SB7
179670-2
By Senator Ward (Constitutional Amendment)
RFD: Tourism and Marketing
First Read: 15-AUG-16
ENROLLED, An Act,

To propose an amendment to Amendment 448 to the Constitution of Alabama of 1901, now appearing as Section 71.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to ratify, approve, validate, and confirm the application of any budget isolation resolution authorizing the consideration of a bill proposing a local law adopted by the Legislature before November 8, 2016, that conformed to the rules of either body of the Legislature at the time it was adopted.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon at the 2016 General Election and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended:

PROPOSED AMENDMENT

Amendment 448 of the Constitution of Alabama of 1901, is amended to read as follows:

"Amendment 448."
"(A) The following words and phrases, whenever used in this amendment, shall have the following respective meanings:

"Basic Appropriations" means, with respect to any regular session of the legislature, such appropriations as the legislature may deem appropriate for the expenditures by the state during the ensuing budget period for the ordinary expenses of the executive, legislative and judicial departments of the state, for payment of the public debt, and for education (excluding, however, any item within the scope of the foregoing that is at the time provided for by a continuing appropriation or otherwise).

"Budget Period" means a fiscal year of the state or such period other than [a] fiscal year as may hereafter be fixed by law as the period with respect to which state budgets are prepared and state appropriations are made.

"(B) On or before the second legislative day of each regular session of the legislature, beginning with the first regular session after January 1, 1983, the governor shall transmit to the legislature for its consideration a proposed budget for the then next ensuing budget period.

"(C) The duty of the legislature at any regular session to make the basic appropriations for any budget period that will commence before the first day of any succeeding regular session shall be paramount; and, accordingly,
beginning with the first regular session held after January 1, 1983, no bill (other than a bill making any of the basic appropriations) shall be signed by either the presiding officer of the house or senate and transmitted to the other house until bills making the basic appropriations for the then ensuing budget period shall have been signed by the presiding officer of each house of the legislature in accordance with Section 66 of this Constitution and presented to the governor in accordance with Section 125 of this Constitution; provided, that this paragraph (C) shall not affect the adoption of resolutions or the conduct of any other legislative functions that do not require a third reading; and provided further, that following adoption, by vote of either house of not less than three-fifths of a quorum present, of a resolution declaring that the provisions of this paragraph (C) shall not be applicable in that house to a particular bill, which shall be specified in said resolution by number and title, the bill so specified may proceed to final passage therein.

"(D) Upon the signing and presentation to the governor in accordance with the said Sections 66 and 125 of bills making the basic appropriations, the provisions of the foregoing paragraph (C) prohibiting the final passage of bills in the house and senate (other than bills making any part of the basic appropriations) shall cease to be effective and shall not be revived or become again effective as a result of
(i) the subsequent legislative history of any bill so signed and presented, including any veto, return with executive amendment, or any other action, or failure to act, by either the governor or the legislature under the provisions of the said Section 125; or (ii) a determination, by either judicial decree or opinion of the justices of the Alabama Supreme Court, that any bill so signed and presented is wholly or in part invalid.

"(E) The legislature may, by statute or rule, make such further provisions for the timely passage of bills making the basic appropriations as are not inconsistent with the provisions of this Constitution.

"(F) Nothing contained herein shall be construed as requiring the legislature to make any appropriation not otherwise required by this Constitution to be made.

"(G) Notwithstanding any provision of this amendment, any resolution authorizing the consideration of a bill proposing a local law adopted before November 8, 2016, that conformed to the rules of either body of the Legislature at the time it was adopted, is ratified, approved, validated, and confirmed and the application of any such resolution is effective from the date of original adoption."

Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284

Section 3. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment:

"Proposing an amendment to the Constitution of Alabama of 1901, to amend Amendment 448 to the Constitution of Alabama of 1901, now appearing as Section 71.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to ratify, approve, validate, and confirm the application of any budget isolation resolution relating to a bill proposing a local law adopted by the Legislature before November 8, 2016, that conformed to the rules of either body of the Legislature at the time it was adopted.

"Proposed by Act ______." This description shall be followed by the following language:

"Yes ( ) No ( )."
SB7

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB7
Senate 17-AUG-16
I hereby certify that the within Act originated in and passed the Senate, as amended.

Senate 25-AUG-16
I hereby certify that the within Act originated in and passed the Senate, as amended by Conference Committee Report.

Patrick Harris
Secretary

House of Representatives
Passed: 23-AUG-16, as amended

House of Representatives
Passed: 25-AUG-2016, as amended by Conference Committee Report.

By: Senator Ward

Alabama Secretary Of State
Act Num....: 2016-430
Bill Num....: S-7
Recv'd 08/26/16 01:32pmSLF
I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB ________.

Yeas _______ nays ______ abstain ______

PATRICK HARRIS, Secretary

I hereby certify that the notice & proof is attached to the Bill, SB ________ as required in the General Acts of Alabama, 1975 Act No. 919.

PATRICK HARRIS, Secretary

CONFERENCE COMMITTEE

Senate Conferees

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on ______ was acted upon by such committee in session, and returned therewith to the House with the recommendation that it be passed w/amend(s) ______ w/sub ______.

This ______ day of ______, 20 ______.

JEFF WOODARD, Chairperson

DATE: 8-19 20 ______

RE-REFERRED ______ RE-COMMITTED ______

Committee

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, SB ________.

Yeas ______ nays ______ abstain ______

PATRICK HARRIS, SECRETARY

JEFF WOODARD, Clerk