

1 ~~charities~~, pensions, and the public debt or interest thereon. Appropriations to
 2 political subdivisions and to public charities, except those authorized by this
 3 constitution or by statute, shall not be included in the general appropriation bill
 4 unless such bill includes appropriations from the state general fund for both higher
 5 education and for health care for the next fiscal year in amounts equal to or greater
 6 than the amounts appropriated for higher education and for health care in the most
 7 recently enacted general appropriation bill.

8 (D) Other Appropriation Bills; Specific Purpose and Amount.

9 (1) In making appropriations for any fiscal year, the legislature shall first
 10 finally pass the general appropriation bill.

11 (2) All other bills for appropriating money shall be for a specific purpose and
 12 amount.

13 * * *

14 Section 2. Be it resolved by the Legislature of Louisiana, two-thirds of the members
 15 elected to each house concurring, that there shall be submitted to the electors of the state of
 16 Louisiana, for their approval or rejection in the manner provided by law, a proposal to
 17 amend Article VII, Sections 10(B) and 11(A) and (B) of the Constitution of Louisiana, to
 18 read as follows:

19 §10. Expenditure of State Funds

20 Section 10.

21 * * *

22 (B)(1) Official Forecast. The conference shall prepare and publish initial
 23 and revised estimates of money to be received by the state general fund and
 24 dedicated funds for the current and next fiscal years which are available for
 25 appropriation. In each estimate, the conference shall designate the money in the
 26 estimate which is recurring and which is nonrecurring. All conference decisions to
 27 adopt these estimates shall be by unanimous vote of its members. Changes to the
 28 unanimous vote requirement shall be made by law enacted by a favorable vote of at

1 (B) Operating Budget. The governor shall cause to be submitted a general
 2 appropriation bill for proposed ordinary operating expenditures which shall be in
 3 conformity with the recommendations for appropriations contained in the budget
 4 estimate. The governor may cause to be submitted a bill or bills for appropriations
 5 to political subdivisions and to public charities, which shall be in conformity with
 6 the recommendations for appropriations contained in the budget estimate, when such
 7 appropriations are prohibited by Article III, Section 16(C) from being contained in
 8 the general appropriation bill. The governor may cause to be submitted a bill or bills
 9 to raise additional revenues with proposals for the use of these revenues.

10 * * *

11 Section 3. Be it further resolved that this proposed amendment shall be submitted
 12 to the electors of the state of Louisiana at the statewide election to be held on November 6,
 13 2012.

14 Section 4. Be it further resolved that on the official ballot to be used at the election,
 15 there shall be printed a proposition, upon which the electors of the state shall be permitted
 16 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
 17 follows:

18 Do you support an amendment to change the manner in which state revenue
 19 is budgeted and appropriated in those years when the budget proposes a
 20 decrease in appropriations to higher education and health care, to preclude
 21 the general appropriations bill from including any appropriation to a political
 22 subdivision or any public charity, except if authorized by law, but rather
 23 requiring that any such appropriation be included in a separate bill which,
 24 along with all other appropriation bills, cannot be passed by the legislature
 25 prior to passage of the general appropriation bill? (Amends Article III,
 26 Section 16(C) and (D) and Article VII, Sections 10(B) and 11(A) and (B))

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)]

Geymann

HB No. 553

Abstract: Limits the general appropriation bill if state general funding for both higher education and health care are below the prior year's level and requires the general appropriation bill to be enacted prior to any other appropriation bill for the same fiscal year.

Proposed constitutional amendment requires the Revenue Estimating Conference (REC) to review and determine if the governor's budget estimate contains a recommendation for appropriations to both higher education and health care that is equal to or greater than the amounts appropriated in the prior fiscal year. Also requires that the governor's budget estimate include a statement of the REC determination. If the general fund appropriations in the general appropriation bill for both higher education and health care are less than in the most recently enacted general appropriation bill, then the proposed constitutional amendment limits the general appropriation bill (GAB) to only appropriations for the ordinary operating expenses of the executive branch and requires that any appropriation to political subdivisions or public charities, except those authorized by the present constitution, be made in a separate appropriation bill.

Proposed constitutional amendment additionally requires that the legislature must first pass the GAB before passing any other bill appropriating money for any given fiscal year.

With respect to the determination of funding levels by the REC, the proposed constitutional amendment require that the REC's actions be by unanimous vote. The proposed constitutional amendment further provides that the legislature may establish a procedure to change the REC's vote requirement but once established the procedure cannot be changed except by 2/3 vote of the legislature.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 6, 2012.

(Amends Const. Art. III, §16(C) and (D) and Art. VII, §§10(B) and 11(A) and (B))