

Regular Session, 2012

SENATE BILL NO. 184

BY SENATOR CLAITOR

LEGISLATIVE SESSIONS. Constitutional amendment to provide for biennial legislative sessions. (2/3-CA13s1(A))

A JOINT RESOLUTION

Proposing to amend Article III, Sections 2(A)(1), 16(A) and (E), Article IV, Sections 5(G)(2) and 9, Article VII, Sections 10(B) and (C)(1), 10.1(C)(1), 10.4(A), 10.5(C), 10.8(A)(2)(a) and (b), (3)(a) and (b), and (4)(a) and (b), (C)(1)(a), (b)(i) and (ii), and (c)(i) and (ii), and (3)(b), 10.10(D)(1), 11(A) and (C), and (27)(B), Article VIII, Section 13(B), Article X, Section 13(A), Article XII, Section 6(A)(1), and Article XIV, Section 10 and to repeal Article III, Section 2(A)(3) and (4) of the Constitution of Louisiana, relative to legislative sessions; to provide that the legislature shall meet biennially in regular session in even-numbered years; to remove certain references to annual regular sessions and to regular sessions in other years; to provide relative to biennial budgeting; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article III, Sections 2(A)(1), 16(A) and (E), Article IV, Sections 5(G)(2) and 9, Article VII, Sections 10(B) and (C)(1), 10.1(C)(1), 10.4(A), 10.5(C), 10.8(A)(2)(a) and (b), (3)(a) and (b), and

1 (4)(a) and (b), (C)(1)(a), (b)(i) and (ii), and (c)(i) and (ii), and (3)(b), 10.10(D)(1), 11(A) and  
 2 (C), and (27)(B), Article VIII, Section 13(B), Article X, Section 13(A), Article XII, Section  
 3 6(A)(1), and Article XIV, Section 10 and to repeal Article III, Section 2(A)(3) and (4) of the  
 4 Constitution of Louisiana, to read as follows:

5 ARTICLE III. LEGISLATIVE BRANCH

6 §2. Sessions

7 Section 2. (A) ~~Annual~~ **Biennial** Session. (1) The legislature shall meet  
 8 ~~annually~~ **biennially** in regular session for a limited number of legislative days in the  
 9 state capital **in even-numbered years for not more than one hundred legislative**  
 10 **days during a period of one hundred twenty-five calendar days.** A legislative day  
 11 is a calendar day on which either house is in session. **No such session shall**  
 12 **continue beyond the one hundred twenty-fifth calendar day after convening.**  
 13 **The legislature shall convene at noon on the last Monday in January. No new**  
 14 **matter intended to have the effect of law shall be introduced or received by**  
 15 **either house after six o'clock in the evening of the twenty-third calendar day. No**  
 16 **matter intended to have the effect of law, except a measure proposing a**  
 17 **suspension of law, shall be considered on third reading and final passage in**  
 18 **either house after six o'clock in the evening of the fifty-seventh legislative day**  
 19 **or the eighty-second calendar day, whichever occurs first, except by a favorable**  
 20 **record vote of two-thirds of the elected members of each house.**

21 \* \* \*

22 §16. Appropriations

23 Section 16.(A) Specific ~~Appropriation for One Year~~ **Appropriations.**  
 24 Except as otherwise provided by this constitution, no money shall be withdrawn  
 25 from the state treasury except through specific appropriation, **for an appropriations**  
 26 **period not to exceed two years; however, such appropriations shall be allocated**  
 27 **for each fiscal year.** and no appropriation shall be made under the heading of  
 28 contingencies or for longer than one year.

29 \* \* \*

1 (E) Extraordinary Session. Except for expenses of the legislature, a bill  
2 appropriating money in an extraordinary session convened after final adjournment  
3 of the regular session in the ~~last~~ **third** year of the term of office of a governor shall  
4 require the favorable vote of three-fourths of the elected members of each house.

