

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 110 Session of 2017

INTRODUCED BY WARNER, METZGAR, BARRAR, EMRICK, CUTLER, DUNBAR, KAUFFMAN, BLOOM, GROVE, MILLARD, SANKEY, SIMMONS, RADER, GABLER, GILLEN AND METCALFE, JANUARY 23, 2017

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 21, 2017

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 on the 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 sum of:

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

17 (ii) The percentage change in population in this

1 Commonwealth during the immediately prior fiscal year, if
2 expressed as a positive number.
3 The percentage of the rate of change used in any fiscal year to
4 adjust the limit may be increased for that year, but not to a
5 percentage in excess of 120% of ~~this clause or clause (i),~~ <--
6 ~~whichever is lower~~ THE SUM ESTABLISHED UNDER THIS SUBSECTION, by <--
7 the affirmative vote of three-fourths of the members elected to
8 each House of the General Assembly. The Commonwealth's spending
9 limit as provided in this subsection may be changed by the
10 procedure outlined in section 1(a) of Article XI.

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

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

25 (d) Total spending by the Commonwealth means all
26 appropriations and authorizations from the General Fund, the
27 Public Transportation Assistance Fund and the Motor License Fund
28 and funds created after the effective date of this subsection,
29 and shall exclude refunds and the spending of Federal funds,
30 gifts or receipts restricted by laws in effect as of January 1,

1 ~~2014~~ 2017. This section shall not be circumvented by creating
2 additional spending programs in the General Fund or Motor
3 License Fund or transferring spending from the General Fund or
4 Motor License Fund to existing special funds or restricted
5 receipt accounts.

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

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

29 Section 3. The addition of section 18(a) of Article VIII of
30 the Constitution of Pennsylvania shall become effective

1 beginning with the first fiscal year commencing more than six
2 months following approval of section 18 by the electorate.