

1 if you do have a shortage, the money flows out of the
2 reserves to pay it. If you have an overage, the money
3 flows back into the reserves. A constitutional base is
4 required to prevent any single administration or legislature
5 raiding these funds for political reasons.

6 For example, New York, after authorizing legisla-
7 tion, has this provision: "No law changing the method of
8 determining the maximum amount of the funds or prescribing
9 the amount to be paid into such a fund or to be paid from
10 such a fund into the general fund may become effective until
11 three years from the date of its enactment." This has
12 effectively protected the funds from raids.

13 When I left New York a couple of years ago, those
14 funds were somewhere around \$160,000,000. I don't know
15 what they are today, but they are obviously somewhere in
16 that area.

17 I would also advocate a provision in the
18 Constitution for automatic payment of debt service in the
19 event that appropriations are not adequate to cover your
20 debt payments. There is no question that Maryland intends
21 to pay its legally incurred obligations. If there were ever