

SB 4 BY SENATOR HINES

KEYWORD AND SUMMARY

LEGISLATIVE SESSIONS. Constitutional amendment to provide for consideration of certain matters during regular sessions in even-numbered years. (2/3-CA13s1(A)) (1/1/04)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Deletes prohibition on regular sessions continuing beyond June 30.
2. Changes the last day for prefiling bills from by 5:00 p.m. the Wednesday before the first day of a regular session to by 5:00 p.m. the tenth calendar day prior to the first day of a regular session.
3. Changes the regular sessions which are general in nature from sessions convening in odd-numbered years to sessions convening in even-numbered years.
4. Changes the period of time for the regular sessions which are general in nature from 85 consecutive calendar days to 85 calendar days.
5. Changes the deadline for the end of regular sessions which are general in nature from 6:00 p.m. of the 80th day to 6:00 p.m. of the 85th day.
6. Changes the calendar day deadline for consideration on third reading and final passage in even-numbered year regular sessions from the the 77th calendar day to the 82nd calendar day (except by 2/3rds vote).
7. Deletes the provision that per diem paid to legislators during a regular session held in an odd-numbered year shall be limited to 80 days.
8. Changes the fiscal sessions from sessions convening in even-numbered years to sessions convening in odd-numbered years and changes the convening time from noon on the third Wednesday in April to noon on the last Monday in April.
9. Changes the session lengths for odd-numbered year regular sessions from not more than 40 legislative days in a period of 50 consecutive calendar days to not more tna 45 legislative days in a period of 60 calendar days.
10. Changes the calendar day deadline for consideration on third reading and final passage in odd-numbered year regular sessions from 6:00 p.m. of the 38th legislative day to 6:00 p.m. of the 42nd legislative day and from the 48th calendar day to the 57th calendar day, whichever occurs first (except by 2/3rds vote).
11. Deletes from the list of matters that can be considered in odd-numbered year regular sessions legislation to levy, authorize, or increase a fee but retains the language as to legislation to decrease or repeal a fee.
12. Deletes the provision that per diem paid to legislators during a fiscal-only regular session be limited to 40 days.

13. Deletes the provision that allows the legislature to modify by joint rule adopted by a 2/3 vote of both houses the provisions of the constitution relating to legislative sessions, except for the restrictions on the number of legislative days in a regular session, the fact that the legislature meets in annual regular sessions, the definition of a legislative day, the fact that a regular session cannot continue beyond June 30th of any year, the limit on the number of days per diem may be paid to members during regular sessions, and the subject matter restrictions for each session.
14. Adds an effective date of January 1, 2004.
15. Changes the provision for submission of the proposed amendment to the voters from submission at the congressional primary election in 2002 to submission at the statewide election to be held on November 5, 2002.

DIGEST OF THE SENATE BILL AS IT LEFT THE SENATE

Hines (SB 4)

DIGEST

Present constitution (Art. III, Section 2(A)) provides that the legislature shall meet annually in regular session. Provides that, during any regular session, any bill to be introduced must be prefiled no later than 5 p.m. of the Friday before the first day of the session. Permits each member of the legislature to introduce not more than five bills which were not prefiled. (The legislature is authorized to provide for exceptions to this limitation by joint rule.) Present constitution (Art. XIII, Section 1) provides that a constitutional amendment must be prefiled at least 10 days prior to the regular session at which it is to be considered.

Proposed constitutional amendment changes the prefiling deadline for bills (not constitutional amendments) to 5 p.m. on the Wednesday prior to the first day of a regular session. Proposed constitutional amendment additionally specifies that no regular session shall continue beyond June 30th of any year.

Present constitution provides that in odd-numbered years the regular session convenes at noon on the last Monday in March and that in even-numbered years the regular session convenes at noon on the last Monday in April.

Proposed constitutional amendment changes the convening day in odd-numbered years to the last Wednesday in March and the convening day in even-numbered years to the third Wednesday in April.

Present constitution provides that in odd-numbered years the length of the regular session is not more than 60 legislative days during a period of 85 calendar days.

Proposed constitutional amendment changes the length of the regular session in an odd-numbered year to not more than 60 legislative days during a period of 80 consecutive calendar days.

Present constitution provides that in even-numbered years the length of the regular session is not more than 30 legislative days in a period of 45 calendar days.

Proposed constitutional amendment changes the length of the regular session in even-numbered years to not more than 40 legislative days in a period of 50 consecutive calendar days.

Proposed constitutional amendment limits payment of per diem to members in regular

sessions to 80 days in an odd-numbered year and to 40 days in an even-numbered year.

Present constitution provides that in regular sessions convening in odd-numbered years the deadline for the introduction of bills is midnight of the 30th calendar day.

Proposed constitutional amendment changes that deadline to 6 p.m. of the 23rd calendar day.

Present constitution provides that in regular sessions convening in even-numbered years the deadline for the introduction of bills is midnight of the 10th calendar day.

Proposed constitutional amendment changes that deadline to 6 p.m. of the 10th calendar day.

Present constitution provides that in regular sessions convening in odd-numbered years, the deadline for consideration on third reading and final passage of matters intended to have the effect of law is midnight of the 55th legislative day (except by 2/3 vote of both houses). (NOTE: Measures proposing a suspension of law are not subject to the deadline.)

Proposed constitutional amendment changes that deadline to 6 p.m. of the 57th legislative day or the 77th calendar day, whichever occurs first (except by 2/3 vote of both houses).

Present constitution provides that in regular session convening in even-numbered years, the deadline for third reading and final passage of matters intended to have the effect of law is midnight of the 27th legislative day (except by 2/3 vote of both houses). (NOTE: Measures proposing a suspension of law are not subject to the deadline.)

Proposed constitutional amendment changes that deadline to 6 p.m. of the 38th legislative day or the 48th calendar day, whichever occurs first (except by 2/3 vote of both houses).

Present constitution further provides that all regular sessions convening in even-numbered years shall be restricted to the consideration of legislation which provides for the enactment of a general appropriations bill, implementation of a capital budget, for making an appropriation, levying or authorizing a new tax, increasing an existing tax, legislating with regard to tax exemptions, exclusions, deductions, reductions, repeal, or credits, or issuing bonds.

Proposed constitutional amendment includes the same subject matter restrictions as are provided in the present constitution but additionally provides for the consideration in such sessions of legislation if its object is to levy, authorize, increase, decrease, or repeal a fee, or to dedicate revenue, or to enact a local or special law, provided such local or special bill is required to be and has been advertised in accordance with the present constitution and is not otherwise a prohibited local or special law as provided by the present constitution. Additionally, proposed constitutional amendment allows the consideration of five prefiled bills per member which are not within the subject matter jurisdiction for the session.

Proposed constitutional amendment allows the legislature to modify by joint rule adopted by a 2/3 vote of both houses, the provisions of the constitution relating to legislative sessions, except for the restrictions on the number of legislative days in a regular session, the fact that the legislature meets in annual regular sessions, the definition of a legislative day, the fact that a regular session cannot continue beyond June 30th of any year, the limit on the number of days per diem may be paid to members during regular sessions, and the subject matter restrictions for each session.

Provides for submission of the proposed amendment to the voters at the congressional primary election in 2002 and specifies that it shall be the first ballot proposition for constitutional amendments to appear on the ballot for such election.

(Amends Const. Art. III, §2(A))

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