Regular Session, 2013

HOUSE BILL NO. 436

BY REPRESENTATIVES GAROFALO, ARMES, ARNOLD, BARRAS, BERTHELOT, STUART BISHOP, BROSSETT, BURFORD, CARMODY, CHAMPAGNE, CONNICK, DANAHAY, GEYMANN, GREENE, HARRIS, HARRISON, HAVARD, HENRY, HODGES, HOLLIS, HOWARD, KATRINA JACKSON, JAMES, LAMBERT, NANCY LANDRY, LEOPOLD, MILLER, JAY MORRIS, JIM MORRIS, POPE, PYLANT, REYNOLDS, RICHARD, ROBIDEAUX, SCHEXNAYDER, SCHRODER, SEABAUGH, SMITH, TALBOT, THIERRY, AND THOMPSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BUDGETARY PROCEDURES: (Constitutional Amendment) Provides relative to final passage of the general appropriation bill

1	A JOINT RESOLUTION
2	Proposing to amend Article III, Section 2(A)(3)(a) and (4)(a) of the Constitution of
3	Louisiana, to provide for requirements of consideration of the general appropriation
4	bill; to provide for submission of the proposed amendment to the electors; and to
5	provide for related matters.
6	Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
7	elected to each house concurring, that there shall be submitted to the electors of the state of
8	Louisiana, for their approval or rejection in the manner provided by law, a proposal to
9	amend Article III, Section 2(A)(3)(a) and (4)(a) of the Constitution of Louisiana, to read as
10	follows:
11	§2. Sessions
12	Section 2.(A) Annual Session.
13	* * *
14	(3)(a) All regular sessions convening in even-numbered years shall be
15	general in nature and shall convene at noon on the second Monday in March. The

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1	legislature shall meet in such a session for not more than sixty legislative days during
2	a period of eighty-five calendar days. No such session shall continue beyond six
3	o'clock in the evening of the eighty-fifth calendar day after convening. No new
4	matter intended to have the effect of law shall be introduced or received by either
5	house after six o'clock in the evening of the twenty-third calendar day. The general
6	appropriation bill shall not be considered on third reading and final passage in the
7	House of Representatives after six o'clock in the evening of the forty-second
8	calendar day except by a favorable record vote of two-thirds of the elected members
9	of each house and shall not be considered on third reading and final passage in the
10	Senate after six o'clock in the evening on the sixtieth calendar day except by a
11	favorable record vote of two-thirds of the elected members of each house. No other
12	matter intended to have the effect of law, except a measure proposing a suspension
13	of law, shall be considered on third reading and final passage in either house after six
14	o'clock in the evening of the fifty-seventh legislative day or the eighty-second
15	calendar day, whichever occurs first, except by a favorable record vote of two-thirds
16	of the elected members of each house.
17	* * *

17

18 (4)(a) All regular sessions convening in odd-numbered years shall convene 19 at noon on the second Monday in April. The legislature shall meet in such a session 20 for not more than forty-five legislative days in a period of sixty calendar days. No 21 such session shall continue beyond six o'clock in the evening of the sixtieth calendar 22 day after convening. No new matter intended to have the effect of law shall be 23 introduced or received by either house after six o'clock in the evening of the tenth 24 calendar day. The general appropriation bill shall not be considered on third reading 25 and final passage in the House of Representatives after six o'clock in the evening of 26 the seventeenth calendar day except by a favorable record vote of two-thirds of the 27 elected members of each house and shall not be considered on third reading and final 28 passage in the Senate after six o'clock in the evening on the thirty-fifth calendar day except by a favorable record vote of two-thirds of the elected members of each 29

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1	house. No other matter intended to have the effect of law, except a measure
2	proposing a suspension of law, shall be considered on third reading and final passage
3	in either house after six o'clock in the evening of the forty-second legislative day or
4	fifty-seventh calendar day, whichever occurs first, except by a favorable record vote
5	of two-thirds of the elected members of each house.
6	* * *
7	Section 2.(A) Be it further resolved that this proposed amendment shall be submitted
8	to the electors of the state of Louisiana at the statewide election to be held on November 4,
9	2014.
10	(B) Be it further resolved, that notwithstanding the provisions of Paragraph (A) of
11	this Section, this proposed amendment shall not be submitted to the electors of the state of
12	Louisiana unless the proposed amendments of the Constitution of Louisiana contained in the
13	Joint Resolutions which originated as House Bill Nos. 434 and 435 of this 2013 Regular
14	Session of the Legislature are concurred in by both houses of the legislature and the bills
15	which originated as House Bill Nos. 1, 437, 456, 474, 571, 620, 653, and 696 of this 2013
16	Regular Session of the Legislature are enacted into law.
17	Section 3. Be it further resolved that on the official ballot to be used at the election,
18	there shall be printed a proposition, upon which the electors of the state shall be permitted
19	to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
20	follows:
21	Do you support an amendment to require final passage of the general
22	appropriation bill at an earlier calendar date in the legislative session than the
23	date required for final passage of other legislative instruments unless
24	authorized by two-thirds vote of each house of the legislature? (Amends
25	Article III, Section $2(A)(3)(a)$ and $(4)(a)$)

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Garofalo

HB No. 436

Abstract: Provides for the timing of the final passage of the general appropriation bill different from other legislative bills.

<u>Present constitution</u> provides for the last day for final passage of matters intended to have the effect of law, with the exceptions of matters intended to suspend a law, as follows:

- (1) In a regular session in even-numbered years, in which the legislature meets no more than 60 legislative days in 85 calendar days, final passage must occur by 6:00 p.m. of the 57th legislative day or the 82nd calendar day, whichever occurs first.
- (2) In a regular session in odd-numbered years, in which the legislature meets no more than 45 legislative days in 60 calendar days, final passage must occur by 6:00 p.m. of the 42nd legislative day or the 57th calendar day, whichever occurs first.

<u>Proposed law</u> retains <u>present constitution</u> and further provides for the last day for final passage of the general appropriation bill as follows:

- In a regular session in even-numbered years, final passage in the House of Representatives must occur by 6:00 p.m. of the 42nd calendar day and in the Senate by 6:00 p.m. of the 60th calendar day.
 In a regular session in odd-numbered years, final passage in the House of
- (2) In a regular session in odd-numbered years, final passage in the House of Representatives must occur by 6:00 p.m. of the 17th calendar day and in the Senate by 6:00 p.m. of the 35th calendar day.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 4, 2014.

Further provides the <u>proposed constitutional amendment</u> shall not be submitted to the electors of the state of Louisiana unless the proposed amendments of the Constitution of Louisiana contained in the Joint Resolutions which originated as House Bill Nos. 434 and 435 of this 2013 Regular Session of the Legislature are concurred in by both houses of the legislature and the bills which originated as House Bill Nos. 1, 437, 456, 474, 571, 620, 653, and 696 of this 2013 Regular Session of the Legislature are enacted into law.

(Amends Const. Art. III, \$2(A)(3)(a) and (4)(a))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

- 1. Allows for final passage of the general appropriation bill after the date in the proposed constitutional amendment with a favorable vote of 2/3 of the elected members of each house.
- 2. Provides that the <u>proposed constitutional amendment</u> shall not be submitted to the electors of the state until other certain House Bills are concurred in by both houses of the legislature or enacted into law.