

2018 Regular Session

HOUSE BILL NO. 703

BY REPRESENTATIVE GISCLAIR

FUNDS/FUNDING: Increases the amount dedicated for deposit into the Unclaimed Property Leverage Fund and establishes the LA 1 Improvement Project Account with the fund

1 AN ACT

2 To amend and reenact R.S. 9:165(C) and 165.1(A)(1) and (2) and (P), relative to special

3 treasury funds; to provide with respect to the dedication of monies for deposit into

4 the Unclaimed Property Leverage Fund; to establish the LA 1 Improvement Project

5 Account within the Unclaimed Property Leverage Fund; to authorize the use of

6 monies within the LA 1 Improvement Project Account; to provide for the issuance

7 of unclaimed property bonds for certain purposes within a certain time period; to

8 extend the termination date for issuance of certain bonds or completion of certain

9 projects; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 9:165(C) and 165.1(A)(1) and (2) and (P), are hereby amended and
12 reenacted to read as follows:

13 §165. Deposit of funds

14 * * *

15 C.(1) The Unclaimed Property Leverage Fund is created as a special fund in

16 the state treasury for the deposit of a portion of the funds received by the

17 administrator under this Chapter. The state treasurer shall deposit into the

18 Unclaimed Property Leverage Fund each fiscal year ~~fifteen~~ thirty million dollars.

1 (a) There is hereby created, as a special account in the Unclaimed Property
 2 Leverage Fund, the I-49 North Account. The source of monies in the I-49 North
 3 Account shall be ~~fifty~~ twenty-five percent of the funds deposited in the Unclaimed
 4 Property Leverage Fund each fiscal year, any monies appropriated to the fund by the
 5 legislature, including federal funds, donations, gifts, or grants, and any other monies
 6 as may be provided by law.

7 (b) There is hereby created, as a special account in the Unclaimed Property
 8 Leverage Fund, the I-49 South Account. The source of monies in the I-49 South
 9 Account shall be ~~fifty~~ twenty-five percent of the funds deposited in the Unclaimed
 10 Property Leverage Fund each fiscal year, any monies appropriated to the fund by the
 11 legislature, including federal funds, donations, gifts, or grants, and any other monies
 12 as may be provided by law.

13 (c) There is hereby created, as a special account in the Unclaimed Property
 14 Leverage Fund, the LA 1 Improvement Project Account. The source of monies in
 15 the LA 1 Improvement Project Account shall be fifty percent of the funds deposited
 16 in the Unclaimed Property Leverage Fund each fiscal year, any monies appropriated
 17 to the fund by the legislature, including federal funds, donations, gifts, or grants, and
 18 any other monies as may be provided by law.

19 (2) Monies appropriated from the funds shall be expended only in
 20 accordance with the provisions of this Paragraph:

21 (a) For transfer to the State Bond Commission, hereinafter referred to as the
 22 "commission", to pay the principal, premium, and interest of unclaimed property
 23 bonds issued by the commission pursuant to R.S. 9:165.1 as the bonds become due
 24 and payable and to fund such reserves for contingencies, costs, and expenses as may
 25 be required by the resolution authorizing the issuance of such bonds as well as pay
 26 amounts of ongoing expenses associated with the administration, maintenance, or
 27 evaluation of the bonds issued for Interstate 49 North ~~and~~, Interstate 49 South, and
 28 the LA 1 Improvement Project. Proceeds of the bonds, except monies needed to
 29 fund reserves and pay costs of issuance, and to the extent not needed to pay debt

1 service or other amounts due under the resolution authorizing the bonds, shall be
2 expended utilizing any or all powers granted to the commission including the
3 funding or securitization of revenue bonds. Monies from the I-49 North Account
4 shall be used exclusively to match federal funds to be used by the Department of
5 Transportation and Development for the costs for and associated with the
6 construction of Interstate 49 North from Interstate 20 in the city of Shreveport to the
7 Louisiana/Arkansas border. Monies from the I-49 South Account shall be used
8 exclusively to match federal funds to be used by the Department of Transportation
9 and Development for the costs for and associated with the construction of Interstate
10 49 South from Interstate 10 in the city of Lafayette to the West Bank Expressway in
11 the city of New Orleans. Monies from the LA 1 Improvement Project Account shall
12 be used exclusively to match federal funds to be used by the Department of
13 Transportation and Development for the costs for and associated with the
14 construction of the LA 1 Improvement Project from Golden Meadow to Leesville in
15 southern Lafourche Parish.

