

2016 Regular Session

HOUSE BILL NO. 742

BY REPRESENTATIVE JAY MORRIS

FUNDS/FUNDING: Eliminates certain statutory dedications and eliminates certain dedications of certain funds

1 AN ACT

2 To amend and reenact R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3), R.S.

3 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C) , 4019(C), and 5068(D)(3), R.S.

4 22:347(A)(introductory paragraph), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5),

5 R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), 392(B)(2) and (C)(7), and

6 437(B)(1)(c) and (2) and (C)(2), (3), and (4), R.S. 33:9551(E)(3), 9561(E)(3), and

7 9571(E)(3), R.S. 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2),

8 R.S. 40:1582(E), 1593, and 2845(A)(6)(b), R.S. 42:262(B), R.S. 46:977.13, R.S.

9 47:1061(A)(4) and (B) and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), and 2341(F),

10 2361, 2362(A)(introductory paragraph), 2363, 2365, 2365.1(B) through (D), and

11 2366 and Section 4(B) of Act No. 421 of the 2013 Regular Session of the

12 Legislature, and to enact R.S. 27:392(C)(8), and to repeal R.S. 3:4321(C) and (D),

13 and 4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5, and 572.8(N),

14 R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, and Part VI of Chapter 42

15 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4001,

16 R.S. 22:347(A)(1),(2), and (3), and 831(B), and 835(C), (D), and (F), R.S. 24:39,

17 R.S. 27:92(C), 392(B)(4), and (6), and 439, R.S. 28:842, R.S. 39:97.3, 98.7, Subpart

18 G of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes

19 of 1950, comprised of R.S. 39:100.1, Subpart H of Part II of Chapter 1 of Subtitle

20 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.11,

1 Subpart I of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised
2 Statutes of 1950, comprised of R.S. 39:100.21, Subpart J of Part II of Chapter 1 of
3 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.
4 39:100.26, Subpart K of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana
5 Revised Statutes of 1950, comprised of R.S. 39:100.31, Subpart M of Part II of
6 Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950,
7 comprised of R.S. 39:100.41, Subpart N of Part II of Chapter 1 of Subtitle I of Title
8 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.51, Subpart
9 P-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes
10 of 1950, comprised of R.S. 39:100.81, Subpart Q-1 of Part II of Chapter 1 of Subtitle
11 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.
12 39:100.122, Subpart Q-2 of Part II of Chapter 1 of Subtitle I of Title 39 of the
13 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.123, Subpart R of Part
14 II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950,
15 comprised of R.S. 39:100.126, Subpart R-1 of Part II of Chapter 1 of Subtitle I of
16 Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.136,
17 Subpart S of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised
18 Statutes of 1950, comprised of R.S. 39:100.146, and R.S. 39:1357, R.S. 40:16.2,
19 1402, 1547, and 2845(D)(2) and (3) and (E), R.S. 46:2913, R.S. 47:301.1(F), 318,
20 841(G), 841.1, 841.2, 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S. 49:259,
21 R.S. 51:2212(3), 2213, and 2315, and Code of Criminal Procedure Article 926.1(K),
22 Section 7 of Act No. 420 of the 2013 Regular Session of the Legislature, and Section
23 3 of Act No. 1065 of the 1997 Regular Session of the Legislature, relative to special
24 treasury funds; to provide for the elimination of certain special treasury funds; to
25 eliminate certain dedications into certain special treasury funds; to eliminate certain
26 required expenditures from special treasury funds; to eliminate the Louisiana
27 Agricultural Finance Authority Fund, Forest Protection Fund, Forest Productivity
28 Fund, Louisiana Public Defender Fund, Indigent Parent Representation Program
29 Fund, Innocence Compensation Fund, Academic Improvement Fund, Support

