

First Extraordinary Session, 2005

HOUSE BILL NO. 154

BY REPRESENTATIVE HUNTER

FUNDS/FUNDING: (Constitutional Amendment) Provides for the balance and for the appropriation of additional amounts in the Budget Stabilization Fund following the declaration of a state disaster or emergency (Item #19)

1 A JOINT RESOLUTION

2 Proposing to add Article VII, Section 10.3(C)(5) of the Constitution of Louisiana, relative  
3 to the Budget Stabilization Fund; to provide for the balance in the fund and for  
4 appropriation from the fund for certain fiscal years; to provide for an effective date;  
5 to provide for submission of the proposed amendment to the electors; and to provide  
6 for related matters.

7 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members  
8 elected to each house concurring, that there shall be submitted to the electors of the state of  
9 Louisiana, for their approval or rejection in the manner provided by law, a proposal to add  
10 Article VII, Section 10.3(C)(5) of the Constitution of Louisiana, to read as follows:

11 §10.3. Budget Stabilization Fund

12 Section 10.3.

13 \* \* \*

14 (C) The money in the fund shall not be available for appropriation or use  
15 except under the following conditions:

16 \* \* \*

17 (5) Notwithstanding any other provision of this constitution to the contrary,  
18 for Fiscal Years 2005-2006 through 2007-2008, the minimum balance in the fund  
19 shall not be less than three hundred seven million dollars. Monies in the fund in  
20 excess of the minimum balance shall be available for appropriation for Fiscal Years

1           2005-2006 through 2007-2008. On July 1, 2008, the provisions of this Subparagraph  
2           shall be null, void, and of no effect.

3           Section 2. Be it further resolved that this proposed amendment shall be submitted  
4 to the electors of the state of Louisiana at the statewide election to be held on February 4,  
5 2006.

6           Section 3. Be it further resolved that on the official ballot to be used at said election  
7 there shall be printed a proposition, upon which the electors of the state shall be permitted  
8 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall  
9 read as follows:

10                   Notwithstanding any other provision of this constitution to the contrary,  
11                   provides that the minimum balance in the Budget Stabilization Fund for  
12                   Fiscal Years beginning July 1, 2005, and ending July 1, 2008, shall be three  
13                   hundred seven million dollars. Monies in the fund in excess of the minimum  
14                   balance shall be available for appropriation in those fiscal years. (Adds  
15                   Article VII, Section 10.3(C)(5))

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

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Hunter

HB No. 154

**Abstract:** Provides for a minimum balance of \$307 million in the Budget Stabilization Fund for FY 2005-2006 through FY 2007-2008 and authorizes appropriation in those fiscal years of monies in the fund.

Present constitution provides for the establishment of a Budget Stabilization Fund, the deposits into the fund, and appropriations from the fund in certain circumstances related to revenue shortfalls.

Present constitution limits appropriations from the fund to one-third of the fund balance, which may be appropriated after two-thirds vote of both houses of the legislature.

Proposed constitutional amendment retains present constitution and for Fiscal Years 2005-2006 through 2007-2008 only, sets a minimum balance in the fund of \$307 million. For those fiscal years only, monies in the fund in excess of the required balance are available for appropriation.

Provides for submission of the proposed amendment to the voters at the statewide election to be held February 4, 2006.

(Adds Const. Art. VII, §10.3(C)(5))