5 \* \* \*

6 ARTICLE IV. EXECUTIVE BRANCH

7 \* \* \*

8 §5. Governor; Powers and Duties

9 Section 5. \* \* \*

10 (G) Item Veto. \* \* \*

11 (2) The governor shall veto line items or use means provided in the bill so  
12 that total appropriations for ~~the~~ any year shall not exceed anticipated revenues for  
13 that year.

14 \* \* \*

15 §9. Treasurer; Powers and Duties

16 Section 9. There shall be a Department of the Treasury. The treasurer shall  
17 head the department and shall be responsible for the custody, investment, and  
18 disbursement of the public funds of the state, except as otherwise provided by this  
19 constitution. He shall report annually to the governor and to the legislature ~~at least~~  
20 ~~one month before each regular session~~ **at such time as shall be provided by law** on  
21 the financial condition of the state, and shall have other powers and perform other  
22 duties authorized by this constitution or provided by law.

23 \* \* \*

24 ARTICLE VII. REVENUE AND FINANCE

25 \* \* \*

26 §10. Expenditure of State Funds

27 Section 10. \* \* \*

28 (B) Official Forecast. The conference shall prepare and publish initial and  
29 revised estimates of money to be received by the state general fund and dedicated

1 funds for the current and next **two** fiscal years ~~which~~ **that** are available for  
 2 appropriation. In each estimate, the conference shall designate the money in the  
 3 estimate which is recurring and which is nonrecurring. All conference decisions to  
 4 adopt these estimates shall be by unanimous vote of its members. Changes to the  
 5 unanimous vote requirement shall be made by law enacted by a favorable vote of  
 6 two-thirds of the elected members of each house. The most recently adopted estimate  
 7 of money available for appropriation shall be the official forecast.

8 (C) Expenditure Limit. (1) The legislature shall provide for the determination  
 9 of an expenditure limit for each fiscal year to be established during the first quarter  
 10 of the calendar year for the next **two** fiscal ~~year~~ **years**. However, the expenditure  
 11 limit for the 1991-1992 Fiscal Year shall be the actual appropriations from the state  
 12 general fund and dedicated funds for that year except funds allocated by Article VII,  
 13 Section 4, Paragraphs (D) and (E). For subsequent fiscal years, the limit shall not  
 14 exceed the expenditure limit for the current fiscal year plus an amount equal to that  
 15 limit times a positive growth factor. The growth factor is the average annual  
 16 percentage rate of change of personal income for Louisiana as defined and reported  
 17 by the United States Department of Commerce for the three calendar years prior to  
 18 the fiscal year for which the limit is calculated.

19 \* \* \*

20 §10.1. Quality Trust Fund; Education

21 Section 10.1. \* \* \*

22 (C) Reports; Allocation. (1) The State Board of Elementary and Secondary  
 23 Education and the Board of Regents shall ~~annually~~ submit to the legislature and the  
 24 governor not less than sixty days prior to the beginning of each regular session of the  
 25 legislature a proposed program and budget for the expenditure of the monies in the  
 26 Support Fund **for each of the next two fiscal years**. Proposals for such  
 27 expenditures shall be designed to improve the quality of education and shall  
 28 specifically designate those monies to be used for administrative costs, as defined  
 29 and authorized by law.

\* \* \*

§10.4. Higher Education Louisiana Partnership Fund; Program

Section 10.4.(A) Higher Education Louisiana Partnership Fund. (1) There is hereby established a special fund in the state treasury to be known as the Higher Education Louisiana Partnership Fund, hereinafter referred to as the "fund", consisting of monies appropriated ~~annually~~ by the legislature, grants, gifts, and donations received by the state for the purposes of this Section, and other revenues as may be provided by law; provided that no such monies shall come from the allocations provided in Article VII, Section 4, Paragraphs (D) and (E) of this constitution.