1 Education in Louisiana First Fund, Workforce Training Rapid Response Fund,
2 Higher Education Initiatives Fund, Louisiana Charter School Start-Up Loan Fund,
3 Louisiana State Police Salary Fund, Louisiana Fire Marshal Fund, Municipal Fire
4 and Police Civil Service Fund, Legislative Capitol Technology Enhancement Fund,
5 Riverboat Gaming Enforcement Fund, Equine Health Studies Program Fund,
6 Southern University AgCenter Program Fund, Video Draw Poker Device Purse
7 Supplement Fund, Compulsive and Problem Gaming Fund, Tobacco Settlement
8 Enforcement Fund, Payments Towards the UAL Fund, Sports Facility Assistance
9 Fund, Overcollections Fund, FEMA Reimbursement Fund, State Emergency
10 Response Fund, Louisiana Interoperability Communications Fund, Health Care
11 Redesign Fund, Community Water Enrichment Fund, Louisiana State University
12 Firemen Training Program Film Library Fund, Marketing Fund, Tobacco Tax Health
13 Care Fund, Department of Justice Legal Support Fund, Rapid Response Fund,
14 Louisiana Mega-Project Development Fund, Major Events Incentive Program
15 Subfund, DNA Testing Post-Conviction Relief for Indigents Fund, 2013 Amnesty
16 Collections Fund, Workforce and Innovation for a Strong Economy Fund,
17 Competitive Core Growth Fund, Science, Technology, Engineering and Math
18 (STEM) Upgrade Fund, Louisiana Asbestos Detection and Abatement Fund, Center
19 of Excellence for Autism Spectrum Disorder Fund, Major Events Fund, Unfunded
20 Accrued Liability and Specialized Educational Institutions Support Fund, MediFund,
21 Department of Health and Hospitals' Facility Support Fund, Louisiana Emergency
22 Response Network Fund, FMAP Stabilization Fund, Fund for Louisianians in Need
23 of Civil Legal Assistance, Fiscal Administrator Revolving Loan Fund, Status of
24 Grandparents Raising Grandchildren Fund, Louisiana Economic Development Fund,
25 Telecommunications for the Deaf Fund, Tobacco Regulation Enforcement Fund,
26 Department of Alcohol and Tobacco Control Officers Fund, Tobacco Tax Medicaid
27 Match Fund, Higher Education Financing Fund, Sickle Cell Fund, and the New
28 Orleans Public Safety Fund; to provide for the deposits into the New Opportunities
29 Waiver Fund; to provide for the uses of the Two Percent Fire Insurance Fund, the

1 ~~authority and only in the amount appropriated each year to the authority by the~~
2 ~~legislature. All unexpended and unencumbered monies in the fund at the end of the~~
3 ~~fiscal year shall remain in the fund. The monies in the fund shall be invested by the~~
4 ~~state treasurer in the same manner as monies in the state general fund. All interest~~
5 ~~earned from the investment of the monies in the Louisiana Agricultural Finance~~
6 ~~Authority Fund shall be deposited in that fund.~~

7 * * *

8 §4321. Forest protection assessment

9 * * *

10 B. The assessment shall be entered on the tax rolls by the assessor and shall
11 be paid by the owner of such timberland to the sheriff and ex officio tax collector of
12 the parish in which the timberland is located in the same manner as parish ad
13 valorem taxes and, when collected, shall be remitted to the state treasurer ~~to be used~~
14 solely as provided in this Part for deposit into the state general fund.

15 * * *

16 §4411. Forestry Productivity Fund; disposition of funds

17 A. Funds equal to seventy-five percent of that portion of the severance tax
18 on timber allocated to the state by Article VII, Section 4(D) of the Constitution of
19 Louisiana shall be deposited immediately upon receipt into the state treasury for
20 deposit into the state general fund.

21 * * *

22 §4423. Definitions

23 As used in this Part, the following terms shall have the meanings ascribed
24 below:

25 * * *

26 (3) "Incentives" means any tax exemption, tax credit, tax exclusion, tax
27 deduction, rebate, investment, contract, or grant made available by the state to
28 directly support the purchase of forestry products. "Incentives" shall not mean any
29 such benefit available under statutorily provided programs including Louisiana

1 Quality Jobs Program Act (R.S. 51:2451, et seq.), Louisiana Enterprise Zone Act
 2 (R.S. 51:1781, et seq.), Industry Assistance (R.S. 47:4301, et seq.), Industrial Tax
 3 Exemption (La. Const. Art. VII, Sec. 21(F), Economic Development Award Program
 4 (R.S. 51:2341), Economic Development Loan Program (R.S. 51:2312), and Tax
 5 Equalization (R.S. 47:3201, et seq.), ~~Rapid Response Fund (R.S. 51:2361), and~~
 6 ~~Mega-Project Development Fund (R.S. 51:2365).~~

7 Section 2. R.S. 13:5073(A)(1) is hereby amended and reenacted to read as
 8 follows:

9 §5073. Certifications; directory; tax stamps

10 A.(1) Every tobacco product manufacturer whose cigarettes are sold in this
 11 state, whether directly or through a distributor, retailer, or similar intermediary or
 12 intermediaries, shall execute and deliver on a form prescribed by the attorney general
 13 a certification to the secretary and attorney general, no later than the thirtieth day of
 14 April each year, certifying under penalty of perjury that, as of the date of such
 15 certification, such tobacco product manufacturer either: is a participating
 16 manufacturer; or is in full compliance with R.S. 13:5061 et seq., including all
 17 installment payments required by R.S. 13:5075(J). For the initial certification
 18 submitted no later than the thirtieth of April each year, a manufacturer shall pay to
 19 the attorney general a fee of five hundred dollars. The fees generated pursuant to this
 20 Section shall be deposited in the ~~Tobacco Settlement Enforcement Fund~~ state general
 21 fund and used solely and exclusively for purposes of enforcement of the Master
 22 Settlement Agreement, pursuant to R.S. 39:98.7.

