

2012 -- H 7311

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF  
AMENDMENT TO THE CONSTITUTION OF THE STATE (STATE BUDGET)

Introduced By: Representatives Schadone, Nunes, and Corvese

Date Introduced: February 01, 2012

Referred To: House Finance

1           RESOLVED, That a majority of all members elected to each house of the general  
2 assembly voting therefor, the following amendment to the Constitution of the state be proposed to  
3 the qualified electors of the state in accordance with the provisions of Article XIV of the  
4 Constitution for their approval and that it take the place of Article IX section 16 which is hereby  
5 amended to read as follows:

6           **Section 16. Limitation on state spending. [Effective July 1, 2007 until July 1, 2012].**

7           — (a) No appropriation, supplemental appropriation or budget act shall cause the aggregate state  
8 general revenue appropriations enacted in any given fiscal year to exceed ninety-eight percent  
9 (98%) of the estimated state general revenues for such fiscal year from all sources, including  
10 estimated unencumbered general revenues to the new fiscal year remaining at the end of the  
11 previous fiscal year. Estimated unencumbered general revenues are calculated by taking the  
12 estimated general revenue cash balance at the end of the fiscal year less estimated revenue  
13 anticipation bonds or notes, estimated general revenue encumbrances, estimated continuing  
14 general revenue appropriations and the amount of the budget reserve account at the end of said  
15 fiscal year.

16           (b) The amount between the applicable percentage in (a) and one hundred percent (100%)  
17 of the estimated state general revenue for any fiscal year as estimated in accordance with  
18 subsection (a) of this section shall be appropriated in any given fiscal year into the budget reserve  
19 account; provided, however, that no such payment will be made which would increase the total of

1 the budget reserve account to more than three percent (3%) of only the estimated state general  
2 revenues as set by subsection (a) of this section. In the event that the payment to be made into the  
3 budget reserve account would increase the amount in said account to more than three percent  
4 (3%) of estimated state general revenues that said amount shall be transferred to the Rhode Island  
5 Capital Plan fund to be used solely for funding capital projects.

6 (c) Within forty-five (45) days after the close of any fiscal year, all unencumbered  
7 general revenue in the year end surplus account from the said fiscal year shall be transferred to  
8 the general fund.

9 (d) Provided, further that during any fiscal year, any increase in state spending shall not  
10 exceed the increase in the Consumer Price Index (CPI) on a percentage basis for any fiscal year.

11 **Section 16. Limitation on state spending. [Effective July 1, 2012].** — (a) No  
12 appropriation, supplemental appropriation or budget act shall cause the aggregate state general  
13 revenue appropriations enacted in any given fiscal year to exceed ninety seven percent (97%) of  
14 the estimated state general revenues for such fiscal year from all sources, including estimated  
15 unencumbered general revenues to the new fiscal year remaining at the end of the previous fiscal  
16 year. Estimated unencumbered general revenues are calculated by taking the estimated general  
17 revenue cash balance at the end of the fiscal year less estimated revenue anticipation bonds or  
18 notes, estimated general revenue encumbrances, estimated continuing general revenue  
19 appropriations and the amount of the budget reserve account at the end of said fiscal year.

20 (b) The amount between the applicable percentage in (a) and one hundred percent (100%)  
21 of the estimated state general revenue for any fiscal year as estimated in accordance with  
22 subsection (a) of this section shall be appropriated in any given fiscal year into the budget reserve  
23 account; provided, however, that no such payment will be made which would increase the total of  
24 the budget reserve account to more than five percent (5%) of only the estimated state general  
25 revenues as set by subsection (a) of this section. In the event that the payment to be made into the  
26 budget reserve account would increase the total of the budget reserve account to more than five  
27 percent (5%) of only the estimated state general revenues as set by subsection (1) of this section.  
28 In the event that the payment to be made into the budget reserve account would increase the  
29 amount in said account to more than five percent (5%) of estimated state general revenues that  
30 said amount shall be transferred to the Rhode Island Capital Plan fund to be used solely for  
31 funding capital projects.

32 (c) Within forty-five (45) days after the close of any fiscal year, all unencumbered  
33 general revenue in the year end surplus account from the said fiscal year shall be transferred to  
34 the general fund.

1           (d) Provided, further that during any fiscal year, any increase in state spending shall not  
2 exceed the increase in the Consumer Price Index (CPI) on a percentage basis for any fiscal year.

3           RESOLVED, That this amendment shall take, in the Constitution of the state, the place of  
4 Section 16, Article IX of the Constitution; it is further

5           RESOLVED, That the said proposition of amendment shall be submitted to the electors  
6 for their approval or rejection at the next statewide general election. The voting places in the  
7 several cities and towns shall be kept open during the hours required by law for voting therein for  
8 general officers of the state; and be it further

9           RESOLVED, That the secretary of state shall cause the said proposition of amendment to  
10 be published as a part of this resolution in the newspapers of the state prior to the date of the said  
11 meetings of the said electors; and the said proposition shall be inserted in the warrants or notices  
12 to be issued previous to said meetings of the electors for the purpose of warning the town, ward,  
13 or district meetings, and said proposition shall be read by the town, ward or district meetings to  
14 be held as aforesaid; and be it further

15           RESOLVED, That the town, ward and district meetings to be aforesaid shall be warned,  
16 and the list of voters shall be canvassed and made up, and the said town, ward and district  
17 meetings shall be conducted in the same manner as now provided by law for the town, ward and  
18 district meetings for the election of general officers of the state.

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