

HOUSE JOINT RESOLUTION Q

April 2, 2009, Introduced by Reps. Rogers, Moss, Lund, Lori, Meekhof, Opsommer, Walsh, Haveman, Crawford, Agema and Horn and referred to the Committee on Appropriations.

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

Sec. 31. The general appropriation bills for the succeeding fiscal period covering items set forth in the budget shall be

1 passed or rejected in either house of the legislature before that
2 house passes any appropriation bill for items not in the budget
3 except bills supplementing appropriations for the current fiscal
4 year's operation. Any bill requiring an appropriation to carry out
5 its purpose shall be considered an appropriation bill. One of the
6 general appropriation bills as passed by the legislature shall
7 contain an itemized statement of estimated revenue by major source
8 in each operating fund for the ensuing fiscal period, the total of
9 which shall not be less than the total of all appropriations made
10 from each fund in the general appropriation bills as passed. **FOR**
11 **THE 2011-2012 FISCAL PERIOD, EXCEPT AS OTHERWISE PROVIDED IN THIS**
12 **SECTION, THE LEGISLATURE SHALL NOT PASS GENERAL APPROPRIATION BILLS**
13 **THAT EXCEED THE SUM OF 90% OF THE ESTIMATED STATE REVENUE FOR THE**
14 **FISCAL PERIOD, AS DETERMINED BY THE REVENUE ESTIMATING CONFERENCE**
15 **HELD IN JANUARY IMMEDIATELY PRECEDING THAT FISCAL PERIOD AS**
16 **PROVIDED BY LAW, PLUS REVENUE ENHANCEMENTS. FOR THE 2012-2013**
17 **FISCAL PERIOD, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE**
18 **LEGISLATURE SHALL NOT PASS GENERAL APPROPRIATION BILLS THAT EXCEED**
19 **THE SUM OF 90% OF THE ESTIMATED STATE REVENUE FOR THE FISCAL**
20 **PERIOD, AS DETERMINED BY THE REVENUE ESTIMATING CONFERENCE HELD IN**
21 **JANUARY IMMEDIATELY PRECEDING THAT FISCAL PERIOD AS PROVIDED BY**
22 **LAW, PLUS REVENUE ENHANCEMENTS. BEGINNING FOR THE 2013-2014 FISCAL**
23 **PERIOD AND EACH FISCAL PERIOD THEREAFTER, EXCEPT AS OTHERWISE**
24 **PROVIDED IN THIS SECTION, THE LEGISLATURE SHALL NOT PASS GENERAL**
25 **APPROPRIATION BILLS THAT EXCEED THE SUM OF 90% OF THE ESTIMATED**
26 **STATE REVENUE FOR THE FISCAL PERIOD, AS DETERMINED BY THE REVENUE**
27 **ESTIMATING CONFERENCE HELD IN JANUARY IMMEDIATELY PRECEDING THAT**