23 * * *

24 Section 3. R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3) are hereby
 25 amended and reenacted to read as follows:

26 §407.27. The Cecil J. Picard LA 4 Early Childhood Program; early childhood
 27 development and enrichment activity classes; financial assistance

28 * * *

29 B.

1 * * *

2 (3) As provided in this Subsection, when a participating school district
3 receives privately funded scholarship funds pursuant to this Subsection, the annual
4 appropriation of state funds for the Cecil J. Picard LA 4 Early Childhood Program
5 shall be reduced by the amount of the private scholarship program funds so received.
6 The commissioner of administration shall determine and specify the amount of the
7 reduction from the source of the funds to provide the maximum benefit to the state
8 from the privately funded scholarship program. The state treasurer shall deposit the
9 amount of the reduction as specified by the commissioner of administration into the
10 ~~Overcollections Fund created in R. S. 39:100.21 and credit the deposit to an account~~
11 ~~within the fund hereby established and created to be known as the "Program~~
12 ~~Participation Savings Account"~~ state general fund.

13 * * *

14 §3046.3 Private Scholarships

15 * * *

16 C. As provided in this Section, when an eligible college or university
17 receives privately funded scholarship funds on behalf of a student, the state funds for
18 the Louisiana GO Grant program shall be reduced by the amount of the private
19 scholarship program funds so received. The commissioner of administration shall
20 determine and specify the amount of the reduction from the source of the funds to
21 provide the maximum benefit to the state from the privately funded scholarship
22 program. The state treasurer shall deposit the amount of the reduction as specified
23 by the commissioner of administration into the ~~Overcollections Fund created in R.~~
24 ~~S. 39:100.21 and credit the deposit to an account within the fund hereby established~~
25 ~~and created to be known as the "Program Participation Savings Account"~~ state
26 general fund.

27 * * *

28 §4019. Private scholarships

29 * * *

1 C. As provided in this Section, when a participating school receives privately
 2 funded scholarship funds on behalf of a student pursuant to this Section, the annual
 3 appropriation of state funds for the program shall be reduced by the amount of such
 4 private scholarship program funds so received. The commissioner of administration
 5 shall determine and specify the amount of the reduction from the source of the funds
 6 to provide the maximum benefit to the state from the privately funded scholarship
 7 program. The state treasurer shall deposit the amount of such reduction as specified
 8 by the commissioner of administration into the ~~Overcollections Fund created in R.S.~~
 9 ~~39:100.21 and credit such deposit to an account within the fund hereby established~~
 10 ~~and created to be known as the "Program Participation Savings Account" state~~
 11 general fund.

12 * * *

13 §5068. Miscellaneous

14 * * *

15 D.

16 * * *

17 (3) As provided in this Subsection, if an eligible college or university
 18 receives privately funded scholarship funds on behalf of a student, the state funds for
 19 the Taylor Opportunity Program for Students shall be reduced by the amount of the
 20 private scholarship program funds so received. A reduction shall not affect the
 21 estimated nature of the Taylor Opportunity Program for Students appropriation as
 22 provided in the Act or Acts that contain such appropriations. The commissioner of
 23 administration shall determine and specify the amount of the reduction from the
 24 source of the funds to provide the maximum benefit to the state from the privately
 25 funded scholarship program. The state treasurer shall deposit the amount of such
 26 reduction as specified by the commissioner of administration into the
 27 ~~Overcollections Fund created in R.S. 39:100.21 and credit the deposit to an account~~
 28 ~~within the fund hereby established and created to be known as the "Program~~
 29 ~~Participation Savings Account" state general fund.~~

1 * * *

2 Section 4. R.S. 22:347(A)(introductory paragraph), 835(B), and 1476(A)(2) are
3 hereby amended and reenacted to read as follows:

4 §347. Disposition of tax money

5 A. Monies collected under R.S. 22:342 through 349, after being first credited
6 to the Bond Security and Redemption Fund in accordance with Article VII, Section
7 9(B) of the Constitution of Louisiana, shall be credited to a special fund hereby
8 established in the state treasury and known as the "Two Percent Fire Insurance Fund"
9 hereinafter the "fund". Any unexpended or unencumbered money remaining in the
10 fund at the end of each fiscal year shall be deposited into the state general fund.

11 Monies in the fund shall be available in amounts appropriated annually by the
12 legislature for the following purposes in the following order of priority:

13 * * *

14 §835. Fire marshal tax; Louisiana Fire Marshal Fund

15 * * *

16 B. All funds received by the commissioner of insurance pursuant to
17 Subsection A of this Section shall be deposited immediately upon receipt into the
18 state treasury for deposit into the state general fund.

19 * * *

20 §1476. Assessments against insurers; dedications

21 A.

22 * * *

23 (2) An amount equal to two and one-fourth hundredths of one percent of the
24 gross direct premiums received in this state, in the preceding year; two and thirty-
25 seven hundredths of one percent of the direct gross premiums received in this state,
26 in the year 2001; and two and one-half hundredths of one percent of the direct gross
27 premiums received in the state, in the year 2003 and every year thereafter by insurers
28 doing business in this state and subject to this Subpart, less returned premiums shall
29 be deposited by the commissioner of insurance with the state treasurer to be credited

1 to a special fund created in the state treasury entitled the Municipal Fire and Police
 2 Civil Service Operating Fund, hereinafter known as the "fund". Subject to an annual
 3 appropriation by the legislature pursuant to the provisions of R.S. 33:2480 and 2540,
 4 monies in the fund shall be used solely to support the operations of the office of state
 5 examiner, Municipal Fire and Police Civil Service. Monies in the fund shall be
 6 invested by the treasurer in the same manner as monies in the state general fund and
 7 interest earned on investment of these monies shall be credited to the state general
 8 fund. All unexpended and unencumbered monies in the fund at the end of the fiscal
 9 year shall revert to the state general fund.

* * *

11 Section 5. R.S. 23:1514(D)(5) is hereby amended and reenacted to read as
 12 follows:

13 §1514. Worker training fund; purpose; training programs; eligibility criteria;
 14 program administration

* * *

16 D.

* * *

18 (5) The administrator may annually set aside an amount up to ten percent of
 19 the amount appropriated to the fund by the state legislature for preemployment
 20 training in any year in which the legislature appropriates funds for training equal to
 21 or exceeding those funds appropriated in the previous year to the Rapid Response
 22 Fund created by R.S. 51:2361 or to the Louisiana Economic Development Fund
 23 created by R.S. 51:2315. All preemployment training shall require an employer
 24 matching contribution of not more than fifty percent, and job placement outcomes
 25 at wage rates commensurate with training, as determined by the administrator
 26 pursuant to duly promulgated rules and regulations.

* * *

1 Section 6. R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), 392(B)(2) and
2 (C)(7), and 437(B)(1)(c) and (2) and (C)(2), (3), and (4) are hereby amended and reenacted
3 and R.S. 27:392(C)(8) is hereby enacted to read as follows:

4 §27.1. Uniform compulsive and problem gambling program

5 * * *

6 F. In any proceeding brought against any licensee, permittee or casino
7 gaming operator and any employee thereof for a willful violation of the self-
8 exclusion rules of the board, the board may order the forfeiture of any money or
9 thing of value obtained by the licensee or the casino gaming operator from any self-
10 excluded person. Any money or thing of value so forfeited shall be deposited into
11 the ~~Compulsive and Problem Gaming Fund established pursuant to R.S. 28:842~~ state
12 general fund.

13 * * *

14 §92. Collection and disposition of fees

15 * * *

16 B.

17 * * *

18 (2) After complying with the provisions of Paragraph (1) of this Subsection,
19 the state treasurer shall, each fiscal year, credit the following amounts to the
20 following funds:

21 ~~(a)(i) One percent, not to exceed five hundred thousand dollars, to the~~
22 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

23 (ii) The amounts of winnings withheld and remitted in accordance with R.S.
24 27:85(B)(2), which shall be deposited into the ~~Compulsive and Problem Gaming~~
25 ~~Fund provided for in R.S. 28:842~~ state general fund.

26 (b)(i) ~~Except as provided in Item (ii) of this Subparagraph, the~~ The franchise
27 fee paid pursuant to R.S. 27:91(C)(1) to the state general fund.

28 (ii) ~~Nine percent of the franchise fee paid pursuant to R.S. 27:91(C)(1) which~~
29 ~~is attributable to any riverboat gaming licensee which pays additional franchise fees~~

1 Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution
2 of Louisiana. Thereafter, the state treasurer shall deposit the monies into the
3 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842~~ state general
4 fund.

5 (b) Quarterly, the corporation shall transfer to the state treasury for deposit
6 into the ~~Compulsive and Problem Gaming Fund provided for in R.S. 28:842~~ state
7 general fund the amount of revenues withheld and remitted in accordance with R.S.
8 27:260(D).

9 (3)(a) Daily, the corporation shall transfer to the state treasury for deposit
10 into certain funds in the treasury, as provided in this Paragraph, the amount of net
11 revenues which the corporation determines are surplus to its needs. After first being
12 credited to the Bond Security and Redemption Fund in accordance with Article VII,
13 Section 9(B) of the Constitution of Louisiana, and after satisfying any other
14 requirements of the Constitution and laws of Louisiana, such net revenues shall be
15 deposited as follows:

16 (i) In each year for which the Joint Legislative Committee on the Budget
17 disapproves or does not act upon the amount of the casino support services contract
18 as provided in R.S. 27:247 ~~and no monies are deposited in and credited to the Casino~~
19 ~~Support Services Fund:~~ ₂

20 (aa) ~~Ten percent shall be deposited in and credited to the Support Education~~
21 ~~in Louisiana First Fund as provided in R.S. 17:421.7 and shall be used solely and~~
22 ~~exclusively for the same purposes provided for in Paragraph (B)(1) of that Section.~~

23 (bb) ~~Ninety percent shall be deposited in and credited to the Support~~
24 ~~Education in Louisiana First Fund as provided in R.S. 17:421.7.~~

25 (ii) In each year for which the Joint Legislative Committee on the Budget
26 approves the amount of the casino support services contract as provided in R.S.
27 27:247: ₂

28 (aa) ~~The first one million eight hundred thousand dollars shall be deposited~~
29 ~~in and credited to the Casino Support Services Fund.~~

1 ~~the division, and the Louisiana Racing Commission shall be credited as hereinafter~~
2 ~~provided in this Subsection.~~

3 (c) (b) Monies in the Gaming Control Fund shall be invested by the state
4 treasurer in the same manner as monies in the state general fund. Interest earned on
5 investment of monies in the Gaming Control Fund shall be credited to the state
6 general fund. Unexpended and unencumbered monies in the Gaming Control Fund
7 at the end of each fiscal year shall be deposited in the state general fund.

