

10 AN ACT concerning

20 **State Budget - Restraints on Taxation and Expenditure Increases**

30 For the purpose of amending the Maryland Constitution to restrict the growth in state taxation
40 from one budget year to the next budget year to 3% or the rate of inflation, whichever is higher.
50 And to restrict state expenditure increases from one budget year to the next budget year to 3% or
60 the rate of inflation, whichever is higher. To allow the State Government to disregard these
70 restraints for one budget year upon a 2/3 vote of the General Assembly and the agreement of the
80 Governor and State Comptroller, that there exists a need for emergency funds

90 BY proposing an amendment to the Constitution of Maryland
100 Article III-Legislative Department
110 Section 52

120 BY proposing an amendment to the Constitution of Maryland
130 Article III-Legislative Department
140 Section 62

150 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, that the
160 law of Maryland read as follows:

170 **ARTICLE III – LEGISLATIVE DEPARTMENT**

180 **§ 52**

190 (9) Nothing in this section shall be construed, EXCEPTING SECTION 62 OF ARTICLE 3
200 OF THE CONSTITUTION, as preventing the General Assembly from passing at any time, in
210 accordance with the provisions of Section 28 of Article 3 of the Constitution and
220 subject to the Governor's power of approval as provided in Section 17 of Article 2 of the
230 Constitution, an appropriation bill to provide for the payment of any obligation of the State within
240 the protection of Section 10 of Article 1 of the Constitution of the United States.

250 **§ 62**

260 (A) TO GUARD AGAINST DEFICIT AND RAPID GROWTH IN GOVERNMENT,
270 THE GENERAL ASSEMBLY SHALL NOT PASS ANY LAW WHICH INCREASES
280 EXPENDITURES MORE THAN 3% BEYOND THE RATE OF INFLATION AS DETERMINED
290 BY THE APPROPRIATE AGENCY OF THE UNITED STATES FEDERAL GOVERNMENT
300 FROM THE PREVIOUS YEAR'S BUDGET.

310 (B) TO GUARD AGAINST EXCESSIVE EXPENDITURES AND RAPID GROWTH IN
320 GOVERNMENT, THE GENERAL ASSEMBLY SHALL NOT PASS ANY LAW WHICH
330 INCREASES THE AVERAGE RATE OF STATE TAXATION BY 3%.

340 (C) UPON A DECLARATION BY THE GOVERNOR OF A STATE OF EMERGENCY
350 AND A CONCURRENT REQUEST OF THE STATE COMPTROLLER, THE GOVERNOR
360 MAY REQUEST TO HAVE THIS SECTION OF ARTICLE 3 SUSPENDED FOR THE
370 BUDGET YEAR IN WHICH THE REQUEST IS MADE. THE SENATE AND HOUSE OF
380 DELEGATE MUST MEET IN A JOINT SESSION, WITH THE ONLY PURPOSE OF
390 CONSIDERING THE REQUEST OF THE GOVERNOR, WITHIN 30 DAYS OF THE
400 GOVERNOR'S REQUEST TO SUSPEND THE PROVISIONS OF THIS SECTION FOR THAT
410 BUDGET. THE JOINT SESSION SHALL VOTE AND IF 2/3 OF THE MEMBERS OF THE
420 JOINT SESSION OF THE GENERAL ASSEMBLY SHALL HAVE VOTED TO SUSPEND

430 THIS SECTION'S PROVISIONS, THAN IT SHALL BE CONSIDERED SUSPENDED FOR
440 THAT YEAR'S BUDGET.

450 SECTION 2. AND BE IT FURTHER ENACTED, That the foregoing section proposed as an
460 Amendment to the Constitution of Maryland shall be submitted to the legal and qualified voters of
470 this State at the next general election, for their adoption or rejection in pursuance of directions
480 contained in Article XIV of the Constitution of this State. At that general election, the vote shall be
490 by ballot, and upon each ballot there shall be printed the words "For the Constitutional
500 Amendment" and "Against the Constitutional Amendment", as now provided by law. Further
510 proceedings shall be held in accordance to Article XIV of the Constitution of Maryland.

520 MANDATES: Governor Robert Ehrlich
530 Lieutenant Governor Michael Steele
540 President of the Senate Thomas V. Miller
550 Speaker of the House Michael Busch

Sponsor:

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