16 (b) For transfer to the Department of Transportation and Development:

17 (i) Funds from the I-49 North Account to be used exclusively to match
18 federal funds to be used for the costs for and associated with the construction of
19 Interstate 49 North from Interstate 20 in the city of Shreveport to the
20 Louisiana/Arkansas border; provided, however, that the monies in the fund shall first
21 be applied to that portion of the project from I-220 to the Louisiana/Arkansas border;
22 and

23 (ii) Funds from the I-49 South Account to be used exclusively to match
24 federal funds to be used for the costs for and associated with the construction of
25 Interstate 49 South from Interstate 10 in the city of Lafayette to the West Bank
26 Expressway in the city of New Orleans.

27 (iii) Funds from the LA 1 Improvement Project Account shall be used
28 exclusively to match federal funds to be used for the costs for and associated with

1 the construction of the LA 1 Improvement Project from Golden Meadow to Leeville
2 in southern Lafourche Parish.

3 (3) All unexpended and unencumbered monies in the Unclaimed Property
4 Leverage Fund, the I-49 North Account, ~~and the I-49 South Account,~~ and the LA 1
5 Improvement Project Account at the end of the fiscal year shall remain in the
6 ~~Unclaimed Property Leverage Fund, the I-49 North Account, and the I-49 South~~
7 ~~Account~~ the respective fund or account and interest earned on the investment of
8 these monies shall be credited to the ~~Unclaimed Property Leverage Fund, the I-49~~
9 ~~North Account, and the I-49 South Account~~ fund or account from which the
10 investment was derived.

11 §165.1. Bonds; unclaimed property bonds; completion of I-49; the LA 1
12 Improvement Project

13 A.(1) Without reference to any provision of the Constitution of Louisiana
14 and the laws of Louisiana, and as a grant of power in addition to any other general
15 or special law, the State Bond Commission, hereinafter "commission", is hereby
16 authorized to issue unclaimed property bonds, hereinafter referred to as "unclaimed
17 property bonds" or "bonds", for the I-49 Project and the LA 1 Improvement Project
18 and pledge for the payment of the principal and interest of the unclaimed property
19 bonds monies deposited or to be deposited into the Unclaimed Property Leverage
20 Fund, which pledge shall be subject to the appropriation of funds by the legislature.
21 The commission is further authorized, in its discretion, to pledge all or any part of
22 any gift, grant, donation, or other sum of money, aid, or assistance from the United
23 States, the state, or any political subdivision, thereof, unless otherwise restricted by
24 the terms thereof, all or any part of the proceeds of bonds, credit agreements,
25 instruments, or other money of the commission, from whatever source derived, for
26 the further securing of the payment of the principal and interest of the bonds,
27 including any monies provided to the commission from the Department of
28 Transportation and Development. Any bonds shall be payable solely from revenues
29 and bond proceeds, pending their disbursement and investment income thereon.

Proposed law establishes the LA 1 Improvement Project Account within the Unclaimed Property Leverage Fund. The source of monies in this account shall be 50% of the monies deposited into the Unclaimed Property Leverage Fund each fiscal year, plus any other monies appropriated by the legislature, including federal funds, donations, gifts, or grants, and any other monies as may be provided by law.

Present law authorizes that monies in the I-49 North and I-49 South Accounts to be transferred to the State Bond Commission for use to pay the principal, premium, and interest of unclaimed property bonds issued by the commission to fund the I-49 North and I-49 South projects. Monies in the account may also be used by the Dept. of Transportation and Development (DOTD) to match federal funds to be used for support of those projects.

Proposed law retains present law and establishes the same authority for use of monies in the LA 1 Improvement Project Account for servicing unclaimed property bonds issued by the commission to fund the LA 1 Improvement Project from Golden Meadow to Leeville in southern Lafourche Parish, as well as for use by DOTD to match federal funds to be used for support of the project.

Present law authorizes the issuance of "unclaimed property bonds" by the State Bond Commission for purposes of the I-49 North and I-49 South projects. Bond payments are limited to \$15 million per year.

Proposed law retains present law and adds authority for the sale of unclaimed property bonds for purposes of the LA 1 Improvement Project and increases the annual limit on amounts available for bond payments from \$15 to \$30 million per year.

Present law provides that if bonds for the I-49 North and I-49 South projects are not sold by Dec. 31, 2013, the provisions of present law become, null, void, and of no effect on Jan. 1, 2014.

Proposed law changes present law by adding the sale of bonds for the LA 1 Improvements Project as a requirement for the continuation of proposed law and by extending the deadline for the sale of bonds from Dec. 31, 2013 to Dec. 31, 2014, and by extending the sunset of authority to issue bonds under present law from Jan. 1, 2014 to Jan. 1, 2022.

(Amends R.S. 9:165(C) and 165.1(A)(1) and (2) and (P))