8 * * *

9 C.

10 * * *

11 (7) After making the deposits as required by Paragraphs (1) through (6) of
12 this Subsection, the state treasurer shall deposit in and credit an amount not to exceed
13 three million one hundred thousand dollars annually, shall be deposited and credited
14 to the New Orleans Sports Franchise Assistance Fund which is hereby created in the
15 state treasury and which for purposes of this Paragraph shall be known as the
16 "assistance fund". Monies in the assistance fund shall be appropriated and
17 distributed each fiscal year to the Louisiana Stadium and Exposition District for use
18 only to fund contractual obligations of the state to any National Football League or
19 National Basketball Association franchise located in Orleans Parish. Monies in the
20 assistance fund shall be invested in the same manner as monies in the state general
21 fund. Interest earned on the investment of monies in the assistance fund shall be
22 credited to the assistance fund. Unexpended and unencumbered monies in the
23 assistance fund at the end of the fiscal year shall remain in the assistance fund.

24 (8) After compliance with the provisions of Paragraph (1) through (7) of this
25 Subsection, remaining monies shall be deposited in and credited to the state general
26 fund.

27 * * *

28 §437. Video Draw Poker Device Fund; distribution and expenditure

29 * * *

1 B.(1)

2 * * *

3 (c) Thereafter, the state treasurer shall, each fiscal year, credit to a special
4 fund, which is hereby created in the state treasury and entitled the Video Draw Poker
5 Device Fund, an amount equal to all revenues received by the division pursuant to
6 the provisions of this Chapter, except those funds specified by the provisions of R.S.
7 27:435(D)(4), ~~which shall be deposited as provided by R.S. 27:439 and those funds~~
8 ~~withheld pursuant to R.S. 27:443(A)(2) which shall be remitted for deposit to the~~
9 ~~Compulsive and Problem Gaming Fund provided for in R.S. 28:842.~~

10 (2) After complying with the provisions of Paragraph (1) of this Subsection,
11 the state treasurer shall, each fiscal year, credit ~~the following amounts to the~~
12 ~~following special funds:~~

13 (a) ~~One percent, not to exceed five hundred thousand dollars, to the~~
14 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

15 (b) ~~To~~ to a special fund, which is hereby created in the state treasury and
16 entitled the Video Draw Poker Device Fund, an amount equal to all revenues
17 received by the division pursuant to the provisions of this Section, less any monies
18 credited to another fund pursuant to the provisions of Subparagraph (a) of this
19 Paragraph.

20 C.

21 * * *

22 (2) ~~An amount shall be allocated to the Department of Public Safety and~~
23 ~~Corrections and to the Department of Justice, pursuant to legislative appropriation,~~
24 ~~for regulatory, administrative, investigative, enforcement, legal, and such other~~
25 ~~expenses as may be necessary to carry out the provisions of this Chapter and for~~
26 ~~activities associated with enforcement of laws and regulations governing video draw~~
27 ~~poker devices.~~

28 (3) (2) Any monies in the fund not required to meet the purposes provided for
29 in Paragraphs ~~(1) and (2)~~ Paragraph (1) shall be credited to and deposited in the state

1 general fund as they become available. Any unexpended or unencumbered monies
2 remaining in the Video Draw Poker Device Fund at the end of the fiscal year shall
3 revert to the state general fund.

4 ~~(4)~~ (3) An amount equal to all franchise payments exempted pursuant to R.S.
5 27:321 shall be considered to be part of the Video Draw Poker Device Fund for
6 purposes of calculating the distribution of the fund pursuant to ~~Paragraphs (1) and~~
7 ~~(2)~~ Paragraph (1).

8 Section 7. R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3) are hereby amended and
9 reenacted to read as follows:

10 §9551. St. Landry Parish Pari-mutuel Live Racing Economic Redevelopment and
11 Gaming Control Assistance District

12 * * *

13 E. Tax.

14 * * *

15 (3) The district is specifically authorized to transfer to the state such amounts
16 as are necessary to address the policies established by this Chapter and Chapter 7 of
17 Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically: (a) the~~ The district
18 shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state and the state
19 treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live~~
20 ~~Racing Facility Gaming Control Fund to be administered and expended as provided~~
21 ~~in R.S. 27:392(B)(1) and (2), and (b) the district shall transfer three-fourths of the net~~
22 ~~proceeds of such tax to the state and the state treasurer is directed to deposit any such~~
23 ~~amount~~ into the state general fund; however, five percent of the total proceeds
24 transferred to the state shall be deposited in the St. Landry Parish Excellence Fund
25 created by R.S. 27:392(B)(3)(b).

