

BY REPRESENTATIVE PONTI

1 A RESOLUTION

2 To repeal House Rule 7.19 of the Rules of Order of the House of Representatives that

3 provides for certain motions and vote requirements relative to an appropriation bill

4 that appropriates one-time money for ordinary recurring expenses.

5 BE IT RESOLVED by the House of Representatives of the Legislature of Louisiana

6 that House Rule 7.19 of the Rules of Order of the House of Representatives is hereby

7 repealed in its entirety.

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)]

HR No. 43

Present House Rule (House Rule 7.19 adopted May 23, 2011) provides relative to certain motions and vote requirements to appropriate one-time money for ordinary recurring expenses as follows:

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- at least 2/3rds of the members present and voting. Further provides that no motion to concur in a General Appropriation Bill amendment or to adopt a conference committee report on a General Appropriation Bill which appropriates one-time money 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 for ordinary recurring expenses is adopted by a favorable vote of at least 2/3rds of the members present and voting.
- (3) Requires the favorable vote of at least 2/3rd of the members present and voting to adopt a Committee of the Whole House amendment or a floor amendment which appropriates one-time money for ordinary recurring expenses.
 - (4) Provides that 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 subject to both of the following conditions:
 - (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.
 - (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.
 - (5) Requires that, prior to consideration of any appropriation bill on third reading and final passage, the Legislative Fiscal Officer submit a report to the House as to whether the appropriation bill appropriates one-time money for ordinary recurring expenses. Prohibits consideration of an appropriation bill if such report has not been placed on each member's desk. Further requires that, prior to adoption of any Committee of the Whole House Amendment, any floor amendment, and any conference committee report to an appropriation bill, and 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 or any amendment recommended by the conference committee, as the case may be, appropriates one-time money for ordinary recurring expenses.
 - (6) Provides definitions including:
 - (a) "Money available for appropriation" – the amount of money to be received for a fiscal year by the state general fund and dedicated funds, exclusive of federal funds.
 - (b) "One-time money" – money available for appropriation from any special treasury fund excluding any monies forecast to be dedicated into that fund by the Revenue Estimating Conference in the official forecast for that fiscal year or 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.
 - (c) "Ordinary recurring expenses" – all expenses of a continuing or recurring character that in the normal course of administration may be expected to be necessary in approximately the same amounts each year.

(Repeals House Rule 7.19)