

HOUSE BILL 1268

B1

CONSTITUTIONAL AMENDMENT

8lr2733

By: **Delegates Impallaria, Boteler, McDonough, Miller, Shewell, and Weir**

Introduced and read first time: February 8, 2008

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Budget – Limits on Growth of State Spending**

3 FOR the purpose of prohibiting any increase in the total of certain State budget
4 appropriations for certain fiscal years over the total appropriations for the
5 preceding fiscal year; limiting the increase in the total of certain State budget
6 appropriations in certain fiscal years to no more than the growth in inflation
7 and in the State's population over a certain period; submitting this amendment
8 to the qualified voters of the State of Maryland for their adoption or rejection;
9 and generally relating to the State budget.

10 BY proposing an addition to the Maryland Constitution

11 Article III – Legislative Department

12 Section 52(5b) and (5c)

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

16 **Article III – Legislative Department**

17 52.

18 **(5B) EXCEPT AS PROVIDED IN SUBSECTION (5C) OF THIS SECTION, FOR**
19 **THE FISCAL YEAR BEGINNING JULY 1, 2009, AND EACH SUBSEQUENT FISCAL**
20 **YEAR, THE TOTAL APPROPRIATIONS IN THE STATE BUDGET, EXCLUDING**
21 **FEDERAL FUNDS, MAY NOT EXCEED THE TOTAL APPROPRIATIONS IN THE**
22 **PRECEDING FISCAL YEAR.**

23 **(5C) (A) FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND FOR**
24 **EACH FISCAL YEAR BEGINNING EVERY FIFTH YEAR THEREAFTER, THE TOTAL**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 APPROPRIATIONS IN THE STATE BUDGET, EXCLUDING FEDERAL FUNDS, MAY
2 GROW OVER THE TOTAL APPROPRIATIONS IN THE FIFTH PRECEDING FISCAL
3 YEAR BY A PERCENTAGE NOT GREATER THAN THE SUM OF INFLATION OVER THE
4 PRECEDING FIVE YEARS PLUS THE PERCENTAGE GROWTH IN THE STATE'S
5 POPULATION OVER THE PRECEDING FIVE YEARS.

6 (B) FOR PURPOSES OF THIS SUBSECTION:

7 (I) POPULATION SHALL BE AS DETERMINED BY THE
8 UNITED STATES CENSUS BUREAU; AND

9 (II) INFLATION SHALL BE DETERMINED BY USING THE
10 CONSUMER PRICE INDEX FOR THE WASHINGTON-BALTIMORE METROPOLITAN
11 AREA, AS COMPUTED BY THE UNITED STATES DEPARTMENT OF LABOR'S
12 BUREAU OF LABOR STATISTICS.

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

18 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
19 proposed as an amendment to the Maryland Constitution shall be submitted to the
20 legal and qualified voters of this State at the next general election to be held in
21 November, 2008 for their adoption or rejection pursuant to Article XIV of the
22 Maryland Constitution. At that general election, the vote on this proposed amendment
23 to the Constitution shall be by ballot, and upon each ballot there shall be printed the
24 words "For the Constitutional Amendment" and "Against the Constitutional
25 Amendment," as now provided by law. Immediately after the election, all returns shall
26 be made to the Governor of the vote for and against the proposed amendment, as
27 directed by Article XIV of the Maryland Constitution, and further proceedings had in
28 accordance with Article XIV.