

SENATE BILL NO. 201

BY SENATOR ALLAIN

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A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(F)(2)(b) of the Constitution of Louisiana and to enact Article VII, Section 10(F)(4)(h), (i), (j), (k), and (l) of the Constitution of Louisiana, relative to eliminating deficits in the current and ensuing fiscal year; to revise the circumstances that would allow the reduction of constitutionally protected expenditures and reductions to eliminate a projected deficit in an ensuing fiscal year; to provide for additional exceptions; to provide and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 10(F)(2)(b) of the Constitution of Louisiana and to enact Article VII, Section 10(F)(4)(h), (i), (j), (k), and (l) of the Constitution of Louisiana, to read as follows:

§10. Expenditure of State Funds

Section 10.

\* \* \*

(F) Projected Deficit.

\* \* \*

(2)

\* \* \*

(b)~~(i)~~ Notwithstanding any other provision of this constitution to the contrary, for the purposes of the budget estimate and enactment of the budget for the next fiscal year, when the official forecast of recurring revenues for the next fiscal year is at least one percent less than the official forecast for the current fiscal year, or at any time when the official forecast of recurring revenues for the next fiscal year

1 has been reduced by at least one percent from the most recently adopted  
 2 estimate for the ensuing fiscal year, the following ~~procedure~~ **procedures** may be  
 3 employed to avoid a budget deficit in the next fiscal year:;

4 (aa) An amount not to exceed five percent of the total appropriations or  
 5 allocations for the current fiscal year from any fund established by law or this  
 6 constitution shall be available for expenditure in the next fiscal year for a purpose  
 7 other than as specifically provided by law or this constitution.

8 (bb) An amount not to exceed one percent of the balance in the current  
 9 fiscal year from any fund established by this constitution shall be available in  
 10 the next fiscal year for a purpose other than as specifically provided by law or  
 11 this constitution.

12 (ii) For the purposes of this Subsubparagraph, an amount not to exceed one  
 13 percent of the current fiscal year appropriation for expenditures required by Article  
 14 VIII, Section 13(B) of this constitution shall be available for expenditures for other  
 15 purposes in the next fiscal year. Notwithstanding any other provisions of this  
 16 constitution to the contrary, monies made available as authorized under this  
 17 Subsubparagraph may be transferred to a fund for which revenues have been forecast  
 18 to be less than the revenues in the current fiscal year for such fund, or at any time  
 19 when the official forecast of recurring revenues for the next fiscal year has been  
 20 reduced by at least one percent from the most recently adopted estimate for the  
 21 ensuing fiscal year. Monies transferred as a result of the budget actions authorized  
 22 by this Subsubparagraph are deemed available for appropriation and expenditure, but  
 23 in no event shall the aggregate amount of any such transfers exceed the amount of  
 24 ~~the difference between the official forecast for the current fiscal year and the next~~  
 25 ~~fiscal year~~ projected deficit for the next fiscal year due to the reduction in the  
 26 official forecast as contained in this Subsubparagraph.

27 \* \* \*

28 (4) The provisions of Subparagraphs (1) and (2) of this Paragraph shall not  
 29 be applicable to, nor affect:

30 \* \* \*

1           (h) Monies in the Coastal Protection and Restoration Fund as provided  
 2           in Article VII, Section 10.2 of this constitution.

3           (i) Any healthcare provider fees or assessments in the Hospital  
 4           Stabilization Fund as provided in Article VII, Section 10.13 of this constitution,  
 5           or the Louisiana Medical Assistance Trust Fund as provided in Article VII,  
 6           Section 10.14 of this constitution.

7           (j) Funds in the Oilfield Site Restoration Fund as provided in Article VII,  
 8           Section 10.6 of this constitution.

9           (k) Funds in the Conservation Fund as provided in Article VII, Section  
 10           10-A of this constitution.

11           (l) Supplements to the salaries of full-time local law enforcement and fire  
 12           protection officers as provided in Article VII, Section 10(D)(3) of this  
 13           constitution.

14   \*               \*               \*

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 November 8,  
 17           2016.

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 authorize the use of up to five percent of  
 23                         current year appropriations or allocations from statutorily or certain  
 24                         constitutionally created funds or up to one percent of the current year's  
 25                         balances in certain constitutionally created funds to eliminate a projected  
 26                         deficit in the next fiscal year if the official forecast for the next fiscal year is  
 27                         less than the official forecast for the current fiscal year or if the official  
 28                         forecast has been reduced by at least one percent from the most recently  
 29                         adopted estimate for the ensuing fiscal year, and to exempt certain funds and  
 30                         mandates from being used to eliminate a projected deficit?

1 (Amends Article VII, Section 10(F)(2)(b); adds Article VII, Section  
2 10(F)(4)(h), (i), (j), (k), and (l))

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES