

VI

State Finances

THE BUDGET AMENDMENT¹

ARTICLE III, SECTION 52 OF THE MARYLAND CONSTITUTION

In adopting in 1916 the constitutional amendment embodied in Article III, Section 52, Maryland became one of the first states to adopt an executive budget system. Prior to this transition, appropriations from the treasury were subject only to the requirements of Article III, Section 32, which provides:

“No money shall be drawn from the Treasury of the State by any order or resolution, nor except in accordance with an appropriation by law; and every such law shall distinctly specify the sum appropriated and the object to which it shall be applied; provided that nothing herein contained shall prevent the General Assembly from placing a contingent fund at the disposal of the Executive, who shall report to the General Assembly at each session the amount expended, and the purposes to which it was applied. An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws after each regular session of the General Assembly.”

¹ This article was prepared for the Constitutional Convention Commission by George C. Doub, Jr.; B.A., 1962, Harvard University; LL.B., 1965, University of Virginia; Member of the Maryland Bar.

A further limitation was the original Article III, Section 52, which provided:

“The General Assembly shall appropriate no money out of the Treasury for payment of any private claim against the State exceeding three hundred dollars, unless said claim shall have been first presented to the Comptroller of the Treasury, together with the proofs upon which the same is founded, and reported upon by him.”

Appropriations for various purposes were made piecemeal by the General Assembly, each project receiving independent consideration without relation to other claims upon the public purse. It was customary for the governor to appear in person before a joint meeting of the members of the House of Delegates and the Senate, at the beginning of every regular session of the legislature, and to address them on “the condition of the State,”—in the course of which he was expected to direct their attention to the essential needs of the State, and to specifically recommend to their consideration such measures as he judged necessary. *Having* then discharged the responsibility imposed upon him by Article II, Section 19 of the Constitution, the governor thereafter could only await the final disposition