\* \* \*

§10.5. Mineral Revenue Audit and Settlement Fund

Section 10.5. \* \* \*

(C) After making the allocations provided for in Paragraph (A), the treasurer shall credit thirty-five million dollars to the Coastal Protection and Restoration Fund, and thereafter any monies credited to the fund in any fiscal year may be ~~annually~~ appropriated by the legislature only for the purposes of retirement in advance of maturity through redemption, purchase, or repayment of debt of the state, pursuant to a plan proposed by the State Bond Commission to maximize the savings to the state; for payments against the unfunded accrued liability of the public retirement systems which are in addition to any payments required for the annual amortization of the unfunded accrued liability of the public retirement systems, required by Article X, Section 29 of this constitution; however, any such payment to the public retirement systems shall not be used, directly or indirectly, to fund cost-of-living increases for such systems; and for deposit in the Coastal Protection and Restoration Fund.

\* \* \*

§10.8. Millennium Trust

Section 10.8. Millennium Trust.

1 (A) Creation. \* \* \*

2 (2)(a) The Health Excellence Fund shall be established as a special fund  
3 within the Millennium Trust. The treasurer shall credit to the Health Excellence Fund  
4 one-third of the Settlement Agreement proceeds deposited each year into the  
5 Millennium Trust, and one-third of all investment earnings on the investment of the  
6 Millennium Trust. The treasurer shall report ~~annually~~ **at the time and in the form**  
7 **fixed by law** to the legislature as to the amount of Millennium Trust investment  
8 earnings credited to the Health Excellence Fund.

9 (b) Beginning Fiscal Year 2011-2012, and each fiscal year thereafter, the  
10 treasurer shall credit to the Health Excellence Fund one-third of all investment  
11 earnings on the investment of the Millennium Trust. The treasurer shall report  
12 ~~annually~~ **at the time and in the form fixed by law** to the legislature as to the  
13 amount of Millennium Trust investment earnings credited to the Health Excellence  
14 Fund.

15 \* \* \*

16 (3)(a) The Education Excellence Fund shall be established as a special fund  
17 within the Millennium Trust. The treasurer shall credit to the Education Excellence  
18 Fund one-third of the Settlement Agreement proceeds deposited each year into the  
19 Millennium Trust, and one-third of all investment earnings on the investment of the  
20 Millennium Trust. The treasurer shall report ~~annually~~ **at the time and in the form**  
21 **fixed by law** to the legislature and the state superintendent of education as to the  
22 amount of Millennium Trust investment earnings credited to the Education  
23 Excellence Fund.

24 (b) Beginning Fiscal Year 2011-2012, and each fiscal year thereafter, the  
25 treasurer shall credit to the Education Excellence Fund one-third of all investment  
26 earnings on the investment of the Millennium Trust. The treasurer shall report  
27 ~~annually~~ **at the time and in the form fixed by law** to the legislature and the state  
28 superintendent of education as to the amount of Millennium Trust investment  
29 earnings credited to the Education Excellence Fund.

1 (4)(a) The TOPS Fund shall be established as a special fund within the  
2 Millennium Trust. The treasurer shall deposit in and credit to the TOPS Fund one-  
3 third of the Settlement Agreement proceeds deposited into the Millennium Trust, and  
4 one-third of all investment earnings on the investment of the Millennium Trust. The  
5 treasurer shall report ~~annually~~ **at the time and in the form fixed by law** to the  
6 legislature as to the amount of Millennium Trust investment earnings credited to the  
7 TOPS Fund.

8 (b) Beginning Fiscal Year 2011-2012, and each fiscal year thereafter, the  
9 treasurer shall credit to the TOPS Fund one hundred percent of the Settlement  
10 Agreement proceeds deposited into the Millennium Trust, and one-third of all  
11 investment earnings on the investment of the Millennium Trust. The treasurer shall  
12 report ~~annually~~ **at the time and in the form fixed by law** to the legislature as to the  
13 amount of Millennium Trust Settlement Agreement proceeds and investment  
14 earnings credited to the TOPS Fund.

