SLS 11RS-1568 **ORIGINAL**

Regular Session, 2011

SENATE RESOLUTION NO. 66

BY SENATOR MARIONNEAUX

SENATE. Provides for certain procedures relative to the passage of an appropriation bill when one-time money is appropriated for recurring expenses.

A RESOLUTION

To adopt Senate Rule 12.14 of the Rules of Order of the Senate to provide for certain motions and for certain vote requirements relative to an appropriation bill when one-time money is appropriated for recurring expenses.

BE IT RESOLVED by the Senate of the Legislature of Louisiana that Senate Rule 12.14 of the Rules of Order of the Senate is hereby adopted to read as follows:

Rule 12.14. Appropriation bills; one-time money for recurring expenses; vote requirement

A.(1) The provisions of this Subparagraph shall apply to each appropriation bill which appropriates one-time money for ordinary recurring expenses except as otherwise provided in Paragraph C.

(a) No 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 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 two-thirds of the members present and voting.

(b) The provisions of Subparagraph (a) of this Paragraph shall not be

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applicable to the General Appropriation Bill. No motion to concur in an amendment to the 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 two-thirds of the members present and voting. No motion to adopt a conference committee report on the 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 two-thirds of the members present and voting.

(2) The adoption of any committee or any floor amendment which proposes to appropriate one-time money for ordinary recurring expenses shall require the favorable vote of at least two-thirds of the members present and voting.

B. For purposes of this Rule, the following phrases shall have the following meanings:

(1) "Money available for appropriation" means the amount of money to be received for a fiscal year by the state general fund and dedicated funds, exclusive of federal funds.

(2) "One-time money" means any one of the following:

(a) Money available for appropriation from any special treasury fund excluding any monies forecast to be dedicated into such a fund by the Revenue Estimating Conference in the official forecast for that fiscal year.

(b) 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.

(3) "Ordinary recurring expenses" means all expenses of a continuing

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or recurring character, that in the normal course of administration, would be expected to be necessary in approximately the same amounts each year.

C. 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 if:

(1) 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; and

(2) 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.

D.(1) Prior to consideration on third reading and final passage of any appropriation bill, the Legislative Fiscal Officer shall submit a report to the Senate which shall indicate whether the appropriation bill appropriates one-time money for ordinary recurring expenses. No appropriation bill shall be considered unless the report of the Legislative Fiscal Officer has been placed on the desk of each member.

(2)(a) Prior to the adoption of any committee or any floor amendment, and any conference committee report 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.

(b) 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 appropriates one-time money for

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ordinary recurring expenses.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by J. W. Wiley.

DIGEST

Marionneaux SR No. 66

Proposed rule provide for certain motions and for certain vote requirements relative to an appropriation bill when one-time money is appropriated for recurring expenses.

Proposed rule provides that no motion, the effect of which is to finally pass an 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 such is adopted by a favorable vote of at least two-thirds of the members present and voting and further requires the favorable vote of at least two-thirds of the members present and voting to adopt a floor amendment which appropriates one-time money for ordinary recurring expenses. Defines "one-time money" as 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. Defines "ordinary recurring expenses" as 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.

(Adds Senate Rule 12.14)

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