

2015 Regular Session

SENATE BILL NO. 147

BY SENATOR CLAITOR

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FUNDS/FUNDING. Constitutional amendment to provide relative to the Budget Stabilization Fund. (2/3-CA13s1(A))

1 A JOINT RESOLUTION

2 Proposing to amend Article VII, Section 10.3(C)(4), and to add Article VII, Section
3 10.3(C)(5) of the Constitution of Louisiana, relative to the Budget Stabilization
4 Fund; to provide for a maximum balance in the fund; to provide for the interruption
5 and resumption of deposits into the Budget Stabilization Fund in certain
6 circumstances; and to specify an election for submission of the proposition to
7 electors and provide a ballot proposition.

8 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
9 elected to each house concurring, that there shall be submitted to the electors of the state, for
10 their approval or rejection in the manner provided by law, a proposal to amend Article VII,
11 Section 10.3(C)(4), and to add Article VII, Section 10.3(C)(5) of the Constitution of
12 Louisiana, to read as follows:

13 ARTICLE VII

14 §10.3. Budget Stabilization Fund

15 Section 10.3.

16 * * *

17 (C) The money in the fund shall not be available for appropriation or use

1 except under the following conditions:

2 * * *

3 (4) No appropriation or deposit to the fund shall be made if such
4 appropriation or deposit would cause the balance in the fund to exceed four percent
5 of total state revenue receipts for the previous fiscal year **not to exceed one billion**
6 **dollars.**

7 **(5) No deposit of mineral revenues shall be made as provided in**
8 **Subparagraphs (A)(1) or (2) of this Section in the fiscal year for which money**
9 **in the fund is appropriated or for which money in the fund is incorporated into**
10 **the official forecast as provided in Subparagraphs (C)(1) or (2) of this Section**
11 **nor in the ensuing fiscal year, except by specific appropriation by the**
12 **legislature. Thereafter, deposits to the fund from mineral revenues shall resume**
13 **on an incremental basis not to exceed fifty million dollars per fiscal year, except**
14 **by specific appropriations by the legislature.**

15 Section 2. Be it further resolved that this proposed amendment shall be submitted
16 to the electors of the state of Louisiana at the statewide election to be held on October 24,
17 2015.

18 Section 3. Be it further resolved that on the official ballot to be used at said election
19 there shall be printed a proposition, upon which the electors of the state shall be permitted
20 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
21 follows:

22 Do you support an amendment to increase the balance in the Budget
23 Stabilization Fund to not exceed one billion dollars; and to suspend deposits
24 into the Budget Stabilization Fund in the same and following fiscal years in
25 which money was taken out of the fund to and thereafter deposits will resume
26 on an incremental basis, not to exceed fifty million dollars per fiscal year,
27 except by specific appropriation by the legislature?

28 (Amends Article VII, Section 10.3(C)(4); adds Article VII, Section
29 10.3(C)(5))

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha S. Hess.

DIGEST

SB 147 Original 2015 Regular Session Claitor

Present constitution establishes the Budget Stabilization Fund in the constitution and provides the following revenues are to be deposited into the fund:

- (1) Monies available for appropriation in excess of the expenditure limit.
- (2) All mineral revenues received by the state in each fiscal year in excess of the base, which, by legislative act, was increased to \$850 million.
- (3) 25% of any monies recognized by the Revenue Estimating Conference as nonrecurring.
- (4) Any other monies appropriated to the fund by the legislature including any money declared to be nonrecurring.

Proposed constitutional amendment retains present constitution.

Present constitution permits up to 1/3 of the Budget Stabilization Fund, subject to 2/3 approval of each house of the legislature, to be incorporated in the next fiscal year's official forecast if revenue estimates for the next fiscal year are less than the official forecast for the current fiscal year. Present constitution further permits up to 1/3 of the Budget Stabilization Fund, subject to 2/3 approval of each house of the legislature, to be appropriated for the current fiscal year budget if a deficit for the current fiscal year is projected due to a decrease in the official forecast. Proposed constitutional amendment retains present constitution.

Present constitution provides that no appropriations or deposits shall be made to the Budget Stabilization Fund if such appropriation or deposit would cause the balance in the fund to exceed four percent of total state revenue receipts for the previous fiscal year. Proposed constitutional amendment retains present constitution but provides that the maximum amount in the fund shall not exceed one billion dollars.

Proposed constitutional amendment further provides no deposit of mineral revenues shall be made in the fiscal year for which money in the fund is appropriated or for which money in the fund is incorporated into the official forecast as provided by present constitution nor in the ensuing fiscal year, except by specific appropriation by the legislature. Thereafter, deposits to the fund from mineral revenues shall resume on an incremental basis not to exceed fifty million dollars per fiscal year, except by specific appropriations by the legislature.

Specifies submission of the amendment to the voters at the statewide election to be held on October 24, 2015.

(Amends Const. Art. VII, Sec. 10.3(C)(4); adds Const. Art. VII, Sec 10.3(C)(5))