15 \* \* \*

16 (C) Appropriations. (1)(a) Appropriations from the Education Excellence  
17 Fund shall be limited to an ~~annual~~ amount not to exceed the estimated aggregate  
18 annual earnings from interest, dividends, and realized capital gains on investment of  
19 the trust allocated as provided by Paragraph (A) of this Section and as recognized by  
20 the Revenue Estimating Conference. Amounts determined to be available for  
21 appropriation shall be those aggregate investment earnings which are in excess of an  
22 inflation factor as determined by the Revenue Estimating Conference. The amount  
23 of realized capital gains on investment which may be included in the aggregate  
24 earnings available for appropriation in any year shall not exceed the aggregate of  
25 earnings from interest and dividends for that year.

26 (b)(i) For Fiscal Year 2011-2012, appropriations from the Health Excellence  
27 Fund shall be limited to an ~~annual~~ amount not to exceed the estimated aggregate  
28 annual earnings from interest, dividends, and realized capital gains on investment of  
29 the trust and credited to the Health Excellence Fund as provided by Subsubparagraph

1 (A)(2)(b) of this Section and as recognized by the Revenue Estimating Conference.

2 (ii) For Fiscal Year 2012-2013, and each fiscal year thereafter, appropriations  
3 from the Health Excellence Fund shall be limited to an ~~annual~~ amount not to exceed  
4 the estimated aggregate annual earnings from interest, dividends, and realized capital  
5 gains on investment of the trust and credited to the Health Excellence Fund as  
6 provided by Subsubparagraph (A)(2)(b) of this Section and as recognized by the  
7 Revenue Estimating Conference and the amount of proceeds credited to and  
8 deposited into the Health Excellence Fund as provided by Subsubparagraph (A)(2)(c)  
9 of this Section.

10 (c)(i) For Fiscal Year 2011-2012, appropriations from the TOPS Fund shall  
11 be limited to the amount of Settlement Agreement proceeds credited to and deposited  
12 into the TOPS Fund as provided by Subsubparagraphs (A)(4)(b) and (c) of this  
13 Section, and an ~~annual~~ amount not to exceed the estimated aggregate annual earnings  
14 from interest, dividends, and realized capital gains on investment of the trust and  
15 credited to the TOPS Fund as provided by Subsubparagraph (A)(4)(b) of this Section  
16 and as recognized by the Revenue Estimating Conference.

17 (ii) For Fiscal Year 2012-2013, and each fiscal year thereafter, appropriations  
18 from the TOPS Fund shall be limited to the amount of annual Settlement Agreement  
19 proceeds credited to and deposited into the TOPS Fund as provided in  
20 Subsubparagraph (A)(4)(b) of this Section, and an ~~annual~~ amount not to exceed the  
21 estimated aggregate annual earnings from interest, dividends, and realized capital  
22 gains on investment of the trust and credited to the TOPS Fund as provided in  
23 Subsubparagraph (A)(4)(b) of this Section and as recognized by the Revenue  
24 Estimating Conference.

25 \* \* \*

26 (3) Appropriations from the Education Excellence Fund shall be limited as  
27 follows:

28 \* \* \*

29 (b) Appropriations shall be made ~~each year~~ to the Louisiana School for the



1 Deaf, the Louisiana School for the Visually Impaired, the Louisiana Special  
 2 Education Center in Alexandria, the Louisiana School for Math, Science and the  
 3 Arts, the New Orleans Center for Creative Arts and the Louis Armstrong High  
 4 School for the Arts, after such schools are operational, to provide for a payment to  
 5 each school of seventy-five thousand dollars plus an allocation for each pupil equal  
 6 to the average statewide per pupil amount provided each city, parish, and local  
 7 school system pursuant to Subsubparagraphs (d) and (e) of this Subparagraph.

8 \* \* \*

9 §10.10. Millennium Leverage Fund

10 Section 10.10. \* \* \*

11 (D) Appropriations. (1) The legislature may ~~annually~~ appropriate the bond  
 12 proceeds credited to the Leverage Fund and all earnings, income, and realized capital  
 13 gains on investment of monies in the Leverage Fund as recognized as available for  
 14 appropriation in the official forecast of the Revenue Estimating Conference. The  
 15 Revenue Estimating Conference shall include in its forecast of monies available for  
 16 appropriation only that amount of earnings, income, and realized capital gains which  
 17 are in excess of inflation as determined by the conference.

