

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 70 Session of
2015

INTRODUCED BY BARTOLOTTA, EICHELBERGER, ALLOWAY, ARGALL, FOLMER,
VULAKOVICH, SCARNATI, GORDNER, VOGEL, AUMENT, WARD, RAFFERTY,
HUTCHINSON, VANCE, STEFANO, MENSCH, WHITE, WAGNER, BROOKS,
BROWNE AND SMUCKER, FEBRUARY 23, 2015

REFERRED TO FINANCE, FEBRUARY 23, 2015

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, in taxation and finance, providing for
3 spending limitations.

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) Except as provided in subsection (c), total spending by
11 the Commonwealth in a fiscal year shall not exceed the spending
12 appropriation limit as set forth in this section.

13 (b) (1) The spending appropriation limit for any fiscal
14 year shall be equal to total appropriations made during the
15 immediately prior fiscal year, adjusted by the lesser of:

16 (i) the average percentage change in personal income in

1 Pennsylvania for the three preceding calendar years as reported
2 by the Federal Government or as determined pursuant to an act of
3 the General Assembly; or

4 (ii) the average percentage change in inflation for the
5 three preceding calendar years plus the average percentage
6 change in the State population for the three preceding years as
7 reported by the annual Federal census estimates and adjusted
8 every decade to match the official Federal census.

9 (2) For purposes of this subsection, inflation shall mean
10 the percentage change in the United States Department of Labor,
11 Bureau of Labor Statistics, Consumer Price Index for All Urban
12 Consumers, not seasonally adjusted; all items index, or its
13 successor index.

14 (c) The spending appropriation limit may be exceeded in any
15 fiscal year:

16 (1) to respond to a declared emergency, if the General
17 Assembly approves by the affirmative vote of two-thirds of the
18 members elected to each House of the General Assembly; or

19 (2) in other situations if the Governor so requests at least
20 30 days prior to the beginning of the fiscal year and the
21 General Assembly approves by the affirmative vote of two-thirds
22 of the members elected to each House of the General Assembly.

23 (d) For purposes of this section, total spending by the
24 Commonwealth means the total of the amounts approved as
25 executive authorizations by the Governor plus the total amounts
26 of appropriations made by the General Assembly, excluding
27 appropriations made with money received from the Federal
28 Government.

29 Section 2. (a) Upon the first passage by the General
30 Assembly of this proposed constitutional amendment, the

1 Secretary of the Commonwealth shall proceed immediately to
2 comply with the advertising requirements of section 1 of Article
3 XI of the Constitution of Pennsylvania and shall transmit the
4 required advertisements to two newspapers in every county in
5 which such newspapers are published in sufficient time after
6 passage of this proposed constitutional amendment.

7 (b) Upon the second passage by the General Assembly of this
8 proposed constitutional amendment, the Secretary of the
9 Commonwealth shall proceed immediately to comply with the
10 advertising requirements of section 1 of Article XI of the
11 Constitution of Pennsylvania and shall transmit the required
12 advertisements to two newspapers in every county in which such
13 newspapers are published in sufficient time after passage of
14 this proposed constitutional amendment. The Secretary of the
15 Commonwealth shall submit this proposed constitutional amendment
16 as a single ballot question to the qualified electors of this
17 Commonwealth at the first primary, general or municipal election
18 which meets the requirements of and is in conformance with
19 section 1 of Article XI of the Constitution of Pennsylvania and
20 which occurs at least three months after the proposed
21 constitutional amendment is passed by the General Assembly.