

2022 Regular Session

HOUSE RESOLUTION NO. 17

BY REPRESENTATIVE GEYMANN

HOUSE/RULES: Provides relative to procedures required to appropriate certain federal disaster funds for recurring expenses

1 A RESOLUTION

2 To amend and readopt House Rule 7.19 of the Rules of Order of the House of
3 Representatives to provide procedures for the appropriation of federal disaster funds
4 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 amended and readopted to read as follows:

8 Rule 7.19. Appropriation bills; one-time money or federal disaster funds for
9 recurring expenses; vote requirement

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

13 (a) No motion the effect of which is to finally pass an appropriation bill that
14 appropriates one-time money or federal disaster funds for ordinary recurring
15 expenses shall be in order unless immediately prior to such a motion a separate
16 motion to authorize the use of one-time money or federal disaster funds for ordinary
17 recurring expenses is adopted by a favorable vote of at least two-thirds of the
18 members present and voting.

1 (b) The provisions of Subsubparagraph (a) of this Paragraph shall not be
2 applicable to the General Appropriation Bill. If the General Appropriation Bill
3 appropriates one-time money or federal disaster funds for ordinary recurring
4 expenses, no motion to resolve into the Committee of the Whole to hear the General
5 Appropriation Bill shall be in order, unless immediately prior to such a motion a
6 separate motion to authorize the use of one-time money or federal disaster funds for
7 ordinary recurring expenses is adopted by a favorable vote of at least two-thirds of
8 the members present and voting. No motion to concur in an amendment to the
9 General Appropriation Bill which appropriates one-time money or federal disaster
10 funds for ordinary recurring expenses shall be in order, unless immediately prior to
11 such a motion a separate motion to authorize the use of one-time money or federal
12 disaster funds for ordinary recurring expenses is adopted by a favorable vote of at
13 least two-thirds of the members present and voting. No motion to adopt a conference
14 committee report on the General Appropriation Bill which appropriates one-time
15 money or federal disaster funds for ordinary recurring expenses shall be in order,
16 unless immediately prior to such a motion a separate motion to authorize the use of
17 one-time money or federal disaster funds for ordinary recurring expenses is adopted
18 by a favorable vote of at least two-thirds of the members present and voting.

19 (2) The adoption of any Committee of the Whole House Amendment or any
20 floor amendment which proposes to appropriate one-time money or federal disaster
21 funds for ordinary recurring expenses shall require the favorable vote of at least two-
22 thirds of the members present and voting.

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

25 (1) "Federal disaster funds" means money received by the state from the
26 federal government in response to and for recovery from a federally declared disaster
27 or emergency.

1 ~~(2)~~ (2) "Money available for appropriation" means the amount of money to be
2 received for a fiscal year by the state general fund and dedicated funds, exclusive of
3 federal funds.

4 ~~(2)~~ (3) "One-time money" means any one of the following:

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

8 (b) Money available for appropriation from the state general fund from one
9 time transactions, but not recognized as nonrecurring revenue by the Revenue
10 Estimating Conference, including but not limited to court settlements, the sale of
11 state facilities, and the privatization of state operations.

12 ~~(3)~~ (4) "Ordinary recurring expenses" means all expenses of a continuing or
13 recurring character, that in the normal course of administration, would be expected
14 to be necessary in approximately the same amounts each year.

15 C.(1) A motion the effect of which is to finally pass an appropriation bill that
16 appropriates one-time money for ordinary recurring expenses shall be in order
17 without a separate prior motion authorizing the use of such money if:

18 ~~(1)~~ (a) The total recommended general operating appropriations contained
19 in the executive budget for the fiscal year for which the appropriation is
20 recommended are less than or equal to the total general operating appropriations for
21 the existing operating budget of the current fiscal year included in the executive
22 budget; and

23 ~~(2)~~ (b) Appropriations from one-time money for ordinary recurring expenses
24 do not exceed the projected growth of the state general fund from the fiscal year for
25 which the appropriation is proposed and the subsequent fiscal year according to the
26 most recent official forecast.

27 (2) A motion the effect of which is to finally pass an appropriation bill that
28 appropriates federal disaster funds for ordinary recurring expenses shall be in order
29 without a separate prior motion authorizing the use of such money if:

1 (a) Ordinary recurring expenses are not increased above amounts budgeted
2 immediately prior to the federal declaration of the disaster or emergency.

3 (b) The federal disaster funds are payable to the state on a reimbursement
4 basis.

5 (c) The Revenue Estimating Conference adopts a revised forecast that
6 indicates that ordinary recurring revenues are sufficient to fully fund any increase in
7 ordinary recurring expenses for the current fiscal year and at least the next two fiscal
8 years.

9 D.(1) Prior to consideration on third reading and final passage of any
10 appropriation bill, the Legislative Fiscal Officer shall submit a report to the House
11 of Representatives which shall indicate whether the appropriation bill appropriates
12 one-time money or federal disaster funds for ordinary recurring expenses. No
13 appropriation bill shall be considered unless the report of the Legislative Fiscal
14 Officer has been placed on the desk of each member.

15 (2)(a) Prior to the adoption of any Committee of the Whole House
16 Amendment, any floor amendment, and any conference committee report to an
17 appropriation bill, the presiding officer, after giving due consideration to the advice
18 of legislative staff, shall make a determination if the amendment or any amendment
19 recommended by the conference committee, as the case may be, appropriates one-
20 time money or federal disaster funds for ordinary recurring expenses.

21 (b) Prior to concurrence in an amendment to an appropriation bill, the
22 presiding officer, after giving due consideration to the advice of legislative staff,
23 shall make a determination if the amendment appropriates one-time money or federal
24 disaster funds for ordinary recurring expenses.

DIGEST

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HR 17 Original

2022 Regular Session

Geymann

Abstract: Applies the requirements and procedures applicable to the appropriation of one-time money for ordinary recurring expenses to the appropriation of federal disaster funds for ordinary recurring expenses.

Present House Rule provides relative to certain motions and vote requirements to appropriate one-time money for ordinary recurring expenses as follows:

- (1) Provides that a motion, the effect of which is to finally pass an appropriation bill (except the General Appropriation Bill), which appropriates one-time money for ordinary recurring expenses shall not 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 2/3rds of the members present and voting.
- (2) Relative to a General Appropriation Bill that appropriates one-time money for ordinary recurring expenses, provides that a motion to resolve into the Committee of the Whole to hear the General Appropriation Bill shall not 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. Further provides that a 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 not 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 2/3rds 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 "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.

Proposed House Rule defines "federal disaster funds" as money received by the state from the federal government in response to and for recovery from a federally declared disaster or emergency. Further applies the present House Rule procedures to appropriate one-time money for ordinary recurring expenses to the appropriation of federal disaster funds for ordinary recurring expenses unless:

- (a) Ordinary recurring expenses are not increased above amounts budgeted immediately prior to the federal declaration of the disaster or emergency;
- (b) The federal disaster funds are payable to the state on a reimbursement basis; or
- (c) The Revenue Estimating Conference adopts a revised forecast that indicates that recurring revenues are sufficient to fully fund any increase in ordinary recurring expenses for the current fiscal year and at least the next two fiscal years.

(Amends House Rule 7.19)