

House Joint Resolution 2009 - Introduced

HOUSE JOINT RESOLUTION 2009
BY ROBERTS

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa instituting a state general fund
3 expenditure limitation.
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 The Constitution of the State of Iowa is amended by adding
4 the following new section to new Article XIII:

5 ARTICLE XIII.

6 EXPENDITURE LIMITATION.

7 **General fund expenditure limitation.** SECTION 1.

8 1. For the purposes of this section:

9 *a. "Adjusted revenue estimate"* means the most recent revenue
10 estimate determined before January 1, or a later and lesser
11 revenue estimate determined before adjournment of the regular
12 session of the General Assembly, for the general fund for the
13 following fiscal year as determined by a revenue estimating
14 conference which shall be established by the General Assembly
15 by law, adjusted by subtracting estimated refunds payable from
16 that estimated revenue and adding any available surplus in
17 accordance with subsection 6. However, if the General Assembly
18 holds an extraordinary session prior to the commencement of the
19 fiscal year to which the revenue estimate applies and before
20 or during the extraordinary session the revenue estimating
21 conference determines a lesser revenue estimate, the lesser
22 estimate shall be used for the adjusted revenue estimate.

23 *b. "General fund"* means the principal operating fund of the
24 state which shall be established by the General Assembly by
25 law.

26 *c. "New revenues"* means moneys which are received by the
27 state due to increased tax rates or fees or newly created
28 taxes or fees over and above those moneys which are received
29 due to state taxes or fees which are in effect as of January
30 1 following the most recent meeting of the state revenue
31 estimating conference. *"New revenues"* also includes moneys
32 received by the general fund due to new transfers over
33 and above those moneys received by the general fund due to
34 transfers which are in effect as of January 1 following the
35 most recent meeting of the state revenue estimating conference.

1 The state revenue estimating conference shall determine the
2 eligibility of transfers to the general fund which are to be
3 considered as new revenue in determining the state general fund
4 expenditure limitation.

5 2. A state general fund expenditure limitation is created
6 and calculated in subsection 3, for each fiscal year beginning
7 on or after July 1 following the effective date of this
8 section.

9 3. Except as otherwise provided in this section, the state
10 general fund expenditure limitation for a fiscal year shall be
11 ninety-nine percent of the adjusted revenue estimate.

12 4. The state general fund expenditure limitation shall be
13 used by the Governor in the preparation and approval of the
14 budget and by the General Assembly in the budget process.

15 5. If a new revenue source is proposed, the budget revenue
16 projection used for that new revenue source for the period
17 beginning on the effective date of the new revenue source and
18 ending in the fiscal year in which the source is included in
19 the adjusted revenue estimate shall be ninety-five percent
20 of the amount remaining after subtracting estimated refunds
21 payable from the projected revenue from that source. If a new
22 revenue source is established and implemented, the original
23 state general fund expenditure limitation amount provided for
24 in subsection 3 shall be readjusted to include ninety-five
25 percent of the estimated revenue from that source.

26 6. Any surplus existing at the end of a fiscal year which
27 exceeds ten percent of the adjusted revenue estimate of
28 that fiscal year shall be included in the adjusted revenue
29 estimate for the following fiscal year. Any surplus equal to
30 ten percent or less of the adjusted revenue estimate of the
31 fiscal year may be included in the adjusted revenue estimate
32 for the following fiscal year if approved in a bill receiving
33 the affirmative votes of at least three-fifths of the whole
34 membership of each house of the General Assembly. For purposes
35 of this section, "surplus" means the cumulative excess of

1 revenues and other financing sources over expenditures and
2 other financing uses for the general fund at the end of a
3 fiscal year.

4 7. The scope of the state general fund expenditure
5 limitation under subsection 3 shall not include federal funds,
6 donations, constitutionally dedicated moneys, and moneys in
7 expenditures from a state retirement system.

8 8. The Governor shall submit and the General Assembly shall
9 pass a budget which does not exceed the state general fund
10 expenditure limitation. The Governor shall not approve or
11 disapprove appropriation bills or items of appropriation bills
12 passed by the General Assembly in a manner that would cause
13 the final budget approved by the Governor to exceed the state
14 general fund expenditure limitation.

15 9. The Governor shall not submit and the General Assembly
16 shall not pass a budget which in order to balance assumes
17 reversion of any part of the total of the appropriations
18 included in the budget.

19 10. The state shall use consistent standards, in accordance
20 with generally accepted accounting principles, for all state
21 budgeting and accounting purposes.

22 11. The General Assembly shall enact laws to implement this
23 section.

24 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
25 amendment to the Constitution of the State of Iowa is referred
26 to the General Assembly to be chosen at the next general
27 election for members of the General Assembly and the Secretary
28 of State is directed to cause it to be published for three
29 consecutive months previous to the date of that election as
30 provided by law.

31 EXPLANATION

32 This resolution proposes an amendment to the Constitution of
33 the State of Iowa relating to state budgets.

34 The amendment establishes a state general fund expenditure
35 limitation. The amount of the limitation is 99 percent of the

1 adjusted revenue estimate. The amendment defines adjusted
2 revenue estimate and requires that that estimate be determined
3 by a revenue estimating conference which is to be created by
4 the general assembly by law. The amendment requires that the
5 expenditure limitation be used by the governor in preparation
6 of the governor's budget and by the general assembly in the
7 budget process. The governor is prohibited from approving or
8 disapproving of appropriations in a manner that would cause the
9 final budget approved by the governor to exceed the expenditure
10 limitation.

11 The amendment also provides that, if a new revenue source is
12 established and implemented, 95 percent of the estimate of that
13 new revenue shall be included in the expenditure limitation.

14 The amendment also requires that the amount of any surplus
15 which exceeds an amount equal to 10 percent of the adjusted
16 revenue estimate be included in the adjusted revenue estimate
17 for the following fiscal year. Any surplus which is equal
18 to 10 percent or less of the amount of the adjusted revenue
19 estimate may be included in the following year's adjusted
20 revenue estimate if inclusion is approved in a bill by a
21 three-fifths majority of each house of the general assembly.
22 The amendment also requires the state to use generally accepted
23 accounting principles for state budgeting and accounting
24 purposes. The amendment provides that the general assembly
25 shall enact laws to implement the amendment.

26 The resolution, if adopted, will be referred to the next
27 general assembly. If the next general assembly adopts the
28 resolution, the amendment will be submitted to the voters for
29 ratification.