

STATEMENT OF PROPOSED CONSTITUTIONAL AMENDMENTS
October 24, 2015

In compliance with R.S. 18:431, R.S. 18:552, R.S. 18:553 and R.S. 18:1306, a statement of the Proposed Constitutional Amendments in the order in which they will appear on the ballot for the October 24, 2015 election is provided as follows:

1. “Do you support an amendment to rename the Budget Stabilization Fund to the Budget and Transportation Stabilization Trust; to authorize the mineral revenue base to be increased every five years; to create the Budget Stabilization Subfund as a subfund in the Trust, to be funded with mineral revenues until reaching a maximum balance of five hundred million dollars, to be appropriated and used when the state has a deficit; to create the Transportation Stabilization Subfund as a subfund in the Trust, to be funded with mineral revenues until reaching a maximum balance of five hundred million dollars, to be appropriated and used for planning, design, construction, and maintenance connected with the state highway program, with twenty percent dedicated for use by the Louisiana Intermodal Connector Program; and to provide for the interruption of deposits into the Budget Stabilization Subfund and the Transportation Trust Subfund the year that the state has a deficit and the following year with the resumption of deposit of mineral revenues in the Budget and Transportation Stabilization Trust thereafter?”

Act 473 (2015 Regular Session) amends Article VII, Section 10(D)(2)(d), the introductory paragraph of 10.3(A) and the introductory paragraph of 10.3(A)(2)(a) and (b), and 10.5(B), and adds Article VII, Section 10.3(A)(2)(c).

Present Constitution establishes the Budget Stabilization Fund in the state treasury and authorizes the appropriation or allocation of any money designated in the official forecast as nonrecurring to be made for providing for allocation or appropriation for deposit into the Budget Stabilization Fund established in this constitution.

Proposed Constitutional Amendment changes the name of the Budget Stabilization Fund to the Budget and Transportation Stabilization Trust in this constitution.

Present Constitution provides for the deposit of mineral revenues into the Budget Stabilization Fund in excess of \$750,000,000, referred to as the base, and authorizes the base to be increased every 10 years beginning in 2000 by a law enacted by 2/3 of the elected members of each house of the legislature.

Proposed Constitutional Amendment changes the time period that the base may be increased from every 10 years to every 5 years beginning in 2014.

Proposed Constitutional Amendment establishes the Budget Stabilization Subfund and the Transportation Stabilization Subfund in the Budget and Transportation Stabilization Trust and provides that mineral revenues in excess of the base contained in the Budget and Transportation Stabilization Trust at the beginning of each fiscal year, shall be allocated and deposited as follows:

1) Beginning in Fiscal Year 2015-2016, mineral revenues in excess of the base shall be deposited into the Budget Stabilization Subfund until the balance in the fund equals and shall be maintained in the amount of \$500,000,000.

2) Once the balance in the Budget Stabilization Subfund equals \$500,000,000, mineral revenues shall be deposited into the Transportation Stabilization Subfund at the beginning of the next fiscal year until the balance of the Transportation Stabilization Subfund equals and shall be maintained in the amount of \$500,000,000. Thereafter, any excess mineral revenues shall be deposited into the state general fund and additional monies may be appropriated by the legislature into the Budget Stabilization Subfund or the Transportation Stabilization Subfund. Monies appropriated by the legislature into the Transportation Stabilization Subfund shall be used solely and exclusively for planning, design, construction, and maintenance connected with the state highway program, provided that an amount not less than 20% of the funds appropriated from the Transportation Stabilization Subfund shall be used solely and exclusively for the Louisiana Intermodal Connector Program within the Department of Transportation and Development.

3) No deposit of mineral revenues shall be made into the Budget Stabilization Subfund and the Transportation Stabilization Subfund in any fiscal year in which the state has a deficit or in the ensuing fiscal year, except by specific appropriation by the legislature.

Present Constitution provides that any revenues deposited in and credited to the Mineral Revenue Audit and Settlement Fund shall not be considered mineral revenues for purposes of the Budget Stabilization Fund.

Proposed Constitutional Amendment changes the name of the Budget Stabilization Fund to the Budget and Transportation Stabilization Trust in this constitution.

2. “Do you support an amendment to authorize the investment of funds for a state infrastructure bank to be used solely for transportation projects?”

Act 471 (2015 Regular Session) amends Article VII, Section 14(B).

Present Constitution prohibits the funds, credit, property or things of value of the state or of any political subdivision from being loaned, pledged or donated, except as otherwise provided by this constitution and provides certain authorized uses of public funds.

Proposed Constitutional Amendment retains present constitution and authorizes the investment of public funds to capitalize a state infrastructure bank to be utilized solely for transportation projects.

3. “Do you support an amendment to allow any legislation regarding the dedication of revenue, rebates, and taxes to be considered during a fiscal legislative session?”

Act 472 (2015 Regular Session) amends Article III, Section 2(A)(4)(b).

Present Constitution provides that during a session convening in an odd-numbered year, no matter intended to have the effect of law, including any suspension of law, shall be introduced or considered unless its object is to enact the General Appropriation Bill; enact the comprehensive capital budget; make an appropriation; levy or authorize a new tax; increase an existing tax; levy, authorize, increase, decrease or repeal a fee; dedicate revenue; legislate with regard to tax exemptions, exclusions, deductions, reductions, repeals or credits; or legislate with regard to the issuance of bonds.

Proposed Constitutional Amendment relates to the subject matters that may be introduced or considered during any session convening in an odd-numbered year and replaces “levy or authorize a new tax, increase an existing tax” and “legislate with regard to tax exemptions, exclusions, deductions, reductions, repeals, or credits” with “legislate with regard to taxes”; replaces “dedicate revenue” with “legislate with regard to the dedication of revenue”; and adds “legislate with regard to rebates” to the list of subject matters that may be introduced or considered during any session convening in an odd-numbered year.

4. “Do you support an amendment to specify that the ad valorem property tax exemption for public lands and other public property shall not apply to land or property owned by another state or a political subdivision of another state?”

Act 470 (2015 Regular Session) amends Article VII, Section 21(A).

Present Constitution provides that in addition to the homestead exemption provided for in Section 20 of this Article, public lands and other public property used for public purposes shall be exempt from ad valorem taxation.

Proposed Constitutional Amendment provides that land or property owned by another state or owned by a political subdivision of another state shall not be exempt from ad valorem taxation.