18 \* \* \*

19 §11. Budgets

20 Section 11.(A) Budget Estimate. The governor shall submit to the legislature,  
 21 at the time and in the form fixed by law, a budget estimate for the next **two** fiscal  
 22 **year years** setting forth all proposed state expenditures. This budget shall include a  
 23 recommendation for appropriations **for each fiscal year** from the state general fund  
 24 and from dedicated funds, except funds allocated by Article VII, Section 4,  
 25 Paragraphs (D) and (E), which shall not exceed the official forecast of the Revenue  
 26 Estimating Conference and the expenditure limit for the fiscal year. The  
 27 recommendation shall also comply with the provisions of Article VII, Section 10(D).  
 28 This budget shall include a recommendation for funding of state salary supplements  
 29 for full-time law enforcement and fire protection officers of the state, as provided in

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Article VII, Section 10(D)(3) of this constitution.

\* \* \*

(C) Capital Budget. The governor shall submit to the legislature, at ~~each regular session~~ **the time and in the form fixed by law**, a proposed five-year capital outlay program and request implementation of the first ~~year~~ **two years** of the program. Prior to inclusion in the comprehensive capital budget which the legislature adopts, each capital improvement project shall be evaluated through a feasibility study, as defined by the legislature, which shall include an analysis of need and estimates of construction and operating costs. The legislature shall provide by law for procedures, standards, and criteria for the evaluation of such feasibility studies ~~and shall set the schedule of submission of such feasibility studies which shall take effect not later than December thirty-first following the first regular session convening after this Paragraph takes effect.~~ These procedures, standards, and criteria for evaluation of such feasibility studies cannot be changed or altered except by a separate legislative instrument approved by a favorable vote of two-thirds of the elected members of each house of the legislature. For those projects not eligible for funding under the provisions of Article VII, Section 27 of this constitution, the request for implementation of the first year of the program shall include a list of the proposed projects in priority order based on the evaluation of the feasibility studies submitted. Capital outlay projects approved by the legislature shall be made a part of the comprehensive state capital budget, which shall be adopted by the legislature.

\* \* \*

§27. Transportation Trust Fund

Section 27. \* \* \*

(B) The monies in the trust fund shall be appropriated or dedicated solely and exclusively for the costs for and associated with construction and maintenance of the roads and bridges of the state and federal highway systems, the Statewide Flood-Control Program or its successor, ports, airports, transit, state police for traffic control purposes, and the Parish Transportation Fund or its successor and for the

1 payment of all principal, interest, premium, if any, and other obligations incident to  
2 the issuance, security, and payment in respect of bonds or other obligations payable  
3 from the trust fund as authorized in Paragraph (D) hereof. Unless pledged to the  
4 repayment of bonds authorized in Paragraphs (C) or (D) of this Section, the monies  
5 in the trust fund allocated to ports, airports, flood control, parish transportation, and  
6 state highway construction shall be appropriated ~~annually~~ **for each fiscal year** by the  
7 legislature only pursuant to programs established by law which establish a system  
8 of priorities for the expenditure of such monies, except that the Transportation  
9 Infrastructure Model for Economic Development, which shall include only those  
10 projects enumerated in House Bill 17 of the 1989 First Extraordinary Session of the  
11 Legislature and US Highway 61 from Thompson Creek to the Mississippi Line, in  
12 lieu of "US 61-Bains to Mississippi Line", and US Highway 165 from I-10 to  
13 Alexandria to Monroe to Bastrop and thence on US Highway 425 from Bastrop to  
14 the Arkansas Line, in lieu of "US 165-I-10 Alexandria-Monroe-Bastrop-Arkansas  
15 Line" and LA 15-Natchez, Mississippi to Chase in lieu of "LA 15-Natchez,  
16 Mississippi to Monroe", shall be funded as provided by law. The state generated tax  
17 monies appropriated for ports, Parish Transportation Fund, or its successor, and the  
18 Statewide Flood-Control Program, or its successor, and state police for traffic control  
19 purposes shall not exceed twenty percent annually of the state generated tax revenues  
20 in the trust fund; ~~provided, however, that~~ no less than the avails of one cent of the tax  
21 on gasoline and special fuels shall be appropriated **for** each year to the Parish  
22 Transportation Fund, or its successor. The ~~annual~~ appropriation **for each fiscal year**  
23 for airports shall be a sum equal to, but not greater than, the annual estimated  
24 revenue to be derived from the state taxes to be collected and received on aviation  
25 fuel **for that fiscal year**. Unencumbered and unexpended balances at the end of each  
26 fiscal year shall remain in the trust fund. The earnings realized in each fiscal year on  
27 the investment of monies in the trust fund shall be deposited in and credited to the  
28 trust fund.

