

SENATE JOINT RESOLUTION E

June 27, 2007, Introduced by Senators PAPPAGEORGE, CASSIS, SWITALSKI, CROPSEY, BISHOP, BIRKHOLZ, GILBERT, VAN WOERKOM, McMANUS, KAHN, BARCIA, GARCIA, PATTERSON, SANBORN, STAMAS, HARDIMAN, GLEASON, KUIPERS, JANSEN, JELINEK, SCOTT, PRUSI, THOMAS, OLSHOVE, CLARK-COLEMAN and ALLEN and referred to the Committee on Government Operations and Reform.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 31 of article IV and section 18 of article V, to limit the budget, to require certain deposits into certain state funds, and to require a 2/3 majority for certain appropriations.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to limit the budget, to require certain deposits into certain state funds, and to require a 2/3 majority for certain appropriations, is proposed, agreed to, and submitted to the people of the state:

ARTICLE IV

1 Sec. 31. The general appropriation bills for the succeeding
2 fiscal period covering items set forth in the budget shall be
3 passed or rejected in either house of the legislature before that
4 house passes any appropriation bill for items not in the budget
5 except bills supplementing appropriations for the current fiscal
6 year's operation. Any bill requiring an appropriation to carry out
7 its purpose shall be considered an appropriation bill. One of the
8 general appropriation bills as passed by the legislature shall
9 contain an itemized statement of estimated revenue by major source
10 in each operating fund for the ensuing fiscal period, the total of
11 which shall not be less than the total of all appropriations made
12 from each fund in the general appropriation bills as passed. **FOR**
13 **THE 2009-2010 FISCAL PERIOD, EXCEPT AS OTHERWISE PROVIDED IN THIS**
14 **SECTION, THE LEGISLATURE SHALL NOT PASS GENERAL APPROPRIATION BILLS**
15 **THAT EXCEED 96% OF THE ESTIMATED STATE REVENUE FOR THE FISCAL**
16 **PERIOD AS DETERMINED BY THE REVENUE ESTIMATING CONFERENCE HELD IN**
17 **JANUARY IMMEDIATELY PRECEDING THAT FISCAL PERIOD AS PROVIDED BY**
18 **LAW. FOR THE 2010-2011 FISCAL PERIOD, EXCEPT AS OTHERWISE PROVIDED**
19 **IN THIS SECTION, THE LEGISLATURE SHALL NOT PASS GENERAL**
20 **APPROPRIATION BILLS THAT EXCEED 96% OF THE ESTIMATED STATE REVENUE**
21 **FOR THE FISCAL PERIOD AS DETERMINED BY THE REVENUE ESTIMATING**
22 **CONFERENCE HELD IN JANUARY IMMEDIATELY PRECEDING THAT FISCAL PERIOD**
23 **AS PROVIDED BY LAW. BEGINNING FOR THE 2011-2012 FISCAL PERIOD AND**
24 **EACH FISCAL PERIOD THEREAFTER, EXCEPT AS OTHERWISE PROVIDED IN THIS**
25 **SECTION, THE LEGISLATURE SHALL NOT PASS GENERAL APPROPRIATION BILLS**
26 **THAT EXCEED THE SUM OF 96% OF THE ESTIMATED STATE REVENUE FOR THE**
27 **FISCAL PERIOD AS DETERMINED BY THE REVENUE ESTIMATING CONFERENCE**

1 HELD IN JANUARY IMMEDIATELY PRECEDING THAT FISCAL PERIOD AS
2 PROVIDED BY LAW PLUS THE DIFFERENCE BETWEEN 96% OF THE ESTIMATED
3 STATE REVENUE FOR THE IMMEDIATELY PRECEDING FISCAL PERIOD AS
4 DETERMINED BY THE REVENUE ESTIMATING CONFERENCE HELD IN THE JANUARY
5 BEFORE THE IMMEDIATELY PRECEDING JANUARY AND THE ACTUAL STATE
6 REVENUE RECEIVED FOR THE IMMEDIATELY PRECEDING FISCAL PERIOD, NOT
7 TO EXCEED 100% OF THE ESTIMATED STATE REVENUE DETERMINED BY THE
8 REVENUE ESTIMATING CONFERENCE HELD IN THE JANUARY BEFORE THE
9 IMMEDIATELY PRECEDING JANUARY. BEGINNING FOR THE 2009-2010 FISCAL
10 PERIOD AND EACH FISCAL PERIOD THEREAFTER, DURING THE FISCAL PERIOD,
11 THE LEGISLATURE MAY SUPPLEMENT THE BUDGET FOR THE CURRENT FISCAL
12 PERIOD ONLY BY THE CONCURRENCE OF A 2/3 MAJORITY OF THE MEMBERS
13 ELECTED TO AND SERVING IN EACH HOUSE OF THE LEGISLATURE. IF THE
14 ACTUAL REVENUE RECEIVED IN THE FISCAL PERIOD EXCEEDS THE ESTIMATED
15 STATE REVENUE AS DETERMINED BY THE REVENUE ESTIMATING CONFERENCE
16 HELD IN THE IMMEDIATELY PRECEDING JANUARY AS PROVIDED BY LAW, THE
17 ADDITIONAL REVENUE SHALL BE DEPOSITED IN THE COUNTERCYCLICAL BUDGET
18 AND ECONOMIC STABILIZATION FUND AS PROVIDED BY LAW. BEGINNING FOR
19 THE 2009-2010 FISCAL PERIOD AND EACH FISCAL PERIOD THEREAFTER,
20 FUNDS IN THE COUNTERCYCLICAL BUDGET AND ECONOMIC STABILIZATION FUND
21 MAY ONLY BE APPROPRIATED BY A CONCURRENCE OF A 2/3 MAJORITY OF THE
22 MEMBERS ELECTED TO AND SERVING IN EACH HOUSE OF THE LEGISLATURE. AS
23 USED IN THIS SECTION, "ESTIMATED STATE REVENUE" MEANS THE ESTIMATED
24 AMOUNT OF GENERAL PURPOSE GENERAL FUND REVENUE AND STATE SCHOOL AID
25 FUND REVENUE AVAILABLE FOR APPROPRIATION FOR THE FISCAL YEAR.

26 ARTICLE V

27 Sec. 18. The governor shall submit to the legislature at a

1 time fixed by law, a budget for the ensuing fiscal period setting
2 forth in detail, for all operating funds, the proposed expenditures
3 and estimated revenue of the state. Proposed expenditures from any
4 fund shall not exceed the estimated revenue thereof. On the same
5 date, the governor shall submit to the legislature general
6 appropriation bills to embody the proposed expenditures and any
7 necessary bill or bills to provide new or additional revenues to
8 meet proposed expenditures. **BEGINNING FOR THE 2009-2010 FISCAL**
9 **PERIOD AND EACH FISCAL PERIOD THEREAFTER, THE GOVERNOR'S PROPOSED**
10 **BUDGET SHALL NOT EXCEED THE AMOUNT THAT MAY BE PASSED IN GENERAL**
11 **APPROPRIATION BILLS BY THE LEGISLATURE UNDER SECTION 31 OF ARTICLE**
12 **IV.** The amount of any surplus created or deficit incurred in any
13 fund during the last preceding fiscal period shall be entered as an
14 item in the budget and in one of the appropriation bills. The
15 governor may submit amendments to appropriation bills to be offered
16 in either house during consideration of the bill by that house, and
17 shall submit bills to meet deficiencies in current appropriations.

18 Resolved further, That the foregoing amendment shall be
19 submitted to the people of the state at the next general election
20 in the manner provided by law.