

1 (C) The money in the fund shall not be available for ~~appropriation~~
2 incorporation into the official forecast or use except under the following
3 conditions:

4 (1) If the official forecast of recurring money for the next fiscal year is less
5 than the official forecast of recurring money for the current fiscal year, the
6 difference, not to exceed one-third of the fund shall be incorporated into the next
7 year's official forecast only after the consent of two-thirds of the elected members
8 of each house of the legislature. If the legislature is not in session, the two-thirds
9 requirement may be satisfied upon obtaining the written consent of two-thirds of the
10 elected members of each house of the legislature in a manner provided by law.

11 (2) If a decrease in federal financial participation in state assistance
12 expenditures for health or social services programs, including Federal Medical
13 Assistance Percentages, creates a projected deficit for the next fiscal year, the
14 difference between the current fiscal year's federal financial participation and
15 the ensuing fiscal year's projected federal financial participation, not to exceed
16 one-third of the fund, shall be incorporated into the next fiscal year's official
17 forecast only with the consent of two-thirds of the elected members of each
18 house of the legislature. If the legislature is not in session, the two-thirds
19 requirement may be satisfied by obtaining the written consent of two-thirds of
20 the elected members of each house of the legislature in a manner provided by
21 law. For purposes of this Subparagraph, the projected deficit and the
22 difference between the current fiscal year's federal financial participation and
23 the ensuing fiscal year's projected federal financial participation shall be
24 determined as provided by law.

25 ~~(2)~~ (3) If a deficit for the current fiscal year is projected due to a decrease in
26 the official forecast, an amount equal to one-third of the fund not to exceed the
27 projected deficit may be ~~appropriated~~ incorporated into the current fiscal year's
28 official forecast after the consent of two-thirds of the elected members of each house
29 of the legislature. Between sessions of the legislature the ~~appropriation~~ two-thirds

1 **requirement for incorporation of a portion of the fund into the current fiscal**
 2 **year's official forecast** may be made **satisfied** only after the written consent of
 3 two-thirds of the elected members of each house of the legislature.

4 ~~(3)~~ **(4)** In no event shall the amount included in the official forecast for the
 5 next fiscal year plus the amount ~~appropriated~~ **included in the official forecast** in the
 6 current fiscal year exceed one-third of the fund balance at the beginning of the
 7 current fiscal year.

8 **(5) If two-thirds of the elected members of each house of the legislature**
 9 **give consent for a specified amount of the fund to be incorporated into the**
 10 **official forecast, the state treasurer shall transfer the amount of monies so**
 11 **authorized from the fund to the state general fund.**

12 ~~(4)~~ **(6)** No appropriation or deposit to the fund shall be made if such
 13 appropriation or deposit would cause the balance in the fund to exceed four percent
 14 of total state revenue receipts for the previous fiscal year.

15 **(7) Notwithstanding any provision of this Section to the contrary, and**
 16 **except pursuant to a specific appropriation by the legislature to the fund, no**
 17 **appropriation or deposit to the fund shall be made in the same fiscal year in**
 18 **which a specified amount of the fund is incorporated into the official forecast**
 19 **or an appropriation or transfer is made from the fund.**

20 Section 2. Be it further resolved that this proposed amendment shall be submitted
 21 to the electors of the state of Louisiana at the statewide election to be held on November 2,
 22 2010.

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

27 To provide that monies in the Budget Stabilization Fund may be incorporated
 28 into the official forecast for the next fiscal year under certain circumstances,
 29 including if a decrease in federal financial participation in state assistance

1 expenditures for health or social services programs, including Federal
 2 Medical Assistance Percentages, creates a projected deficit; directs the
 3 treasurer to transfer monies from the Budget Stabilization Fund to the state
 4 general fund in certain circumstances; and suspends the deposit of monies
 5 into the Budget Stabilization Fund in the same fiscal year in which money in
 6 the Budget Stabilization Fund is incorporated into the official forecast.
 7 (Amends Article VII, Section 10.3(C))

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

DIGEST

Present constitution establishes the Budget Stabilization Fund and provides for the monies to be deposited into the fund.

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 provides that if the legislature is not in session, the 2/3 requirement may be satisfied by obtaining the written consent of 2/3's of the elected members of each house of the legislature in a manner provided by law.

Proposed constitutional amendment 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 a decrease in federal financial participation in state assistance expenditures for health or social services programs, including Federal Medical Assistance Percentages, creates a projected deficit for the next fiscal year, the difference between the current fiscal year's federal financial participation and the ensuing fiscal year's projected federal financial participation, not to exceed 1/3 of the fund, shall be incorporated into the official forecast. Proposed constitutional amendment further provides that the difference between the current fiscal year's federal financial participation and the ensuing fiscal year's projected federal financial participation shall be determined as provided by law.

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 permits up to 1/3 of the Budget Stabilization Fund, subject to 2/3 approval of each house of the legislature, to be incorporated into the current year's official forecast if a deficit for the current fiscal year is projected due to a decrease in the official forecast.

Proposed constitutional amendment provides that if 2/3 of each house of the legislature approves a portion of the Budget Stabilization Fund to be incorporated into the official forecast, the state treasurer shall transfer the amount of monies so authorized to the general fund.

Proposed constitutional amendment provides that except pursuant to a specific appropriation by the legislature to the fund, no appropriation or deposit to the fund shall be made in the same fiscal year in which a specified amount of the fund is incorporated into the official

forecast or an appropriation or transfer is made from the fund.

Specifies submission of the amendment to the voters at the statewide election to be held on Nov. 2, 2010.

(Amends Const. Art. VII, Sec. 10.3(C))