

SENATE BILL 17

B1, C7, F5

CONSTITUTIONAL AMENDMENT

3lr3552

By: **Senator Pipkin**

Introduced and read first time: August 9, 2012

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Budget Deficits – Education Trust Fund and Taxes, Fees, and Tolls**

3 FOR the purpose of proposing an amendment to the Maryland Constitution requiring
4 money in a certain Education Trust Fund to be transferred to the General Fund
5 of the State in certain fiscal years in an amount sufficient to cover any budget
6 deficit for that fiscal year and prohibiting the rates of certain taxes, fees, or tolls
7 from being increased or certain new taxes, fees, or tolls from being imposed or
8 collected in certain fiscal years; providing for the expiration of certain
9 provisions; and submitting this amendment to the qualified voters of the State
10 for their adoption or rejection.

11 BY proposing an addition to the Maryland Constitution
12 Article XVIII – Provisions of Limited Duration
13 Section 6

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

17 **Article XVIII – Provisions of Limited Duration**

18 **6.**

19 **(A) (1) NOTWITHSTANDING THE REQUIREMENT UNDER ARTICLE XIX**
20 **OF THE MARYLAND CONSTITUTION THAT THE REVENUE RAISED FROM VIDEO**
21 **LOTTERY OPERATION LICENSES ISSUED BY THE STATE BE PRIMARILY FOR THE**
22 **PURPOSE OF EDUCATION AND SCHOOL CONSTRUCTION, IN FISCAL YEARS 2014**
23 **AND 2015 MONEY IN THE EDUCATION TRUST FUND ESTABLISHED UNDER TITLE**
24 **9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE SHALL BE**
25 **TRANSFERRED TO THE GENERAL FUND OF THE STATE FOR EACH FISCAL YEAR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 IN AN AMOUNT SUFFICIENT TO COVER ANY BUDGET DEFICIT FOR THAT FISCAL
2 YEAR.

3 (2) ANY MONEY IN THE EDUCATION TRUST FUND FOR FISCAL
4 YEAR 2014 OR 2015 THAT EXCEEDS THE AMOUNT OF THE BUDGET DEFICIT FOR
5 THAT FISCAL YEAR SHALL REMAIN IN THE EDUCATION TRUST FUND.

6 (B) (1) IN FISCAL YEARS 2014 AND 2015, THE RATE OF ANY STATE
7 TAX, FEE, OR TOLL THAT WAS IN EFFECT ON JULY 1, 2012, MAY NOT BE
8 INCREASED.

9 (2) IN FISCAL YEARS 2014 AND 2015, NO STATE TAX, FEE, OR
10 TOLL THAT WAS NOT IN EFFECT ON JULY 1, 2012, MAY BE IMPOSED OR
11 COLLECTED.

12 (C) IN ACCORDANCE WITH ARTICLE XIV, SECTION 1A OF THE
13 MARYLAND CONSTITUTION, THIS SECTION SHALL EXPIRE AT THE END OF JUNE
14 30, 2015.

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

20 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
21 proposed as an amendment to the Maryland Constitution shall be submitted to the
22 qualified voters of the State at the next general election to be held in November, 2012
23 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.
24 At that general election, the vote on this proposed amendment to the Constitution
25 shall be by ballot, and upon each ballot there shall be printed the words "For the
26 Constitutional Amendment" and "Against the Constitutional Amendment," as now
27 provided by law. Immediately after the election, all returns shall be made to the
28 Governor of the vote for and against the proposed amendment, as directed by Article
29 XIV of the Maryland Constitution, and further proceedings had in accordance with
30 Article XIV.