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OFFICE OF COUNSEL TO THE GENERAL ASSEMBLY

March 18, 2014

The Honorable Martin O'Malley
Governor of Maryland
State House
100 State Circle
Annapolis, Maryland 21401

Dear Governor O'Malley:

We approve House Bill 206 and House Bill 238, emergency bills, for constitutionality and legal sufficiency. In doing so, we note that bond bills are supplementary appropriation bills and, as such, are governed by Article III, Section 52(8) of the Maryland Constitution. That provision prohibits the General Assembly from "finally act[ing]" on a supplementary appropriation bill "until after the Budget Bill has been finally acted upon by both Houses." House Bill 206 and House Bill 238 are bond bills and they were approved by the legislature prior to final action on the budget. Because, however, they merely change the terms of the qualifying match and do not authorize an additional appropriation of state funds, we do not think that they violate the Constitutional provision.

Very truly yours,

A handwritten signature in cursive script that reads "Douglas F. Gansler".

Douglas F. Gansler
Attorney General

DFG/DF/kk

cc: The Honorable John P. McDonough
Jeanne D. Hitchcock
Karl Aro