

one that is working and working well at the present time.

THE CHAIRMAN: You have one-half minute, Delegate Sherbow.

DELEGATE SHERBOW: I say this to you in these 30 seconds, and this is the strongest way I can say anything: Do not pass this amendment. It is completely wrong. It changes our whole system, and it throws out the window all of the safeguards that have made Maryland a State of strong fiscal stability. I urge you to vote against the amendment.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

Delegate Sollins.

DELEGATE SOLLINS: Mr. Chairman and members of the Committee, first, to clear up one point that Delegate Sherbow has raised, Delegate Miller and I submitted a proposal which was referred to his Committee to carry out the intent of this amendment. It was only at the request of Delegate Miller and I that we were finally given a hearing before the Committee on State Finance and Taxation.

I see no reason why we here in Maryland must be the only state to have the detail of the budget process set out in our constitution. I think it could very well be statutory, as it is in all the other states.

Secondly, I heard no reason convincing to me that we must constitutionally restrict the legislature in this regard, contrary to what the other 49 states and those that have executive budgets now do. I believe that we can have more competence, not less, in our state legislature, than in other states. I suggest that financial responsibility which the majority infers will result if the legislature is given the right to increase the budget extends not only to spending too much, but perhaps to spending too little, and resulting in much greater cost to taxpayers and to the citizens of this State.

I suggest that by permitting the legislature to increase the capital budget which is provided for, but not the operating budget, is completely without rationale. Log-rolling, which is perhaps what concerns the majority will and has occurred in the area of the capital budget much more so than in the operating budget.

The supplementary appropriation method which Delegate Sherbow and his Committee argued will be a substitute for permitting

the legislature to increase the budget merely serves to delay needed governmental programs, confuses the public, and really damages the executive program which he argues so much for.

I suggest by keeping the legislature in the inferior role as it is now in this budget process, the status that we expect of the legislature will never be achieved. This constitutional restriction, this constitutional straightjacket must be removed.

I urge you to vote for the amendment.

THE CHAIRMAN: Does any other delegate desire to speak in opposition to the amendment?

Delegate Adkins.

DELEGATE ADKINS: Mr. Chairman, I was initially attracted by some of the provisions of this proposal, but I think there is an inherent, grave problem with it in line 16, in which it provides that "The General Assembly shall not exceed the estimates of revenues estimated by the governor."

If I understand this, it means despite the fact that the governor budgets a surplus, the legislature could use that surplus for its own particular political purposes, thus putting the governor in the potentially embarrassing situation of vetoing politically potent suggestions which were not included in his original budget, but which were provided for out of the surplus in the budget.

Now, I think it is quite clear that estimates of revenues are at best estimates. Any budget which does not provide some modicum of surplus is not a conservative budget. If the governor proposes a budget which provides for a surplus, if the General Assembly is then left open to play with the surplus in any fashion that they see fit, passing back to the governor the political burden of vetoing such favorite projects, I think we have a very potentially dangerous situation.

With that language in the amendment, I think it is a dangerous amendment, and I would urge that it be defeated.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

Delegate Boyce.

DELEGATE BOYCE: Mr. Chairman, I am afraid that possibly I might be to blame that Judge Sherbow did not know