

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

5 Do you support an amendment to prohibit appropriations from any dedicated
6 fund in excess of the amount the Revenue Estimating Conference estimates
7 will be available for appropriation from that fund; and to require that the
8 Revenue Estimating Conference review each dedicated fund in addition to
9 the state general fund to determine if its available money is recurring or
10 nonrecurring; and to provide a definition of nonrecurring revenue that
11 includes fund money remaining from previous years and money from one
12 time transactions such as court settlements, the sale of state facilities, or the
13 privatization of state operations? (Amends Article VII, Section 10(B) and
14 (E); Adds Article VII, Section 10(D)(4))

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. 548

Abstract: Prohibits appropriations from dedicated funds in excess of the amounts the Revenue Estimating Conference (REC) has recognized as being available for appropriation by the fund.

Present constitution sets forth requirements relative to the expenditure of state funds and establishes the REC to prepare and publish initial and revised estimates of money to be received by the state general fund and dedicated funds for the current and next fiscal years which are available for appropriation, the most recent of which is called the official forecast. In each estimate, the REC must also designate money as either recurring or non recurring. Proposed constitutional amendment retains this present constitutional provision and specifies that the REC must designate as recurring or nonrecurring all of the money in the estimate including money to be received by each fund and specifically provides that the REC must designate as nonrecurring money available for appropriation from any special treasury fund that was received by the state general fund or a dedicated fund in the previous fiscal year and money from one time transactions such as court settlements, the sale of state facilities, and the privatization of state operations. (Art. VII, §10(B)(1)).

Proposed constitutional amendment also specifies that unless otherwise provided in the constitution, the amount appropriated out of any fund shall not exceed the official forecast of money available for appropriation from that fund. (Art. VII, §10(D)(4) and (E)).

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 6, 2012.

(Amends Const. Art. VII, §10(B) and (E); Adds Const. Art. VII, §10(D)(4))