PROCLAMATION

PROPOSED AMENDMENT TO THE CONSTITUTION OF MARYLAND CREATING A BUDGET SYSTEM.

WHEREAS, at the January Session of the General Assembly of Maryland, held in the year 1916, an Act was passed, to-wit: Chapter 159 of said Act, being an Act to propose an amendment to Section 52 of Article III, title, "Legislative Department," of the Constitution of this State; and which said Act is in words and figures following:

"CHAPTER 159.

AN ACT to propose an amendment to Section 52 of Article III, title, Legislative Department, of the Constitution of this State, regulating the making of appropriations by the General Assembly of Maryland in regular session, and to provide for the submission of said amendment to the qualified voters of this State for adoption or rejection.

Section 1. Be it enacted by the General Assembly of Maryland (three-fifths of all the members of each of the two houses concurring), That the following be and the same is hereby proposed as an amendment to Section 52 of Article III, title, Legislative Department, of the Constitution of this State, the same, if adopted by the legally qualified voters of the State, as herein provided, to become Section 52 of Article III of the Constitution of Maryland.

Sec. 52. The General Assembly shall not appropriate any money out of the Treasury except in accordance with the following provisions:

Sub-Section A:

Every appropriation bill shall be either a Budget Bill, or a Supplementary Appropriation Bill, as hereinafter mentioned.

Sub-Section B:

First. Within twenty days after the convening of the General Assembly (except in the case of a newly elected Governor, and then within thirty days after his inauguration), unless such time shall be extended by the General Assembly for the session at which the Budget is to be submitted, the Governor shall submit to the General Assembly two budgets, one for each of the ensuing fiscal years. Each budget shall contain a complete plan of proposed expenditures and estimated revenues for the particluar fiscal year to which it relates; and shall show the estimated surplus or deficit of revenues at the end of such year. Accompanying each budget shall be a statement showing: (1) the revenues and expenditures for each of the two fiscal years next preceding; (2) the current assets, liabilities, reserves and surplus or deficit of the State; (3) the debts and funds of the State; (4) an estimate of the State's financial condition as of the beginning and end of each of the fiscal years covered by the two budgets above provided; (5) any explanation the Governor may desire to make as to the important features of any budget and any suggestion as to methods for the reduction or increase of the State's revenue.

Second. Each budget shall be divided into two parts, and the first part shall be designated "Governmental Appropriations" and shall embrace an itemized estimate of the appropriations: (1) for the General Assembly as certified to the Governor in the manner hereinafter provided; (2) for the Executive Department; (3) for the Judiciary Department, as provided by law, certified to the Governor by the Comptroller; (4) to pay and discharge the principal and interest of the debt of the State of Maryland in conformity with Section 34 of Article III of the Constitution, and all laws enacted in pursuance thereof; (5) for the salaries payable by the State under the Constitution and laws of the State; (6) for the establishment and maintenance throughout the State of a thorough and efficient system of public schools in conformity with Article VIII of the Constitution and with the laws of the State; (7) for such other purposes as are set forth in the Constitution of the State.

Third: The second part shall be designated "General Appropriations," and shall include all other estimates of appropriations.

The Governor shall deliver to the presiding officer of each house the budgets and a bill for all the proposed appropriations of the budgets clearly itemized and classified; and the presiding officer of each house shall promptly cause said bill to be introduced therein, and such bill shall be known as the "Budget Bill."

The Governor may, before final action thereon by the General Assembly, amend or supplement either of said budgets to correct an oversight or in case of an emergency, with the consent of the General Assembly by delivering such an amendment or supplement to the presiding officers of both houses; and such amendment or supplement shall thereby become a part of said budget bill as an addition to the items of said bill or as a modification of or a substitute for any item of said bill such amendment or supplement may affect.

The General Assembly shall not amend the budget bill so as to affect either the obligations of the State under Section 34 of Article III of the Constitution, or the provisions made by the laws of the State for the establishment and maintenance of a system of public schools, or the payment of any salaries required to be paid by the State of Maryland by the Constitution thereof; and the General Assembly may amend the bill by increasing or diminishing the items therein relating to the General Assembly, and by increasing the items therein relating to the judiciary, but except, as hereinbefore specified, may not alter the said bill except to strike out or reduce items therein, provided, however, that the salary or compensation of any public officer shall not be decreased during his term of office; and such bill when and as passed by both houses shall be a law immediately without further action by the Governor.

