

MEMORANDUM TO COMMITTEE ON STATE FINANCE
AND TAXATION, AND ALL OTHER DELEGATES TO
THE MARYLAND CONSTITUTIONAL CONVENTION,
WITH RECOMMENDATIONS ON ARTICLE VI
OF THE DRAFT CONSTITUTION

October 30, 1967

In my address of September 29, 1967, before the full assembly of the Maryland Constitutional Convention, I promised to transmit my recommendations on Article VI of the Draft Constitution to the Convention at a later date. Consequently, I have prepared the following memorandum expressing my views, comments and proposals for Article VI.

1. The present Constitution and Sections 6.03 and 6.07 of the draft document imply that the Governor should submit a single budget bill to the General Assembly. Supplemental budget items are inserted as amendments to the original budget bill.

The General Assembly usually passes the budget bill in the last five days of a General Assembly session. One of the primary reasons for this is the necessity of amending it in order to include appropriations for the maximum number of bills enacted during that session. I plan to discuss with the legislative leaders the possibility of submitting separate budget bills for deficiency, regular and supplemental purposes. Such a plan offers definite advantages to both the executive and legislative branches.

While the details of implementing such a plan would be inappropriate to include in the Constitution, I would urge the delegates to consider a provision broad enough to allow the executive budget to be submitted in several separate bills.

2. I favor revision of Section 6.10 of the Draft Constitution to eliminate the restriction on supplementary appropriation bills to "some single work, object or purpose" and to include authorization for line item veto power by the Executive. The legal difficulties resulting from the fiscal reform program enacted by the 1967 General Assembly, which ultimately required a special one-day session this summer, clearly demonstrate the need for constitutional clarification in this area. However, I would not favor omission of the single object or purpose provision unless line item veto power is provided. This revision will also obviate any challenge to the constitutional validity of the general construction bond bill.