

2022 Regular Session

HOUSE RESOLUTION NO. 17

BY REPRESENTATIVE GEYMANN

A RESOLUTION

To amend and readopt House Rule 7.19 of the Rules of Order of the House of Representatives to provide procedures for the appropriation of federal disaster funds for ordinary recurring expenses.

BE IT RESOLVED by the House of Representatives of the Legislature of Louisiana that House Rule 7.19 of the Rules of Order of the House of Representatives is hereby amended and readopted to read as follows:

Rule 7.19. Appropriation bills; one-time money or federal disaster funds for recurring expenses; vote requirement

A.(1) The provisions of this Subparagraph shall apply to each appropriation bill which appropriates one-time money or federal disaster funds for ordinary recurring expenses except as otherwise provided in Paragraph C.

(a) No motion the effect of which is to finally pass an appropriation bill that appropriates one-time money or federal disaster funds for ordinary recurring expenses shall be in order unless immediately prior to such a motion a separate motion to authorize the use of one-time money or federal disaster funds for ordinary recurring expenses is adopted by a favorable vote of at least two-thirds of the members present and voting.

(b) The provisions of Subsubparagraph (a) of this Paragraph shall not be applicable to the General Appropriation Bill. If the General Appropriation Bill appropriates one-time money or federal disaster funds for ordinary recurring expenses, no motion to resolve into the Committee of the Whole to hear the General

Appropriation Bill shall be in order, unless immediately prior to such a motion a separate motion to authorize the use of one-time money or federal disaster funds for ordinary recurring expenses is adopted by a favorable vote of at least two-thirds of the members present and voting. No motion to concur in an amendment to the General Appropriation Bill which appropriates one-time money or federal disaster funds for ordinary recurring expenses shall be in order, unless immediately prior to such a motion a separate motion to authorize the use of one-time money or federal disaster funds for ordinary recurring expenses is adopted by a favorable vote of at least two-thirds of the members present and voting. No motion to adopt a conference committee report on the General Appropriation Bill which appropriates one-time money or federal disaster funds for ordinary recurring expenses shall be in order, unless immediately prior to such a motion a separate motion to authorize the use of one-time money or federal disaster funds for ordinary recurring expenses is adopted by a favorable vote of at least two-thirds of the members present and voting.

(2) The adoption of any Committee of the Whole House Amendment or any floor amendment which proposes to appropriate one-time money or federal disaster funds for ordinary recurring expenses shall require the favorable vote of at least two-thirds of the members present and voting.

B. For purposes of this Rule, the following phrases shall have the following meanings:

(1) "Federal disaster funds" means money received by the state from the federal government in response to and for recovery from a federally declared disaster or emergency.

(2) "Money available for appropriation" means the amount of money to be received for a fiscal year by the state general fund and dedicated funds, exclusive of federal funds.

~~(2)~~ (3) "One-time money" means any one of the following:

(a) Money available for appropriation from any special treasury fund excluding any monies forecast to be dedicated into such a fund by the Revenue Estimating Conference in the official forecast for that fiscal year.

(b) Money available for appropriation from the state general fund from one time transactions, but not recognized as nonrecurring revenue by the Revenue Estimating Conference, including but not limited to court settlements, the sale of state facilities, and the privatization of state operations.

~~(3)~~ (4) "Ordinary recurring expenses" means all expenses of a continuing or recurring character, that in the normal course of administration, would be expected to be necessary in approximately the same amounts each year.

C.(1) A motion the effect of which is to finally pass an appropriation bill that appropriates one-time money for ordinary recurring expenses shall be in order without a separate prior motion authorizing the use of such money if:

~~(1)~~ (a) The total recommended general operating appropriations contained in the executive budget for the fiscal year for which the appropriation is recommended are less than or equal to the total general operating appropriations for the existing operating budget of the current fiscal year included in the executive budget; and

~~(2)~~ (b) Appropriations from one-time money for ordinary recurring expenses do not exceed the projected growth of the state general fund from the fiscal year for which the appropriation is proposed and the subsequent fiscal year according to the most recent official forecast.

(2) A motion the effect of which is to finally pass an appropriation bill that appropriates federal disaster funds for ordinary recurring expenses shall be in order without a separate prior motion authorizing the use of such money if:

(a) Ordinary recurring expenses are not increased above amounts budgeted immediately prior to the federal declaration of the disaster or emergency.

(b) The federal disaster funds are payable to the state on a reimbursement basis.

(c) The Revenue Estimating Conference adopts a revised forecast that indicates that ordinary recurring revenues are sufficient to fully fund any increase in ordinary recurring expenses for the current fiscal year and at least the next two fiscal years.

D.(1) Prior to consideration on third reading and final passage of any appropriation bill, the Legislative Fiscal Officer shall submit a report to the House of Representatives which shall indicate whether the appropriation bill appropriates one-time money or federal disaster funds for ordinary recurring expenses. No appropriation bill shall be considered unless the report of the Legislative Fiscal Officer has been placed on the desk of each member.

(2)(a) Prior to the adoption of any Committee of the Whole House Amendment, any floor amendment, and any conference committee report to an appropriation bill, the presiding officer, after giving due consideration to the advice of legislative staff, shall make a determination if the amendment or any amendment recommended by the conference committee, as the case may be, appropriates one-time money or federal disaster funds for ordinary recurring expenses.

(b) Prior to concurrence in an amendment to an appropriation bill, the presiding officer, after giving due consideration to the advice of legislative staff, shall make a determination if the amendment appropriates one-time money or federal disaster funds for ordinary recurring expenses.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES