

1 SB476
2 169236-4
3 By Senator Marsh (Constitutional Amendment)
4 RFD: Finance and Taxation General Fund
5 First Read: 14-MAY-15

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8 SYNOPSIS: Under Section 71 of the Constitution of
9 Alabama of 1901, the general appropriation bill is
10 limited to appropriations for the ordinary expenses
11 of the executive, legislative, and judicial
12 departments of the state, for interest on the
13 public debt and for the public schools.

14 This bill would amend, effective January 1,
15 2017, Section 71 to provide that no appropriation
16 to the Alabama Medicaid Agency could exceed ten
17 percent of the total appropriations, nor could any
18 appropriation to the Alabama Department of
19 Corrections exceed five and one half percent of the
20 total appropriations. These limits could be
21 exceeded by a three-fifths vote of the elected
22 members of each house.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 Proposing an amendment to Section 71 the
2 Constitution of Alabama of 1901, to become effective January
3 1, 2017, relating to the general appropriation bill; to limit
4 the appropriation to the Alabama Medicaid Agency to ten
5 percent of the total amount of state funds over which the
6 Legislature has discretionary control as to the recipient of
7 those funds appropriated; to limit the appropriation to the
8 Alabama Department of Corrections to five and one half percent
9 of the total amount of state funds over which the Legislature
10 has discretionary control as to the recipient of those funds
11 appropriated; and to provide that these limits can only be
12 exceeded if the appropriations bill was passed with an
13 affirmative vote of three-fifths of the elected members of
14 each house of the Legislature.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

22 PROPOSED AMENDMENT

23 Section 71 of the Constitution of Alabama of 1901,
24 is amended to read as follows:

25 Section 71. The general appropriation bill shall
26 embrace nothing but appropriations for the ordinary expenses
27 of the executive, legislative, and judicial departments of the

1 state, for interest on the public debt, and for the public
2 schools. The passage of the general appropriation bill shall
3 be by a majority of those present and voting; however, passage
4 of a general appropriation bill that appropriates more than
5 ten percent of total appropriations of state funds over which
6 the Legislature has discretionary control as to the recipient
7 of those funds to the Alabama Medicaid Agency, or more than
8 five and one half percent of total appropriations of state
9 funds over which the Legislature has discretionary control as
10 to the recipient of those funds to the Alabama Department of
11 Corrections shall require an affirmative vote of at least
12 three-fifths of the elected members of each house of the
13 Legislature. The salary of no officer or employe shall be
14 increased in such bill, nor shall any appropriation be made
15 therein for any officer or employe unless his employment and
16 the amount of his salary have already been provided for by
17 law. All other appropriations shall be made by separate bills,
18 each embracing but one subject.

19 Section 2. An election upon the proposed amendment
20 shall be held in accordance with Sections 284 and 285 of the
21 Constitution of Alabama of 1901, now appearing as Sections 284
22 and 285 of the Official Recompilation of the Constitution of
23 Alabama of 1901, as amended, and the election laws of this
24 state.

25 Section 3. The appropriate election official shall
26 assign a ballot number for the proposed constitutional
27 amendment on the election ballot and shall set forth the

1 following description of the substance or subject matter of
2 the proposed constitutional amendment:

3 "Proposing an amendment to the Constitution of
4 Alabama of 1901, to become effective January 1, 2017, to limit
5 the appropriation made to the Alabama Medicaid Agency at ten
6 percent of the total appropriations made; to limit the
7 appropriations to the Alabama Department of Corrections at
8 five and one half percent of the total appropriations made;
9 and to provide that these limits can only be exceeded if the
10 appropriations bill was passed with an affirmative vote of
11 three-fifths of the elected members of each house of the
12 Legislature.

13 "Proposed by Act _____."

14 This description shall be followed by the following
15 language:

16 "Yes () No ()."