

Regular Session, 2010

HOUSE BILL NO. 820

BY REPRESENTATIVE ABRAMSON

BUDGETARY CONTROLS: (Constitutional Amendment) Mandates full funding of postsecondary education and health care continuation budgets

1 A JOINT RESOLUTION

2 Proposing to add Article VII, Section 10(D)(4) of the Constitution of Louisiana, relative to
3 the expenditure of state funds; to required certain funding for public postsecondary
4 education and health care services; to prohibit the reduction of such appropriation,
5 except in certain circumstances; 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 add
10 Article VII, Section 10(D)(4) of the Constitution of Louisiana, to read as follows:

11 §10. Expenditure of State Funds

12 Section 10.

13 * * *

14 (D) Appropriations.

15 * * *

16 (4)(a) The legislature shall annually appropriate funds sufficient to fully fund
17 the cost to the state to carry on all existing programs and functions for all public
18 postsecondary education at the level of service provided in the prior fiscal year,
19 including any adjustments necessary to account for increased costs due to inflation
20 or estimated increases in costs resulting from demographic or other changes. Neither

1 the governor nor the legislature may reduce such appropriation, or propose to reduce
2 such appropriation, except that the governor or the legislature may reduce such
3 appropriation by no more than ten percent of the amount required to fully fund
4 postsecondary education at the level of services in the prior fiscal year, including any
5 adjustments necessary to account for increased costs due to inflation or estimated
6 increases in costs resulting from demographic or other changes, provided that any
7 such reduction is consented to in writing by two-thirds of the elected member of each
8 house of the legislature. The legislature may provide by law for the means of
9 determining expenditures which shall be considered postsecondary education and
10 any changes to such law shall be by approval of two-thirds of the members of each
11 house of the legislature.

12 (b) The legislature shall annually appropriate funds sufficient to fully fund
13 the cost to the state to carry on all existing programs and functions for all health care
14 services at the level of service provided in the prior fiscal year, including any
15 adjustments necessary to account for increased costs due to inflation or estimated
16 increases in costs resulting from demographic or other changes. Neither the
17 governor nor the legislature may reduce such appropriation, or propose to reduce
18 such appropriation, except that the governor or the legislature may reduce such
19 appropriation by no more than ten percent of the of the amount required to fully fund
20 health care services at the level of services in the prior fiscal year, including any
21 adjustments necessary to account for increased costs due to inflation or estimated
22 increases in costs resulting from demographic or other changes, provided that any
23 such reduction is consented to in writing by two-thirds of the elected members of
24 each house of the legislature. The legislature may provide by law for the means of
25 determining expenditures which shall be considered health care services, and any
26 changes to such law shall be by approval of two-thirds of the members of each house
27 of the legislature.

28 (c) The legislature may provide by law for the means of determining the cost
29 to the state to carry on all existing programs and functions at the level of service

1 provided in the prior fiscal year and any changes to such law shall be by approval of
2 two-thirds of the members of each house of the legislature.

3 * * *

4 Section 2. Be it further resolved that this proposed amendment shall be submitted
5 to the electors of the state of Louisiana at the statewide election to be held on November 2,
6 2010.

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

11 To require full funding of postsecondary education at the level of service
12 provided in the prior fiscal year, including any adjustments necessary to
13 account for increased costs due to inflation or estimated increases in costs
14 resulting from demographic or other changes; to require full funding of
15 health care services at the level of service provided in the prior fiscal year,
16 including any adjustments necessary to account for increased costs due to
17 inflation or estimated increases in costs resulting from demographic or other
18 changes; to permit the reduction of such appropriations by no more than ten
19 percent and only with the consent of two-thirds of the elected members of
20 each house of the legislature. (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)]

Abramson

HB No. 820

Abstract: Mandates full funding of continuation needs for postsecondary education and for health care services. Requires 2/3 legislative approval to reduce such funding and limits the reduction to 10% of the continuation level funding.

Proposed constitutional amendment requires the legislature to annually appropriate funds sufficient to fully fund the cost to the state to carry on all existing programs and functions for public postsecondary education at the level of service provided in the prior fiscal year, including any adjustments necessary to account for increased costs due to inflation or estimated increases in costs resulting from demographic or other changes.

Proposed constitutional amendment requires the legislature to annually appropriate funds sufficient to fully fund the cost to the state to carry on all existing programs and functions for all health care services at the level of service provided in the prior fiscal year, including any adjustments necessary to account for increased costs due to inflation or estimated increases in costs resulting from demographic or other changes.

Proposed constitutional amendment provides that neither the governor nor the legislature may reduce such appropriations for postsecondary education, or propose to reduce such appropriation, except by no more than 10% of the total funds appropriated, provided that any such reduction is consented to in writing by 2/3 of the elected member of each house of the legislature.

Proposed constitutional amendment provides that neither the governor nor the legislature may reduce such appropriations for health care services, or propose to reduce such appropriation, except by no more than 10% of the total funds appropriated, provided that any such reduction is consented to in writing by 2/3 of the elected member of each house of the legislature.

Proposed constitutional amendment provides that the legislature may provide by law for the means of determining those expenditures which shall be considered postsecondary education and health care services and for the means of determining the cost to the state to carry on all existing programs and functions at the level of service provided in the prior fiscal year. Any changes to such law require a 2/3 vote of the members of each house of the legislature.

(Adds Const. Art. VII, §10(D)(4))