SENATE BILL 848

B1  CONSTITUTIONAL AMENDMENT  9lr1919

By: Senators Harris and Kittleman
Introduced and read first time: February 6, 2009
Assigned to: Budget and Taxation

A BILL ENTITLED

AN ACT concerning

Authorized Resolutions – Spending Mandates – Three-Fifths Vote and
Limited Duration Requirement

FOR the purpose of proposing an amendment to the Maryland Constitution that
requires that any bill requiring the Governor to make an appropriation in the
State budget may not become law without at least a three-fifths supermajority
in each House and may only remain effective for 4 years; and submitting this
amendment to the qualified voters of the State of Maryland for their adoption or
rejection.

BY proposing an amendment to the Maryland Constitution

Article III – Legislative Department

Section 28

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

Article III – Legislative Department

(A) [No] SUBJECT TO SUBSECTION (B) OF THIS SECTION, NO bill, nor
single group of bills placed on the “consent calendar,” shall become a Law unless it be
passed in each House by a majority of the whole number of members elected, and on
its final passage, the yeas and nays be recorded, and on final passage of the bills
placed on the “consent calendar” the yeas and nays on the entire group of bills be
recorded. A resolution requiring the action of both Houses shall be passed in the same
manner.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
(B) A BILL REQUIRING THE GOVERNOR TO INCLUDE AN
APPROPRIATION IN THE STATE BUDGET MAY NOT BECOME A LAW UNLESS IT IS
PASSED IN EACH HOUSE BY A THREE-FIFTHS MAJORITY OF THE WHOLE
NUMBER OF MEMBERS ELECTED, AND MAY ONLY REMAIN IN EFFECT FOR FOUR
YEARS OR LESS.

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

SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
proposed as an amendment to the Maryland Constitution shall be submitted to the
legal and qualified voters of this State at the next general election to be held in
November, 2010 for their adoption or rejection pursuant to Article XIV of the
Maryland Constitution. At that general election, the vote on this proposed amendment
to the Constitution shall be by ballot, and upon each ballot there shall be printed the
words “For the Constitutional Amendment” and “Against the Constitutional
Amendment,” as now provided by law. Immediately after the election, all returns shall
be made to the Governor of the vote for and against the proposed amendment, as
directed by Article XIV of the Maryland Constitution, and further proceedings had in
accordance with Article XIV.