

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 373 Session of
2013

INTRODUCED BY KRIEGER, METCALFE, EMRICK, TALLMAN, MALONEY,
BLOOM, CUTLER, AUMENT, RAPP, DUNBAR, KNOWLES, KAUFFMAN,
GROVE, BENNINGHOFF, MACKENZIE, LAWRENCE, ROCK, EVANKOVICH,
DENLINGER, GILLEN AND GABLER, JANUARY 29, 2013

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 29, 2013

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, providing for spending limitations on the
3 Commonwealth.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of
7 Pennsylvania is proposed in accordance with Article XI:

8 That Article VIII be amended by adding a section to read:

9 \$ 18. Spending limitations.

10 (a) Total spending by the Commonwealth shall not exceed the
11 spending limit in any fiscal year. The spending limit for any
12 fiscal year shall be equal to the spending during the
13 immediately prior fiscal year, adjusted by the lower percentage
14 of the following:

15 (i) The change in the Consumer Price Index for All Urban
16 Consumers from the immediately prior fiscal year, if expressed
17 as a positive number; or

1 (ii) The change in the rate of population growth in this
2 Commonwealth from the immediately prior fiscal year, if
3 expressed as a positive number.

4 The percentage of the rate of change used in any fiscal year to
5 adjust the limit may be increased for that year, but not to a
6 percentage in excess of 120% of this clause or clause (i),
7 whichever is lower, by the affirmative vote of three-fourths of
8 the members elected to each House of the General Assembly. The
9 Commonwealth's spending limit as provided in this subsection may
10 be changed by the procedure outlined in section 1(a) of Article
11 XI.

12 (b) The spending limit may be exceeded for a declared
13 emergency if the Governor so requests and the General Assembly
14 approves by the affirmative vote of three-fourths of the members
15 elected to each House of the General Assembly. The excess
16 spending authorized by exceeding the limit in this manner shall
17 not be included in the computation base of the spending limit
18 for any subsequent fiscal year.

19 (c) The spending limit may be exceeded for the purpose of
20 funding pension obligations if the Governor so requests and the
21 General Assembly approves by the affirmative vote of three-
22 fourths of the members elected to each House of the General
23 Assembly. The excess spending authorized by exceeding the limit
24 in this manner shall not be included in the computation base of
25 the spending limit for any subsequent fiscal year.

26 (d) Total spending by the Commonwealth means all
27 appropriations and authorizations from the General Fund, the
28 Public Transportation Assistance Fund and the Motor License Fund
29 and funds created after the effective date of this subsection,
30 and shall exclude refunds and the spending of Federal funds,

gifts or receipts restricted by laws in effect as of January 1,
2014. This section shall not be circumvented by creating
additional spending programs in the General Fund or Motor
License Fund or transferring spending from the General Fund or
Motor License Fund to existing special funds or restricted
receipt accounts.

Section 2. (a) Upon the first passage by the General Assembly of this proposed constitutional amendment, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of this proposed constitutional amendment.

(b) Upon the second passage by the General Assembly of this proposed constitutional amendment, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of this proposed constitutional amendment. The Secretary of the Commonwealth shall submit this proposed constitutional amendment to the qualified electors of this Commonwealth at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendment is passed by the General Assembly.

Section 3. The addition of section 18(a) of Article VIII of

1 the Constitution of Pennsylvania shall become effective
2 beginning with the first fiscal year commencing more than six
3 months following approval of section 18 by the electorate.