

Regular Session, 2013

HOUSE BILL NO. 434

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

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

BUDGETARY CONTROLS: (Constitutional Amendment) Requires spending due to constitutional or other mandates to be considered in a separate appropriation bill from spending that is not required to be funded if health care or higher education funding is reduced

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A JOINT RESOLUTION

Proposing to amend Article VII, Section 11(B) of the Constitution of Louisiana, to require separate appropriation bills for discretionary and nondiscretionary spending in certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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 of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 11(B) of the Constitution of Louisiana, to read as follows:

§11. Budgets

Section 11.

* * *

(B) Operating Budget. The governor shall cause to be submitted a general appropriation bill for proposed ordinary operating expenditures which shall be in conformity with the recommendations for appropriations contained in the budget

1 estimate. If the legislative auditor determines that the proposed expenditures for
 2 health care or for higher education are less than the appropriations for such purposes
 3 from the state general fund and dedicated funds enacted in the prior regular session
 4 of the legislature, the governor shall cause to be submitted a separate appropriation
 5 bill for nondiscretionary expenditures, which shall be in conformity with the
 6 recommendations for appropriations contained in the budget estimate. The governor
 7 may cause to be submitted a bill or bills to raise additional revenues with proposals
 8 for the use of these revenues.

9 * * *

10 Section 2. Be it further resolved that this proposed amendment shall be submitted
 11 to the electors of the state of Louisiana at the statewide election to be held on November 4,
 12 2014.

13 Section 3. Be it further resolved that on the official ballot to be used at the election,
 14 there shall be printed a proposition, upon which the electors of the state shall be permitted
 15 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
 16 follows:

17 Do you support an amendment to require that separate appropriation bills for
 18 discretionary and nondiscretionary expenditures be submitted if the
 19 legislative auditor determines that the operating budget proposes
 20 appropriations for health care or higher education costs that are less than the
 21 prior year expenditures for such costs? (Amends Article VII, Section 11(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)]

Jay Morris

HB No. 434

Abstract: Requires separate appropriation bills for discretionary and nondiscretionary expenditures if the executive budget proposes reducing appropriations out of the state general fund and dedicated funds for health care or higher education compared to the most recently enacted appropriation bills.

Present constitution requires the governor shall to submit to the legislature, at the time and in the form fixed by law, a budget estimate for the next fiscal year setting forth all proposed

state expenditures. This budget shall include a recommendation for appropriations from the state general fund and from dedicated funds. Further requires the governor to cause to be submitted a general appropriation bill for proposed ordinary operating expenditures which shall be in conformity with the recommendations for appropriations contained in the budget estimate.

Proposed constitutional amendment provides that, if the legislative auditor determines that the proposed expenditures for health care or for higher education from the state general fund and dedicated funds are less than such appropriations enacted in the prior regular session of the legislature for each purpose, the governor shall cause to be submitted a separate appropriation bill for nondiscretionary expenditures.

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

(Amends Const. Art. VII, §11(B))