

First Extraordinary Session, 2004

SENATE BILL NO. 8 (Duplicate of House Bill No. 12)

BY SENATOR HEITMEIER AND REPRESENTATIVE ALARIO AND COAUTHORED
BY SENATORS HINES, MOUNT, CHEEK, DUPLESSIS, FIELDS, B.
GAUTREAUX, HOLDEN, JACKSON, JONES, LENTINI,
MCPHERSON, ULLO AND BAJOE AND REPRESENTATIVES
TRICHE, MURRAY AND THOMPSON

AN ACT

To amend and reenact R.S. 39:94(A), relative to the Budget Stabilization Fund; to provide for an increase in the base amount of revenues received by the state as a result of the production of or exploration for minerals, as a result of grants or donations, and as derived from any tax on the transportation of minerals which base is used to determine the deposit of such revenues into the fund; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:94(A) is hereby amended and reenacted to read as follows:

§94. Budget Stabilization Fund

A. There is hereby created in the state treasury a special fund to be designated as the Budget Stabilization Fund, hereafter referred to in this Section as the "fund," which shall consist of all money deposited into the fund in accordance with Article VII, Section 10.3 of the Constitution of Louisiana. **Money shall be deposited in the fund as follows:**

(1) All money available for appropriation from the state general fund and dedicated funds in excess of the expenditure limit, except funds allocated by Article VII, Section 4, Paragraphs (D) and (E), shall be deposited in the fund.

(2)(a) All revenues received in each fiscal year by the state in excess of eight hundred fifty million dollars, hereinafter referred to as the "base," as a result of the production of or exploration for minerals, hereinafter referred to as "mineral revenues," including severance taxes, royalty payments, bonus

payments, or rentals, and excluding such revenues designated as nonrecurring pursuant to Article VII, Section 10(B) of the Constitution of Louisiana, any such revenues received by the state as a result of grants or donations when the terms or conditions thereof require otherwise and revenues derived from any tax on the transportation of minerals, shall be deposited in the fund after the following allocations of said mineral revenues have been made:

(i) To the Bond Security and Redemption Fund as provided by Article VII, Section 9(B) of the Constitution of Louisiana.

(ii) To the political subdivisions of the state as provided in Article VII, Sections 4(D) and (E) of the Constitution of Louisiana.

(iii) As provided by the requirements of Article VII, Section 10-A and 10.1 of the Constitution of Louisiana.

(b) The base may be increased every ten years beginning in the year 2014 by a law enacted by two-thirds of the elected members of each house of the legislature. Any such increase shall not exceed fifty percent in the aggregate of the increase in the consumer price index for the immediately preceding ten years.

(3) Twenty-five percent of any money designated in the official forecast as nonrecurring as provided in Article VII, Section 10(D)(2) of the Constitution of Louisiana shall be deposited in and credited to the fund.

(4) Any money appropriated to the fund by the legislature including any appropriation to the fund from money designated in the official forecast as provided in Article VII, Section 10(D)(2) of the Constitution of Louisiana shall be deposited in the fund.

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Section 2. In the event that the Revenue Estimating Conference revises the official forecast for Fiscal Year 2003-2004 to incorporate additional state general fund revenues resulting from this Act, not less than forty-six million four hundred thousand dollars of such additional revenue shall be appropriated to the Louisiana Medical Assistance Trust Fund to

be used in Fiscal Year 2004-2005 for the Medical Vendor Payments Program.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____