

2016 Regular Session

SENATE BILL NO. 178

BY SENATOR PEACOCK

FISCAL CONTROLS. Provides relative to certain appropriations. (7/1/16)

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AN ACT

To amend and reenact R.S. 39:54(B), (C), and (D) and to enact R.S. 39:54(A)(3) and the introductory paragraph of (E), relative to certain appropriations; to provide for requirements relative to certain appropriations; to provide for the use of monies that are nonrecurring; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:54(B), (C), and (D) are hereby amended and reenacted and R.S. 39:54(A)(3) and the introductory paragraph of (E) are hereby enacted to read as follows:

§54. Limitations on appropriations

A.

* * *

(3) Except as otherwise provided by the Constitution of Louisiana, money shall be drawn from the state treasury only pursuant to an appropriation made in accordance with law.

B. Appropriation of any money designated in the official forecast as nonrecurring shall be made only ~~in accordance with the following~~ **for the following purposes:**

1 (1) ~~At a minimum, twenty-five percent of nonrecurring revenue shall be~~
2 ~~appropriated for deposit in the Budget Stabilization Fund~~ **Retiring or for the**
3 **defeasance of bonds in advance or in addition to the existing amortization**
4 **requirements of the state.**

5 (2)(a) Providing for payments against the unfunded accrued liability of the
6 public retirement systems which are in addition to any payments required for the
7 annual amortization of the unfunded accrued liability of the public retirement
8 systems, required by Article X, Section 29(E)(2)(c) of the Constitution of Louisiana;
9 however, any such ~~payment~~ **payments** to the public retirement systems shall not be
10 used, directly or indirectly, to fund cost-of-living increases for such systems.

11 (b) ~~At a minimum, for~~ **For** Fiscal Years 2013-2014 and 2014-2015, the
12 legislature shall appropriate no less than five percent of any money designated in the
13 official forecast as nonrecurring to the Louisiana State Employees' Retirement
14 System and the Teachers' Retirement System of Louisiana for application to the
15 balance of the unfunded accrued liability of such systems existing as of June 30,
16 1988, in proportion to the balance of such unfunded accrued liability of each such
17 system. Any such payments to the public retirement systems shall not be used,
18 directly or indirectly, to fund cost-of-living increases for such systems.

19 (c) ~~At a minimum, for~~ **For** Fiscal Year 2015-2016 and every fiscal year
20 thereafter, the legislature shall appropriate no less than ten percent of any money
21 designated in the official forecast as nonrecurring to the Louisiana State Employees'
22 Retirement System and the Teachers' Retirement System of Louisiana for application
23 to the balance of the unfunded accrued liability of such systems existing as of June
24 30, 1988, in proportion to the balance of such unfunded accrued liability of each such
25 system. Any such payments to the public retirement systems shall not be used,
26 directly or indirectly, to fund cost-of-living increases for such systems.

27 (3) ~~After satisfying the requirements of Paragraphs (1) and (2) of this~~
28 ~~Subsection, the remainder may be appropriated only for the following purposes:~~
29 **Providing funding for capital outlay projects in the comprehensive state budget.**

1 ~~(a)(4)~~ Retiring or defeasance of bonds in advance and in addition to the
2 existing amortization requirements of the state. **Providing for allocation or**
3 **appropriation for deposit into the Budget Stabilization Fund established in**
4 **Article VII, Section 10.3 of the Constitution of Louisiana.**

5 ~~(b)~~ Providing funding for capital outlay projects in the comprehensive state
6 budget.

7 ~~(e)(5)~~ Providing for allocation or appropriation for deposit into the Coastal
8 Protection and Restoration Fund established in Article VII, Section 10.2 of the
9 Constitution of Louisiana.

10 ~~(d)(6)~~ Providing for new highway construction for which federal matching
11 funds are available, without excluding highway projects otherwise eligible as capital
12 projects under other provisions of law.

13 **C.(1) The legislature shall provide by law for the payment by the state**
14 **of supplements to the salaries of full-time local law enforcement and fire**
15 **protection officers of the state. No law shall reduce any payments by the state**
16 **provided as a supplement to the salaries of full-time local law enforcement and**
17 **fire protection officers of the state.**

18 **(2) For the purposes of this Paragraph, local law enforcement and fire**
19 **protection officers shall mean and include the same classes of officers which are**
20 **eligible for such state salary supplements under the law as of July 1, 2003.**

21 **(3) Full funding as required in Paragraph (1) of this Subsection shall be**
22 **equal to the amount which is required to meet the requirements of law.**

23 **(4) Neither the governor nor the legislature may reduce an appropriation**
24 **made pursuant to this Paragraph except that the governor may reduce such**
25 **appropriation using means provided in the Act containing the appropriation,**
26 **provided that two-thirds of the elected members of each house of the legislature**
27 **consent to any such reduction in writing.**

28 **D.** Appropriations by the legislature from the state general fund and
29 dedicated funds for any fiscal year, **except funds allocated by Article VII, Section**

Effective July 1, 2016.

(Amends R.S. 39:54(B), (C) and (D); adds R.S. 39:54(A)(3) and (E)(intro para))