

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

1 AN ACT concerning

2 **Authorized Resolutions – Spending Mandates – Three–Fifths Vote and**
3 **Limited Duration Requirement**

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

10 BY proposing an amendment to the Maryland Constitution
11 Article III – Legislative Department
12 Section 28

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 28.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) A BILL REQUIRING THE GOVERNOR TO INCLUDE AN**
2 **APPROPRIATION IN THE STATE BUDGET MAY NOT BECOME A LAW UNLESS IT IS**
3 **PASSED IN EACH HOUSE BY A THREE-FIFTHS MAJORITY OF THE WHOLE**
4 **NUMBER OF MEMBERS ELECTED, AND MAY ONLY REMAIN IN EFFECT FOR FOUR**
5 **YEARS OR LESS.**

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

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