
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha S. Hess.

DIGEST

SB 188 Original

2015 Regular Session

Claitor

Present law creates the Higher Education Initiatives Fund for the purpose of improving Louisiana's higher education institutions, including but not limited to the development of innovative teaching strategies, distance learning university classrooms, and enhancement of library and scientific equipment. Present law provides for the source of monies to be deposited in the the fund and provides for legislative appropriation exclusively to the higher education institutions or the Board of Regents.

Proposed law retains present law but further provides that after allocation of money to the Bond Security and Redemption Fund, the treasurer shall deposit to the fund 90% of the proceeds of the settlement, judgment, or final disposition of the state's economic damages claims asserted in *State of Louisiana v. BP Exploration & Production, et al.*, to recover economic damages sustained by the state from the Deepwater Horizon explosion and oil spill. Further provides that once deposits of proceeds of economic damages claims into the Health Trust Fund equal thirty million dollars, such proceeds will thereafter be deposited into the Higher Education Initiative Fund.

Present law provides that the Board of Regents shall develop regulations and guidelines for the distribution and allocation of monies appropriated to the board which shall be subject to approval by the Joint Legislative Committee on the Budget and further provides that all unexpended monies in the fund at the end of the fiscal year remain in the fund and that all interest earned on the fund shall be credited to the fund.

Proposed law retains present law.

Present law provides that the greater of \$25 million from any source or twenty-five percent of any nonrecurring monies in the official forecast shall be annually deposited into the Budget Stabilization Fund.

Proposed law retains the provision providing that twenty-five percent of any nonrecurring monies in the official forecast shall be annually deposited into the Budget Stabilization Fund but deletes the requirement for an annual \$25 million deposit into the Budget Stabilization Fund from any source.

Present law establishes the Medicaid Trust Fund for the Elderly in the state treasury and directs the treasurer to deposit into the Medicaid Trust Fund for the Elderly all money that is received from any source, including the intergovernmental transfer program and all income on investment of monies in the fund. Proposed law retains present law.

Present law further provides that a portion of the proceeds of the settlement, judgment, or final disposition of the state's economic damages claims asserted in *State of Louisiana v. BP Exploration*

& Production, et al., not to exceed \$700 million, shall be deposited into the Medicaid Trust Fund for the Elderly, and shall not be subject to appropriation unless authorized by a joint resolution approved by two-thirds of the elected members of each house of the legislature. Proposed law deletes present law.

Present law provides for the establishment of the Health Trust Fund and provides that 10% of the receipts of economic damages proceeds, up to \$30 million, from the state's economic damages claims asserted in *State of Louisiana v. BP Exploration & Production, et al.*, shall be deposited in a trust account established in the Health Trust Fund named the Medicaid Disabilities Account. The money in the Medicaid Disabilities Account shall be used solely for services provided by home and community based healthcare providers utilized by the developmentally disabled. Proposed law retains present law relative to the Medicaid Disabilities Account. Proposed law further provides that once deposits into the fund reach \$30 million, proceeds will thereafter be deposited into the Higher Education Initiative Fund.

Present law provides for the establishment of the Deepwater Horizon Economic Damages Collection Fund and provides that the economic damages proceeds deposited into the fund from the state's economic damages claims asserted in *State of Louisiana v. BP Exploration & Production, et al.*, shall be transferred by the treasurer, within 30 days of receipt, as follows:

- (1) Forty-five percent to the Budget Stabilization Fund until the fund reaches its statutorily mandated cap.
- (2) Forty-five percent to the Medicaid Trust Fund for the Elderly until \$700 million has been deposited into the fund.
- (3) Ten percent to the Health Trust Fund until \$30 million has been deposited into the fund.

Present law provides that present law shall be null, void, and of no effect at the later of the conclusion of the Deepwater Horizon economic damages litigation or July 1, 2024.

Proposed law repeals present law except for the provisions relating to deposits in the Health Trust Fund.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:3129.6, R.S. 39:94(A)(3) and (C)(4)(b), R.S. 46:2691(A), (B)(1)(intro para), and 2731(B)(1); repeals R.S. 39:91)