29 \* \* \*

ARTICLE VIII. EDUCATION

\* \* \*

§13. Funding; Apportionment

Section 13. \* \* \*

(B) Minimum Foundation Program. The State Board of Elementary and Secondary Education, or its successor, shall ~~annually~~ **every two years** develop and adopt a formula ~~which~~ **that** shall be used to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems. Such formula shall provide for a contribution by every city and parish school system. Prior to approval of the formula by the legislature, the legislature may return the formula adopted by the board to the board and may recommend to the board an amended formula for consideration by the board and submission to the legislature for approval. The legislature shall ~~annually~~ appropriate funds **for each fiscal year** sufficient to fully fund the current cost to the state of such a program as determined by applying the approved formula in order to insure a minimum foundation of education in all public elementary and secondary schools. Neither the governor nor the legislature may reduce such appropriation, except that the governor may reduce such appropriation using means provided in the act containing the appropriation provided that any such reduction is consented to in writing by two-thirds of the elected members of each house of the legislature. The funds appropriated shall be equitably allocated to parish and city school systems according to the formula as adopted by the State Board of Elementary and Secondary Education, or its successor, and approved by the legislature prior to making the appropriation. Whenever the legislature fails to approve the formula most recently adopted by the board, or its successor, the last formula adopted by the board, or its successor, and approved by the legislature shall be used for the determination of the cost of the minimum foundation program and for the allocation of funds appropriated.

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ARTICLE X. PUBLIC OFFICIALS AND EMPLOYEES

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§13. Appropriations

Section 13.(A) State. The legislature shall make adequate ~~annual~~ appropriations to the State Civil Service Commission and to the Department of State Civil Service to enable them to implement this Part efficiently and effectively. The amount so appropriated shall not be subject to veto by the governor.

\* \* \*

ARTICLE XII. GENERAL PROVISIONS

\* \* \*

§6. Lotteries; Gaming, Gambling, or Wagering

Section 6.(A) Lotteries. (1) The legislature may provide for the creation and operation of a state lottery and may create a special corporation for that purpose whose employees shall not be subject to state civil service. The net proceeds from the operation of the lottery shall be deposited in a special fund created in the state treasury entitled the Lottery Proceeds Fund. Amounts deposited in the fund shall not be appropriated for expenditure in the same calendar year in which they are received. The legislature shall ~~annually~~ appropriate from the fund only for the purposes of the minimum foundation program and no more than five hundred thousand dollars for services related to compulsive and problem gaming as may be provided by law.

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ARTICLE XIV. TRANSITIONAL PROVISIONS

§10. Offshore Mineral Revenues; Use of Funds

Section 10. Funds derived from offshore mineral leases and held in escrow under agreement between the state and the United States pending settlement of the dispute between the parties shall be deposited in the state treasury when received. Upon such settlement, these funds and the interest from their investment, except the portion otherwise allocated or dedicated by this constitution, shall be used by the state treasurer to purchase, retire, or pay in advance of maturity the existing bonded

1           indebtedness of the state or shall be invested for that purpose. If any of these funds  
2           cannot be so expended within one year, the legislature may appropriate ~~annually~~, for  
3           capital improvements or for the purchase of land, ten percent of the remaining funds,  
4           not to exceed ten million dollars in one year.

