

SENATE BILL NO. 201

BY SENATOR ALLAIN

1

A JOINT RESOLUTION

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Proposing to amend Article VII, Section 10(F)(2)(b) of the Constitution of Louisiana and to

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enact Article VII, Section 10(F)(4)(h), (i), (j), (k), and (l) of the Constitution of

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Louisiana, relative to eliminating deficits in the current and ensuing fiscal year; to

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revise the circumstances that would allow the reduction of constitutionally protected

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expenditures and reductions to eliminate a projected deficit in an ensuing fiscal year;

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to provide for additional exceptions; to provide and to specify an election for

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submission of the proposition to electors and provide a ballot proposition.

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Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members

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elected to each house concurring, that there shall be submitted to the electors of the state, for

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their approval or rejection in the manner provided by law, a proposal to amend Article VII,

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Section 10(F)(2)(b) of the Constitution of Louisiana and to enact Article VII, Section

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10(F)(4)(h), (i), (j), (k), and (l) of the Constitution of Louisiana, to read as follows:

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§10. Expenditure of State Funds

15

Section 10.

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* * *

17

(F) Projected Deficit.

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(2)

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(b)~~(i)~~ Notwithstanding any other provision of this constitution to the contrary,

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for the purposes of the budget estimate and enactment of the budget for the next

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fiscal year, when the official forecast of recurring revenues for the next fiscal year

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is at least one percent less than the official forecast for the current fiscal year, or at

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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.

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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))

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES