of this subsection shall
8 include:

9 (I) estimated revenues from nonwithholding income taxes
10 calculated in accordance with § 6–104(e) of this subtitle; AND

11 (II) ESTIMATED YEAR–OVER–YEAR GENERAL FUND REVENUE
12 GROWTH FOR:

13 1. THE FISCAL YEAR IN WHICH THE REPORT IS MADE;
14 AND

15 2. THE FISCAL YEAR FOLLOWING THE FISCAL YEAR IN
16 WHICH THE REPORT IS MADE.

17 7–108.

18 (a) In accordance with the Maryland Constitution and other law, the Governor
19 shall include in each budget bill:

20 (1) an appropriation to pay the principal of and interest on the State debt;

21 (2) without revision, the appropriations requested for public schools, as
22 certified by the State Superintendent of Schools;

23 (3) without revision, the appropriations requested for the Legislative
24 Branch of the State government, as certified by the presiding officers of the General
25 Assembly;

26 (4) without revision, the appropriations requested for the Judicial Branch
27 of the State government, as certified by the Chief Judge of the Court of Appeals;

28 (5) the appropriations requested by the Governor for the Executive Branch
29 of the State government;

30 (6) the appropriations required by law to be included with the
31 appropriations for the Executive Branch;

1 (7) appropriations for the salaries required by law to be paid by the State;
2 and

3 (8) any other appropriations required by the Maryland Constitution or
4 other law to be included in the budget bill.

5 (b) The Governor shall use the current salary plan of the Secretary of Budget and
6 Management as the basis for the appropriations to pay those salaries to which the plan
7 applies.

8 (c) (1) **THIS SUBSECTION DOES NOT APPLY TO:**

9 (I) AN APPROPRIATION REQUIRED BY THE MARYLAND
10 CONSTITUTION; OR

11 (II) AN APPROPRIATION TO FULFILL A CONTRACTUAL
12 OBLIGATION OF THE STATE.

13 (2) **IF THE DECEMBER REPORT SUBMITTED BY THE BOARD OF
14 REVENUE ESTIMATES TO THE GOVERNOR UNDER § 6-106(B) OF THIS ARTICLE
15 IDENTIFIES ESTIMATED YEAR-OVER-YEAR GENERAL FUND REVENUE GROWTH FOR
16 THE FISCAL YEAR FOLLOWING THE FISCAL YEAR IN WHICH THE REPORT IS MADE
17 THAT IS LESS THAN 3%, THE GOVERNOR MAY REDUCE AN APPROPRIATION THAT IS
18 REQUIRED TO BE INCLUDED IN THE BUDGET BILL FOR THE NEXT FISCAL YEAR BY UP
19 TO 1% OF THE MANDATED AMOUNT.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
21 1, 2018.