

SENATE BILL 65

B1, M3

CONSTITUTIONAL AMENDMENT

2lr1424
CF 2lr1749

By: **Senator Astle**

Introduced and read first time: January 16, 2012

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Dedicated Funds – Prohibition of Transfer – Chesapeake and Atlantic**
3 **Coastal Bays 2010 Trust Fund and Bay Restoration Fund**

4 FOR the purpose of proposing an amendment to the Maryland Constitution
5 prohibiting certain transfers of certain dedicated funds to the General Fund;
6 and submitting this amendment to the qualified voters of the State of Maryland
7 for their adoption or rejection.

8 BY proposing an addition to the Maryland Constitution
9 Article III – Legislative Department
10 Section 53

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, (Three-fifths of all the members elected to each of the two Houses
13 concurring), That it be proposed that the Maryland Constitution read as follows:

14 **Article III – Legislative Department**

15 **53.**

16 (A) IN THIS SECTION, “DEDICATED FUNDS” MEANS THE REVENUES
17 COLLECTED THAT ARE DEDICATED BY LAW TO THE BAY RESTORATION FUND
18 ESTABLISHED UNDER § 9–1605.2 OF THE ENVIRONMENT ARTICLE AND THE
19 CHESAPEAKE AND ATLANTIC COASTAL BAYS 2010 TRUST FUND ESTABLISHED
20 UNDER § 8–2A–02 OF THE NATURAL RESOURCES ARTICLE AS THE LAWS OF
21 MARYLAND WERE IN EFFECT ON OR AFTER JULY 1, 2012.

22 (B) DEDICATED FUNDS MAY BE USED ONLY FOR THE SPECIFIC
23 PURPOSES THAT ARE SET FORTH IN LAW AS THE LAWS OF MARYLAND WERE IN

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **EFFECT ON OR AFTER JULY 1, 2012, AND MAY NOT BE TRANSFERRED TO THE**
2 **GENERAL FUND.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
4 determines that the amendment to the Maryland Constitution proposed by this Act
5 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the
6 Maryland Constitution concerning local approval of constitutional amendments do not
7 apply.

8 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
9 proposed as an amendment to the Maryland Constitution shall be submitted to the
10 qualified voters of the State at the next general election to be held in November, 2012
11 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.
12 At that general election, the vote on this proposed amendment to the Constitution
13 shall be by ballot, and upon each ballot there shall be printed the words "For the
14 Constitutional Amendment" and "Against the Constitutional Amendment," as now
15 provided by law. Immediately after the election, all returns shall be made to the
16 Governor of the vote for and against the proposed amendment, as directed by Article
17 XIV of the Maryland Constitution, and further proceedings had in accordance with
18 Article XIV.