Regular Session, 2014

HOUSE BILL NO. 490

## BY REPRESENTATIVE GEYMANN

## BUDGETARY CONTROLS: (Constitutional Amendment) Prohibits certain transfers of monies through the Coastal Protection and Restoration Fund or the Budget Stabilization Fund

1	A JOINT RESOLUTION
2	Proposing to amend Article VII, Sections 10.2(D) and 10.3(C)(introductory paragraph) of
3	the Constitution of Louisiana, to prohibit transfers of monies from the Coastal
4	Protection and Restoration Fund or the Budget Stabilization Fund for purposes other
5	than those provided for by law; to provide for submission of the proposed
6	amendment to the electors; and to provide 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
10	amend Article VII, Sections 10.2(D) and 10.3(C) (introductory paragraph) of the
11	Constitution of Louisiana, to read as follows:
12	§10.2. Coastal Protection and Restoration Fund
13	Section 10.2
14	* * *
15	(D) The money in the fund may be appropriated for purposes consistent with
16	the Coastal Protection Plan developed by the Coastal Protection and Restoration
17	Authority, or its successor.
18	No appropriation, transfer, or removal of monies shall be made from the fund
19	inconsistent with the purposes of the plan. In the year in which revenues, designated

1	as nonrecurring by the Revenue Estimating Conference, are transferred into the fund,
2	any transfer of monies from the fund shall require consent of two-thirds of the
3	elected members of each house of the legislature.
4	* * *
5	§10.3. Budget Stabilization Fund
6	Section 10.3.
7	* * *
8	(C) The money in the fund shall not be available for appropriation, transfer,
9	removal, or use except under the following conditions:
10	* * *
11	Section 2. Be it further resolved that this proposed amendment shall be submitted
12	to the electors of the state of Louisiana at the statewide election to be held on November 4,
13	2014.
14	Section 3. Be it further resolved that on the official ballot to be used at the election,
15	there shall be printed a proposition, upon which the electors of the state shall be permitted
16	to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
17	follows:
18	Do you support an amendment to prohibit the transfer of monies from the
19	Coastal Protection and Restoration Fund and the Budget Stabilization Fund
20	for purposes other than those provided for by law? (Amends Article VII,
21	Sections 10.2(D) and 10.3(C))

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

## Geymann

HB No. 490

**Abstract:** Prohibits the transfer or removal of monies from the Coastal Protection and Restoration Fund and the Budget Stabilization Fund for purposes other than those provided for by law.

<u>Present constitution</u> provides that no appropriation shall be made from the Coastal Protection and Restoration Fund that is inconsistent with the Coastal Protection Plan developed by the Coastal Protection and Restoration Authority.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

<u>Proposed constitutional amendment</u> retains <u>present constitution</u> and adds the prohibition to transfer or remove monies from the fund for purposes inconsistent with the Coastal Protection Plan developed by the Coastal Protection and Restoration Authority. <u>Proposed constitutional amendment</u> further provides that in the year in which revenues, designated as nonrecurring by the Revenue Estimating Conference, are transferred into the fund, any transfer of monies from the fund shall require the consent of 2/3 of the elected members of each house of the legislature.

<u>Present constitution</u> provides that money in the Budget Stabilization Fund shall not be available for appropriation or use except under specific conditions.

<u>Proposed constitutional amendment</u> retains <u>present constitution</u> but clarifies that the *transfer or removal* of monies from the Budget Stabilization Fund shall only be for purposes provided for in <u>present constitution</u>.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 4, 2014.

(Amends Const. Art. VII, §§10.2(D) and 10.3(C)(intro. para.))