5           Section 2. Be it further resolved that this amendment, after its approval, shall  
6           become effective January 1, 2014.

7           Section 3. 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 6,  
9           2012.

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

14                To provide that the legislature shall meet in regular session biennially in  
15                even-numbered years only, to remove certain references to annual regular  
16                sessions and to regular sessions in odd-numbered years, and to provide that  
17                the state shall operate on a biennial budget cycle. (Amends Constitution  
18                Article III, Sections 2(A)(1), 16(A) and (E), Article IV, Sections 5(G)(2) and  
19                9, Article VII, Sections 10(B) and (C)(1), 10.1(C)(1), 10.4(A), 10.5(C),  
20                10.8(A)(2)(a) and (b), (3)(a) and (b), and (4)(a) and (b), (C)(1)(a), (b)(i) and  
21                (ii), (c)(i) and (ii), and (3)(b), 10.10(D)(1), 11(A) and (C), and (27)(B),  
22                Article VIII, Section 13(B), Article X, Section 13(A), Article XII, Section  
23                6(A)(1), and Article XIV, Section 10; repeals Article III, Section 2(A)(3) and  
24                (4))

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Lauren Bailey.

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#### DIGEST

Present constitutions provides that the legislature is to meet annually in regular session for a limited number of legislative days in the state capital, a legislative day being a calendar day on which either house is in session.

Present constitution provides that all regular sessions convening in even-numbered years are to be general in nature and convene at noon on the last Monday in March, with such session lasting for not more than 60 legislative days during a period of 85 calendar days.

Present constitution provides that all regular sessions convening in odd-numbered years are to convene at noon on the last Monday in April, with such session lasting for not more than 45 legislative days in a period of 60 calendar days.

Present constitution further provides that during any session convening in an odd-numbered year, no matter intended to have the effect of law, including any suspension of law, can be introduced or considered unless its object is to enact the General Appropriation Bill, enact the comprehensive capital budget, make an appropriation, levy or authorize a new tax, increase an existing tax, levy, authorize, increase, decrease, or repeal a fee, dedicate revenue, legislate with regard to tax exemptions, exclusions, deductions, reductions, repeals, or credits, or legislate with regard to the issuance of bonds.

Proposed constitutional amendment repeals these provisions of present constitution, and further provides that the legislature is to meet biennially in regular session in even-numbered years for not more than 100 legislative days during a period of not more than 125 calendar days.

Proposed constitutional amendment further provides that the legislature is to convene at noon on the last Monday in March, and no new matter intended to have the effect of law can be introduced or received by either house after 6:00 p.m. of the 23<sup>rd</sup> calendar day, and no matter intended to have the effect of law, except a measure proposing a suspension of law, can be considered on 3<sup>rd</sup> reading and final passage in either house after 6:00 p.m. on the 57<sup>th</sup> legislative day or the 82<sup>nd</sup> calendar day, whichever occurs first, except by a favorable record vote of two-thirds of the elected members of each house.

Present constitution provides relative to the state operating on an annual budget cycle.

Proposed constitutional amendment provides for the state to adopt a biennial budget cycle in conjunction with the biennial sessions provided for by proposed constitutional amendment.

Effective January 1, 2014, if approved by voters.

Specifies submission of the amendment to the voters at the statewide election to be held on November 6, 2012.

(Amends Const. Art. III, Sec. 2(A)(1), 16(A) and (E), Art. IV, Sec. 5(G)(2) and 9, Art. VII, Sec. 10(B) and (C)(1), 10.1(C)(1), 10.4(A), 10.5(C), 10.8(A)(2)(a) and (b), (3)(a) and (b), and (4)(a) and (b), (C)(1)(a), (b)(i) and (ii), and (c)(i) and (ii), and (3)(b), 10.10(D)(1), 11(A) and (C), and (27)(B), Art. VIII, Sec. 13(B), Art. X, Sec. 13(A), Art. XII, Sec. 6(A)(1), and Art. XIV, Sec. 10; repeals Art. III, Sec. 2(A)(3) and (4))