

# HOUSE BILL 530

B1

CONSTITUTIONAL AMENDMENT

8lr1551

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By: **Delegates Bates, Beitzel, Eckardt, Elliott, Frank, George, Kelly, King, Krebs, McComas, Miller, Shank, Smigiel, and Stocksdale**

Introduced and read first time: January 31, 2008

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

### 2 **Limit on Growth in State Spending**

3 FOR the purpose of proposing an amendment to the Maryland Constitution that  
4 imposes certain spending limits on the State, subject to certain exceptions;  
5 defining a certain term; and submitting this amendment to the qualified voters  
6 of the State of Maryland for their adoption or rejection.

7 BY proposing an addition to the Maryland Constitution  
8 Article III – Legislative Department  
9 Section 53

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

### 13 **Article III – Legislative Department**

14 **53.**

15 (A) IN THIS SECTION, “FISCAL YEAR SPENDING” MEANS THE TOTAL  
16 AMOUNT OF MONEYS APPROPRIATED BY THE STATE OTHER THAN:

17 (1) APPROPRIATIONS FUNDED WITH MONEYS RECEIVED FROM  
18 THE FEDERAL GOVERNMENT;

19 (2) APPROPRIATIONS FOR THE PAYMENT OF PRINCIPAL AND  
20 INTEREST ON STATE DEBT;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(3) APPROPRIATIONS FUNDED BY UNEMPLOYMENT AND**  
2 **DISABILITY FUNDS;**

3           **(4) APPROPRIATIONS FUNDED BY DISCRETIONARY USER**  
4 **CHARGES TO THE EXTENT THE CHARGES DO NOT EXCEED THE COST OF THE**  
5 **GOODS OR SERVICES PROVIDED AND THE PURCHASE BY THE USER IS**  
6 **DISCRETIONARY;**

7           **(5) APPROPRIATIONS FUNDED FROM PERMANENT ENDOWMENT,**  
8 **TRUST FUNDS, OR PENSION FUNDS;**

9           **(6) APPROPRIATIONS FUNDED FROM THE PROCEEDS OF GIFTS**  
10 **OR BEQUESTS AND MADE FOR PURPOSES SPECIFIED BY THE DONOR; AND**

11           **(7) MONEYS APPROPRIATED FOR TAX RELIEF.**

12           **(B) (1) THE MAXIMUM ANNUAL PERCENT CHANGE IN STATE FISCAL**  
13 **YEAR SPENDING SHALL EQUAL THE RATE OF INFLATION PLUS THE PERCENT**  
14 **CHANGE IN STATE POPULATION IN THE PRIOR CALENDAR YEAR.**

15           **(2) POPULATION SHALL BE DETERMINED BY THE U.S. CENSUS**  
16 **BUREAU.**

17           **(3) THE RATE OF INFLATION SHALL BE DETERMINED BY USING**  
18 **THE CONSUMER PRICE INDEX FOR THE WASHINGTON-BALTIMORE**  
19 **METROPOLITAN AREA, AS COMPUTED BY THE U.S. DEPARTMENT OF LABOR,**  
20 **BUREAU OF LABOR STATISTICS.**

21           **(C) THE MAXIMUM ANNUAL PERCENT CHANGE IN STATE FISCAL YEAR**  
22 **SPENDING MAY EXCEED THE AMOUNT SET FORTH IN THIS SECTION ONLY IF**  
23 **APPROVED BY A TWO-THIRDS VOTE OF BOTH HOUSES OF THE GENERAL**  
24 **ASSEMBLY.**

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

30           SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
31 proposed as an amendment to the Maryland Constitution shall be submitted to the  
32 legal and qualified voters of this State at the next general election to be held in  
33 November, 2008 for their adoption or rejection pursuant to Article XIV of the  
34 Maryland Constitution. At that general election, the vote on this proposed amendment  
35 to the Constitution shall be by ballot, and upon each ballot there shall be printed the

1 words “For the Constitutional Amendment” and “Against the Constitutional  
2 Amendment,” as now provided by law. Immediately after the election, all returns shall  
3 be made to the Governor of the vote for and against the proposed amendment, as  
4 directed by Article XIV of the Maryland Constitution, and further proceedings had in  
5 accordance with Article XIV.