Fourth. The Governor and such representatives of the executive departments, boards, officers and commissions of the State expending or supplying for State's money, as have been designated by the Governor for this purpose, shall have the right, and when requested by either house of the Legislature, it shall be their duty to appear and be heard with respect to any budget bill during the consideration thereof, and to answper inquiries relative thereto.

Sub-Section C: Supplementary Appropriation Bills:

Neither house shall consider other appropriations until the Budget Bill has been finally acted upon by both houses, and no such other appropriation shall be valid except in accordance with the provisions following: (1) Every such appropriation shall be embodied in a separate bill limited to some single work, object or purpose therein stated and called herein a Supplementary Appropriation Bill; (a) Each Supplementary Appropriation Bill shall provide the revenue necessary to pay the appropriation thereby made by a tax, direct or indirect, to be laid and collected as shall be directed in said Bill; (3) No Supplementary Appropriation Bill shall become a law unless it be passed in each house by a vote of a majority of the whole number of the members elected; and the yeas and nays recorded on its final passage; (4) Each Supplementary Appropriation Bill shall be presented to the Governor of the State as provided in Section 17 of Article II of the Constitution and thereafter all the provisions of said Section shall apply.

Nothing in this amendment shall be construed as preventing the Legislature from passing at any time in accordance with the provisions of Section 28 of Article III of the Constitution and subject to the Governor's power of approval as provided in Section 17 of Article II of the Constitution as appropriation bill to provide for the payment of any obligation of the State of Maryland within the protection of Section 10 of Article I of the Constitution of the United States.

Sub-Section D: General Provisions:

First. If the Budget Bill shall not have been finally acted upon by the Legislature three days before the expiration of its regular session, the Governor may, and it shall be his duty to issue a proclamation extending the session for such further period as may, in his judgment, be necessary for the passage of such Bill; but no other matter than such Bill shall be considered during such extended session except a provision for the cost thereof.

Second. The Governor for the purpose of making up his budgets shall have the power, and it shall be his duty, to require from the proper State Officials, including herein all executive departments, all executive and administrative offices, bureaus, boards, commissions and agencies expending or supervising the expenditure of, and all institutions applying for State moneys and appropriations, such itemized estimates and other information, in such form and at such times as he shall direct. The estimates for the Legislative Department, certified by the presiding officer of each house, of the Judiciary, as provided by law, certified by the Comptroller, and for the public schools, as provided by law, shall be transmitted to the Governor, in such form and at such times as he shall direct, and shall be included in the budget without revision.

The Governor may provide for public hearings on all estimates and may require the attendance at such hearings of representatives of all agencies, and of all institutions applying for State moneys. After such public hearings he may, in his discretion, revise all estimates except those for the legislative and judiciary departments, and for the public schools as provided by law.

Third. The Legislature may, from time to time, enact such laws, not inconsistent with this Section, as may be necessary and proper to carry out its provisions.

Fourth. In the event of any inconsistency between any of the provisions of this Section and any of the other provisions of the Constitution, the provisions of this Section shall prevail. But nothing herein shall in any manner affect the provisions of Section 34 of Article III of the Constitution or of any laws heretofore or hereafter passed in pursuance thereof, or be construed as preventing the Governor from calling extraordinary sessions of the Legislature, as provided by Section 16 of Article II, or as preventing the Legislature at such extraordinary sessions from considering any emergency appropriation or appropriations.

If any item of any appropriation bill passed under the provisions of this Section shall be held invalid upon any ground, such invalidity shall not affect the legality of the remaining items or item of such Bill or Bills.

Section 2. And be it enacted by the authority aforesaid, That the said foregoing section hereby proposed as an amendment to the Constitution shall at the next ensuing general election, being the Presidential and Congressional election, to be held on the Tuesday next after the first Monday of November, nineteen hundred and sixteen, be submitted to the legal and qualified voters of the State for their adoption or rejection in conformity with the directions contained in article XIV of the Constitution of this State, and at said election the vote on said proposed amendment to the Constitution shall be by ballot, and upon each ballot there shall be placed the following synopsis of said amendment under the caption of

'CONSTITUTIONAL AMENDMENT PROVIDING FOR A BUDGET.'