26 * * *

27 §9561. Bossier Parish Pari-Mutuel Live Racing Economic Redevelopment and
28 Gaming Control Assistance District

29 * * *

1 E. Tax.

2 * * *

3 (3) The district is specifically authorized to transfer to the state such amounts
4 as are necessary to address the policies established by this Chapter and Chapter 7 of
5 Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically (a) the~~ The district
6 shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state and the state
7 treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live~~
8 ~~Racing Facility Gaming Control Fund to be administered and expended as provided~~
9 ~~in R.S. 27:392(B)(1) and (2), and (b) the district shall transfer three-fourths of the net~~
10 ~~proceeds of such tax to the state and the state treasurer is directed to deposit any such~~
11 ~~amount~~ into the state general fund; however, five percent of the total proceeds
12 transferred to the state shall be deposited in the Bossier Educational Excellence
13 Fund.

14 * * *

15 §9571. Calcasieu Parish Pari-mutuel Live Racing Economic Redevelopment and
16 Gaming Control Assistance District

17 * * *

18 E. Tax.

19 * * *

20 (3) The district is specifically authorized to transfer to the state such amounts
21 as are necessary to address the policies established by this Chapter and Chapter 7 of
22 Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically: the~~ The district
23 shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state, and the state
24 treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live~~
25 ~~Racing Facility Gaming Control Fund to be administered and expended as provided~~
26 ~~in R.S. 27:392(B)(1) and (2); and the district shall transfer three-fourths of the net~~
27 ~~proceeds of such tax to the state, and the state treasurer is directed to deposit any~~
28 ~~such amount~~ into the state general fund. However, five percent of the total proceeds

1 transferred to the state shall be deposited in the Calcasieu Parish Excellence Fund
2 created by R.S. 27:392(B)(3)(c).

3 * * *

4 Section 8. R.S. 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2)
5 are hereby amended and reenacted to read as follows:

6 §82. Remission of cash balances to the state treasurer; authorized withdrawals of
7 state monies after the close of the fiscal year

8 A. All cash balances occurring from appropriations made by legislative act
9 or by the Interim Emergency Board regardless of date of passage to any state agency
10 for which no bona fide liability exists on the last day of each fiscal year shall be
11 remitted to the state treasurer by the fifteenth day following the last day of the fiscal
12 year. Any appropriations including those made by the Interim Emergency Board of
13 the preceding fiscal year remaining at the end of the fiscal year against which bona
14 fide liabilities existed as of the last day of the fiscal year may be withdrawn from the
15 state treasury during the forty-five day period after the last day of the fiscal year only
16 as such liabilities come due for payment. Prior to placing monies associated with
17 such unexpended appropriations into the state general fund, the state treasurer shall
18 transfer all cash balances identified and reported by the commissioner of
19 administration as being from unexpended and unencumbered state general fund
20 (direct) ~~and Overcollections Fund~~ appropriations for professional, personal, and
21 consulting service contracts not approved by the Joint Legislative Committee on the
22 Budget as provided in R.S. 39:1590 and remaining at the end of each fiscal year for
23 deposit in and credit to the ~~Higher Education Financing Fund~~ as are necessary to
24 satisfy the requirements of R.S. 39:100.146, and then shall make deposits to the
25 ~~Payments Towards the UAL Fund~~ as are necessary to satisfy the requirements of
26 ~~R.S. 39:100.11~~ state general fund.

27 * * *

28 §100.61. New Opportunities Waiver Fund

29 * * *

1 B.(1) The source of monies in the fund shall be ~~as follows~~:

2 (a) ~~In any fiscal year, the state treasurer is directed to deposit twelve percent~~
3 ~~of all recurring state general fund revenue, not to exceed fifty million dollars in any~~
4 ~~fiscal year, as recognized by the Revenue Estimating Conference in excess of the~~
5 ~~Official Forecast at the beginning of the current fiscal year into the New~~
6 ~~Opportunities Waiver Fund, and monies in the fund from this Subparagraph shall be~~
7 ~~used for appropriation in the ensuing fiscal year.~~

8 (b) ~~Monies designated for the fund and~~ monies received by the state treasurer
9 ~~from donations, gifts, grants, appropriations, or other revenue~~ pursuant to the
10 provisions of R.S. 47:120.171.