1 FISCAL PERIOD AS PROVIDED BY LAW, PLUS THE DIFFERENCE BETWEEN 90%
2 OF THE ESTIMATED STATE REVENUE FOR THE IMMEDIATELY PRECEDING FISCAL
3 PERIOD, AS DETERMINED BY THE REVENUE ESTIMATING CONFERENCE HELD IN
4 THE JANUARY BEFORE THE IMMEDIATELY PRECEDING JANUARY, AND THE
5 ACTUAL STATE REVENUE RECEIVED FOR THE IMMEDIATELY PRECEDING FISCAL
6 PERIOD, NOT TO EXCEED 100% OF THE ESTIMATED STATE REVENUE
7 DETERMINED BY THE REVENUE ESTIMATING CONFERENCE HELD IN THE JANUARY
8 BEFORE THE IMMEDIATELY PRECEDING JANUARY, PLUS REVENUE
9 ENHANCEMENTS. IF THE ACTUAL REVENUE RECEIVED IN THE FISCAL PERIOD
10 EXCEEDS 90% OF THE ESTIMATED STATE REVENUE AS DETERMINED BY THE
11 REVENUE ESTIMATING CONFERENCE HELD IN THE JANUARY BEFORE THE
12 IMMEDIATELY PRECEDING JANUARY AS PROVIDED BY LAW, THE ADDITIONAL
13 REVENUE NOT TO EXCEED THE DIFFERENCE BETWEEN 90% OF THE ESTIMATED
14 STATE REVENUE AND 100% OF THE ESTIMATED STATE REVENUE SHALL BE
15 DEPOSITED IN THE COUNTERCYCLICAL BUDGET AND ECONOMIC STABILIZATION
16 FUND AND MAY BE APPROPRIATED BY A CONCURRENCE OF A MAJORITY OF THE
17 MEMBERS ELECTED TO AND SERVING IN EACH HOUSE OF THE LEGISLATURE AS
18 PROVIDED BY LAW. IF THE ACTUAL REVENUE RECEIVED IN THE FISCAL
19 PERIOD EXCEEDS THE ESTIMATED STATE REVENUE AS DETERMINED BY THE
20 REVENUE ESTIMATING CONFERENCE HELD IN THE JANUARY BEFORE THE
21 IMMEDIATELY PRECEDING JANUARY AS PROVIDED BY LAW, THE ADDITIONAL
22 REVENUE SHALL BE DEPOSITED IN THE COUNTERCYCLICAL BUDGET AND
23 ECONOMIC STABILIZATION FUND AS PROVIDED BY LAW. BEGINNING FOR THE
24 2011-2012 FISCAL PERIOD AND EACH FISCAL PERIOD THEREAFTER, THE
25 FUNDS DEPOSITED IN THE COUNTERCYCLICAL BUDGET AND ECONOMIC
26 STABILIZATION FUND UNDER THE IMMEDIATELY PRECEDING SENTENCE MAY
27 ONLY BE APPROPRIATED BY A CONCURRENCE OF A 2/3 MAJORITY OF THE

1 MEMBERS ELECTED TO AND SERVING IN EACH HOUSE OF THE LEGISLATURE. AS
2 USED IN THIS SECTION, "ESTIMATED STATE REVENUE" MEANS THE ESTIMATED
3 AMOUNT OF GENERAL PURPOSE GENERAL FUND REVENUE AND STATE SCHOOL AID
4 FUND REVENUE AVAILABLE FOR APPROPRIATION FOR THE FISCAL YEAR. AS
5 USED IN THIS SECTION, "REVENUE ENHANCEMENTS" MEAN ADDITIONAL STATE
6 REVENUES NOT CONTAINED IN THE GOVERNOR'S PROPOSED BUDGET THAT ARE
7 ENACTED INTO LAW OR ARE RECEIVED FROM THE FEDERAL GOVERNMENT OR ANY
8 OTHER SOURCE, IN THAT FISCAL YEAR.

9 ARTICLE V

10 Sec. 18. The governor shall submit to the legislature at a
11 time fixed by law, a budget for the ensuing fiscal period setting
12 forth in detail, for all operating funds, the proposed expenditures
13 and estimated revenue of the state. Proposed expenditures from any
14 fund shall not exceed the estimated revenue thereof. On the same
15 date, the governor shall submit to the legislature general
16 appropriation bills to embody the proposed expenditures and any
17 necessary bill or bills to provide new or additional revenues to
18 meet proposed expenditures. BEGINNING FOR THE 2011-2012 FISCAL
19 PERIOD AND EACH FISCAL PERIOD THEREAFTER, THE GOVERNOR'S PROPOSED
20 BUDGET SHALL NOT EXCEED THE AMOUNT THAT MAY BE PASSED IN GENERAL
21 APPROPRIATION BILLS BY THE LEGISLATURE UNDER SECTION 31 OF ARTICLE
22 IV, EXCLUDING REVENUE ENHANCEMENTS AS PROVIDED UNDER SECTION 31 OF
23 ARTICLE IV. The amount of any surplus created or deficit incurred
24 in any fund during the last preceding fiscal period shall be
25 entered as an item in the budget and in one of the appropriation
26 bills. The governor may submit amendments to appropriation bills to
27 be offered in either house during consideration of the bill by that

1 house, and shall submit bills to meet deficiencies in current
2 appropriations.

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