

Assembly Constitutional Amendment

No. 5

Introduced by Assembly Member Grove

March 11, 2015

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, relating to the Legislature.

LEGISLATIVE COUNSEL'S DIGEST

ACA 5, as introduced, Grove. Legislature: 2-year budget.

The California Constitution provides that the Legislature meets in a biennial regular session, commencing with the first Monday in December in each even-numbered year, when each house is required to immediately organize, and concluding at midnight on November 30 of the next even-numbered year. The California Constitution requires the Governor to submit to the Legislature a budget for the ensuing fiscal year within the first 10 days of each calendar year and requires the Legislature to pass the Budget Bill by midnight on June 15 of each year. The California Constitution authorizes the Legislature or either house, by resolution, to provide for the selection of committees.

This measure would provide that it is the intent of the Legislature to propose to the people of the State of California amendments to the Constitution that, commencing in 2019, would require the Legislature to consider or act only upon the Budget Bill and related bills, and up to 5 bills introduced by the standing committees of the Legislature in the regular session in each odd-numbered year, would require the Governor to submit to the Legislature a budget for the ensuing 2 fiscal years within the first 10 days of the first calendar year of the biennium of the legislative session, and would require the Legislature to adopt,

by June 15 of the first calendar year of the biennium of the legislative session, a Budget Bill that provides a budget for the next 2-year fiscal period commencing on July 1.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

1 *Resolved by the Assembly, the Senate concurring,* That the
2 Legislature of the State of California at its 2015–16 Regular
3 Session commencing on the first day of December 2014, two-thirds
4 of the membership of each house concurring, hereby proposes to
5 the people of the State of California, that the Constitution of the
6 State be amended as follows:

7 First— That it is the intent of the Legislature to propose to the
8 people of the State of California amendments to the California
9 Constitution that, commencing in 2019, would provide for all of
10 the following:

11 (a) The Governor would submit a budget proposal for the next
12 two-year fiscal period during the first 10 days of the first calendar
13 year of the biennium of a legislative session.

14 (b) In the regular session in each odd-numbered year, the
15 Legislature would do both of the following:

16 (1) Only consider or act upon the budget bill, other bills
17 providing for appropriations related to the budget bill, and bills
18 introduced by a standing committee.

19 (2) Only conduct hearings for either of the following purposes:
20 (A) To consider, develop, and adopt the budget for the next
21 two-year fiscal period.

22 (B) (i) Oversight of state department operations and state
23 programs.

24 (ii) A standing committee of the Legislature would be able to
25 introduce up to five bills authored by a majority of the standing
26 committee if the bill would improve state department operations
27 or state programs deficiencies discussed during an oversight
28 hearing.

29 (c) In the regular session of each even-numbered year, the
30 Legislature would only consider or act upon legislation other than
31 the budget bill or other bills providing for appropriations related
32 to the budget bill.

1 (d) (1) After the budget for the next two-year fiscal period has
2 been enacted, the Governor would be able to submit budget updates
3 to the Joint Legislative Budget Committee for its approval.

4 (2) (A) The Joint Legislative Budget Committee would be able
5 to approve any budget updates proposed by the Governor to the
6 enacted budget by a resolution adopted by a majority of the
7 committee members. A budget update so approved would take
8 immediate effect as a statute.

9 (B) The Legislature would be able to pass a bill, approved by
10 two-thirds of the membership, that makes a change to the enacted
11 budget without the Governor proposing the change or changes.

12 (e) (1) The Joint Legislative Budget Committee would be
13 established to ascertain facts and make recommendations to the
14 Legislature and to the houses thereof concerning the State Budget,
15 the revenues and expenditures of the state, and the organization
16 and functions of the state and its departments, subdivisions, and
17 agencies.

18 (2) Each political party represented in each house would, to the
19 greatest extent possible, be proportionately represented in the Joint
20 Legislative Budget Committee and the membership of the
21 committee would be as follows:

22 (A) Eight members of the Assembly appointed by the Speaker
23 of the Assembly.

24 (B) Eight members of the Senate appointed by the Senate
25 Committee on Rules.

26 Second— That it is the intent of the Legislature that the
27 amendments to the California Constitution proposed to the people
28 of the State of California by this measure would not affect any of
29 the following:

30 (a) The Legislature’s requirements and deadlines related to
31 passing a Budget Bill, including, but not limited to, passing a
32 Budget Bill by June 15.

33 (b) The Governor’s authority to issue a proclamation declaring
34 a fiscal emergency and the provisions related thereto.

35 (c) The requirements to set apart the moneys to be applied for
36 support of the public school system and public institutions of higher
37 education, as required by Sections 8 and 8.5 of Article XVI of the
38 California Constitution.

39 (d) The requirement to deposit moneys into the Budget
40 Stabilization Account or the Public School System Stabilization

1 Account, as required by Sections 20 and 21 of Article XVI of the
2 California Constitution.

3 (e) The Legislature’s authority to introduce and adopt urgency
4 legislation.

5 (f) The Governor’s authority to call a special session, as
6 described in subdivision (b) of Section 3 of Article IV of the
7 California Constitution.