11 * * *

12 §352. Cancellation of unexpended portions of appropriations; exceptions

13 Whenever any specific appropriation is made to meet any item of expenditure
14 which occurs annually by provision of law or for contingent expense, and any
15 portion of it remains unexpended at the end of the year for which the specific
16 appropriation was made, after all legal claims against it for the year have been paid,
17 the commissioner of administration shall cancel any balance of the appropriation,
18 and each succeeding year he shall open a new account for the appropriation which
19 may be made for that particular year, without carrying forward any unexpended
20 balance of appropriation made for any previous year. This provision shall not apply
21 to appropriations made to pay the debt of the state, principal and interest. Prior to
22 placing monies associated with such unexpended appropriations into the state general
23 fund, the state treasurer shall transfer all cash balances identified and reported by the
24 commissioner of administration as being from unexpended and unencumbered state
25 general fund (direct) and Overcollections Fund appropriations for professional,
26 personal, and consulting service contracts not approved by the Joint Legislative
27 Committee on the Budget as provided in R.S. 39:1590 remaining at the end of each
28 fiscal year for deposit in and credit to the ~~Higher Education Financing Fund as is~~
29 ~~necessary to satisfy the requirements of R.S. 39:100.146 and then shall make~~

1 ~~deposits to the Payments Towards the UAL Fund as are necessary to satisfy the~~
2 ~~requirements of R.S. 39:100.11~~ state general fund.

3 * * *

4 §1590. Approval of certain professional, personal, and consulting services contracts
5 for Fiscal Year 2015-2016 through Fiscal Year 2017-2018

6 A.

7 * * *

8 (2) If within thirty days of receipt of the contract, the contract is placed on
9 the agenda for review, the Joint Legislative Committee on the Budget may take the
10 following action:

11 * * *

12 (b) Reject the contract and notify the commissioner of administration that
13 such funds otherwise proposed for this purpose shall be deposited into the ~~Higher~~
14 ~~Education Financing Fund as provided in R.S. 39:100.146~~ state general fund.

15 (c) Recommend revisions to the contract. If the Joint Legislative Committee
16 on the Budget recommends revisions to the contract, the contract shall not become
17 effective until it is revised, resubmitted to the Joint Legislative Committee on the
18 Budget, and acted upon again by the committee. If the commissioner of
19 administration, in consultation with the state chief procurement officer, does not
20 resubmit the contract to the Joint Legislative Committee on the Budget within thirty
21 days after the committee recommends revisions to the contract, the contract shall be
22 deemed to be rejected and funds otherwise proposed for this purpose shall be
23 deposited into the ~~Higher Education Financing Fund as provided in R.S. 39:100.146~~
24 state general fund.

25 B.(1)

26 * * *

27 (2) Following each determination required pursuant to the provisions of this
28 Subsection, the commissioner of administration shall report to the state treasurer the
29 amount of state general fund (direct) and Overcollections Fund monies appropriated

1 for professional, personal, and consulting service contracts that are expected to
2 remain unexpended and unencumbered at the end of the fiscal year as a result of
3 implementation of this Section. These monies shall be available for deposit in and
4 credit to the ~~Higher Education Financing Fund as provided for in R.S. 39:100.146~~
5 state general fund.

6 * * *

7 Section 9. R.S. 40:1582(E), 1593, and 2845(A)(6)(b) are hereby amended and
8 reenacted to read as follows:

9 §1582. Emergency elevator access; master key; substitute emergency measures;
10 enforcement; penalty; rulemaking authority

11 * * *

12 E. The office of state fire marshal shall enforce this Section. Any person
13 who fails to comply with the requirements of this Section is subject to an
14 administrative fine of not more than one thousand dollars, in addition to any other
15 penalty provided by law. All administrative fines shall be deposited into the
16 ~~Louisiana Fire Marshal Fund~~ state general fund.

17 * * *

18 §1593. Volunteer firefighters; medical and life insurance

19 The state fire marshal is authorized to negotiate for and to purchase ~~out of~~
20 ~~funds available for such purpose in the Two Percent Fire Insurance Fund provided~~
21 ~~for in R.S. 22:347(A)~~ a group insurance policy to provide medical benefits, death
22 benefits, and burial benefits for volunteer firefighters of the state suffering injury or
23 death while engaged in the scope of their duties as volunteer firefighters. Such
24 policy shall cover all bona fide volunteers starting the day upon which their
25 membership begins without any prior certification to the state fire marshal's office
26 or to the insurer. The state fire marshal shall deliver to each volunteer unit a printed
27 notice concerning the policy requirements as to written notice of claim and written
28 proof of loss including the period in which such must be filed. The volunteer unit
29 shall post such notice in a conspicuous place at its facilities.

1 * * *

2 §2845. Board; functions, powers, and duties

3 A. The board shall:

4 * * *

5 (6) Establish and maintain a statewide trauma registry to collect and analyze
6 data on the incidence, severity, and causes of trauma, including traumatic brain
7 injury. The registry shall be used to improve the availability and delivery of pre-
8 hospital or out-of-hospital care and hospital trauma care services.

9 * * *

10 (b) Required reporting to the state trauma registry is contingent on LERN
11 providing adequate financial support ~~through the Louisiana Emergency Response~~
12 ~~Network Fund~~ to cover administrative costs.

