

SENATE JOINT RESOLUTION Q

November 5, 2008, Introduced by Senators THOMAS, SCHAUER, JACOBS, BRATER, BARCIA, CLARKE, SWITALSKI, GLEASON, BASHAM, SCOTT, CLARK-COLEMAN and HUNTER and referred to the Committee on Appropriations.

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 26 and 31 of article IV, to provide for a fiscal analysis of each bill introduced in the legislature and to require spending cuts or increased revenues for any bill determined to have a negative impact on state revenues.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to provide for a fiscal analysis of each bill introduced in the legislature and to require spending cuts or increased revenues for any bill determined to have a negative impact on state revenues, is proposed, agreed to, and submitted to the people of the state:

ARTICLE IV

Sec. 26. (1) No bill shall be passed or become a law at any regular session of the legislature until it has been printed or reproduced and in the possession of each house for at least five days. Every bill shall be read three times in each house before the final passage thereof. No bill shall become a law without the concurrence of a majority of the members elected to and serving in each house. On the final passage of bills, the votes and names of the members voting thereon shall be entered in the journal.

(2) UPON THE INTRODUCTION OF A BILL IN THE SENATE OR THE HOUSE, THE SENATE OR HOUSE FISCAL AGENCY SHALL PREPARE A FISCAL IMPACT ANALYSIS FOR THAT BILL FOR THE MEMBERS OF THAT HOUSE. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), IF THE FISCAL IMPACT ANALYSIS DETERMINES THAT THE BILL WILL HAVE A NEGATIVE IMPACT ON ANY REVENUES TO THIS STATE, THE BILL SHALL NOT BECOME LAW UNLESS ANOTHER BILL IS ENACTED TO REDUCE STATE SPENDING OR INCREASE STATE REVENUES.

(3) THE LEGISLATURE MAY LOWER THE RATE OF THE INCOME TAX, THE MICHIGAN BUSINESS TAX, OR THE SALES TAX WITHOUT IDENTIFYING SPENDING REDUCTIONS AS LONG AS ALL TAXPAYERS RECEIVE THE BENEFIT OF THAT LOWER RATE.

Sec. 31. The general appropriation bills for the succeeding fiscal period covering items set forth in the budget shall be passed or rejected in either house of the legislature before that house passes any appropriation bill for items not in the budget except bills supplementing appropriations for the current fiscal year's operation. Any bill requiring an appropriation to carry out

1 its purpose shall be considered an appropriation bill. One of the
2 general appropriation bills as passed by the legislature shall
3 contain an itemized statement of estimated revenue by major source
4 in each operating fund for the ensuing fiscal period, the total of
5 which shall not be less than the total of all appropriations made
6 from each fund in the general appropriation bills as passed. **THE**
7 **TOTAL EXPENDITURES FOR ALL APPROPRIATION BILLS EACH FISCAL YEAR**
8 **SHALL NOT EXCEED THE REVENUES AVAILABLE FOR THAT FISCAL YEAR.**

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