'This amendment provides that the Governor shall present to the Legislature soon after it is convened a Budget giving a complete plan of proposed expenditures and estimated revenues for the two succeeding fiscal years showing clearly any surplus or deficit in State funds. In these estimates he shall make provision for the interest and sinking funds of all State debts, for all salaries as fixed by law. With regard to most other matters he may revise the estimates presented to him either by State Officers or State-aided institutions. The Legislature may not increase the estimates presented by the Governor or pass any additional appropriation act except by a majority vote and must make provision by tax for such increase or additional appropriation. The Legislature may not alter in an appropriation act the provision made by law for the State debt, or for the judiciary, but may reduce all other items in the Governor's estimates;' and the words 'for the Constitutional Amendment' and 'against the Constitutional Amendment' as now provided by law, and immediately after said election due returns shall be made to the Governor of the vote for and against the proposed amendment, and further proceedings had in accordance with Article XIV of the Constitution.

Approved March 28, 1916."

Now, therefore, I, Emerson C. Harrington, Governor of the State of Maryland, in pursuance of the direction contained in Section 1 of Article 14 of the Constitution of Maryland, do hereby order and direct a copy of this Proclamation, containing a full, true and correct copy of the text of said Chapter 159 of the Acts of Maryland of 1916, be published in at least two newspapers in each of the counties of the State and in three newspapers published in the City of Baltimore, one of which said newspapers in the City of Baltimore to be printed in the German language, once a week for three months next preceding the General Election to be held in this State on November 7th, 1916, and at which election the said proposed amendment to the Constitution shall be submitted, in form and manner prescribed by the General Assembly, to the legal and qualified voters of the State for their adoption or rejection.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF MARYLAND.

The Great Seal of Maryland.

DONE at the City of Annapolis, this twentieth day of July, in the year of our Lord, one thousand nine hundred and sixteen.

EMERSON C. HARRINGTON,
By the Governor:
THOMAS W. SIMMONS,
Secretary of State.

W. W. BECK, ATTORNEY.

Order of Publication

John T. Newsome
vs.
Beulah F. Newsome.

In the Circuit Court for Kent County In Equity. No. 1970.

THE object of the Bill is to procure a decree for a Divorce a vinculo matrimonii.

The Bill states:

1. That in or about January 23rd, 1900, John T. Newsome was married to his wife, Beulah F. Newsome, with whom he resided in Kent county until the year nineteen hundred and ten.

2. That though the conduct of your Orator towards his wife the said Beulah F. Newsome has always been kind, affectionate and above reproach, the said Beulah F. Newsome without any just cause or reason abandoned and deserted him and has declared her intention to live with him no longer and that such abandonment has continued for at least three years, and is deliberate and final, and the separation of the parties beyond any reasonable expectation of a reconciliation.

3. That your Orator and the said defendant have had three children born to them from this marriage, all of whom are now living with your Orator.

It is thereupon this 22nd day of September 1916, ordered by the Circuit Court of Kent County in Equity that the Plaintiff by causing a copy of this order to be inserted in some newspaper, published in said Kent County, once in each of four successive weeks before the 23rd day of October next, giving notice to the said Beulah F. Newsome, non resident defendant, warning her to appear in this Court in person or by Solicitor on or before the 8th day of November next, to show cause, if any she has, why a decree ought not to be passed as prayed.

A. PARKS RASIN, Clerk.

True Copy—Test:
A. PARKS RASIN, Clerk.

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NOTICE TO CREDITORS.

Notice is hereby given that the subscribers have obtained from the Orphan's Court of Kent county letters testamentary on the personal estate in Kent county, Maryland, of

MRS. S. E. SUTTON,

late of Kent county, Maryland, deceased.

All persons having claims against deceased are hereby warned to exhibit the same with the proper vouchers thereof to the undersigned on or before the 23rd day of March, 1917, otherwise they may be excluded by law from all benefits of said estate. All indebted to said estate are requested to make immediate payment to the subscribers.

Given under our hands and seal this 19th day of September, 1916.

GEORGE W. SUTTON,
J. WILSON SUTTON,
Executors.

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