13 * * *

14 Section 10. R.S. 42:262(B) is hereby amended and reenacted to read as follows:

15 §262. Special attorney or counsel

16 * * *

17 B. Any recovery or award of attorney fees, including settlement, in litigation
18 involving the attorney general or any state agency, board, or commission, not
19 including any public postsecondary education institution, belongs to the state and
20 shall be deposited into the state treasury into the ~~Department of Justice Legal~~
21 ~~Support Fund in accordance with R.S. 49:259~~ state general fund. No payment of
22 attorney fees shall be made out of state funds in the absence of express statutory
23 authority, including R.S. 17:100.10, R.S. 23:1669, R.S. 37:2153, R.S. 41:724 and
24 922, R.S. 42:1157.3, R.S. 46:15, R.S. 47:1512, 1515.3, 1516, 1516.1, and 1676,
25 except such payment of attorney fees as may be approved by the Joint Legislative
26 Committee on the Budget during the interim between legislative sessions.

27 * * *

28 Section 11. R.S. 46:977.13 is hereby amended and reenacted to read as follows:

1 §977.13. Louisiana Children and Youth Health Insurance Program premium
2 monies; ~~Health Care Redesign Fund~~

3 Monies received by the state as a result of premiums paid for coverage
4 through the program shall be ~~credited to the Health Care Redesign Fund~~ deposited
5 into the state general fund.

6 Section 12. R.S. 47:1061(A)(4) and (B) and 9029(B) are hereby amended and
7 reenacted to read as follows:

8 §1061. Telecommunication tax for the deaf

9 A.

10 * * *

11 (4) The revenues so collected shall be remitted by the secretary immediately
12 upon receipt to the treasurer and the treasurer shall credit the full amount of such
13 taxes to the Bond Security and Redemption Fund and then deposit the amount into
14 the state general fund. ~~After a sufficient amount is allocated from that fund to pay~~
15 ~~all obligations secured by the full faith and credit of the state which become due and~~
16 ~~payable within any fiscal year, the treasurer shall pay the remainder of such funds~~
17 ~~into a special fund which is hereby created within the state treasury and designated~~
18 ~~as the "Telecommunications for the Deaf Fund".~~

19 B. ~~The monies in the Telecommunications for the Deaf Fund shall be used~~
20 ~~solely to establish, administer, and promote a statewide program to provide~~
21 ~~accessibility services and assistive technology for persons who are deaf, deaf/blind,~~
22 ~~hard of hearing, speech impaired, or others with similar disabilities or impairments,~~
23 ~~in the amounts appropriated each year by the legislature to the Louisiana~~
24 ~~Commission for the Deaf. Any surplus monies remaining to the credit of the fund~~
25 ~~on June thirtieth of each year and any funds earned through the investment of the~~
26 ~~monies in the fund shall remain to the credit of the fund.~~

27 * * *

1 §9029. Deposit of revenues; expenditures and investments authorized; transfer of
2 revenues to state treasury; dedication and use of proceeds; corporation
3 operating account; audit of corporation books and records; audits

4 * * *

5 B.~~(1)~~ A Louisiana Lottery Proceeds Fund is hereby established in the state
6 treasury. Net lottery proceeds shall be credited to this fund as provided in
7 Subsection A of this Section. Monies credited to the Louisiana Lottery Proceeds
8 Fund shall be invested by the state in accordance with state investment practices and
9 all earnings from such investments shall accrue to this account. ~~Except as provided~~
10 ~~in Paragraph (2) of this Subsection, no~~ No monies shall be allotted or expended from
11 this account unless pursuant to an appropriation by the legislature in accordance with
12 law.

13 ~~(2) The state treasurer is authorized and directed to transfer annually an~~
14 ~~amount equaling five hundred thousand dollars from the Lottery Proceeds Fund to~~
15 ~~the Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

16 * * *

17 Section 13. R.S. 51:1927.1, 2211 (A), 2332(3), 2341(F), 2361, 2362(A)(introductory
18 paragraph), 2363, 2365, 2365.1(B) through (D), and 2366 are hereby amended and reenacted
19 to read as follows:

20 §1927.1. Annual audit; annual rate of return; appreciation excess; ~~remittance to~~
21 Louisiana Economic Development Fund

22 A. Following a decertification of a pool that was certified on or after January
23 1, 1999, and for which insurance premium tax credits were granted, an independent
24 certified public accountant shall perform a review of all distributions other than tax
25 distributions and management fees from such pool to the equity holders of the pool
26 to determine if such distributions produce an annual internal rate of return to the
27 equity holders of the pool of at least fifteen percent calculated on the original amount
28 of certified capital contributed to such pool as well as any additional capital
29 contributed to such pool. Within thirty days following the issuance of the

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1 accountant's report, the certified capital company shall remit to the ~~Louisiana~~
2 ~~Economic Development Fund~~ state general fund twenty-five percent of all
3 distributions in excess of the amount required to produce an annual internal rate of
4 return of fifteen percent until the ~~Louisiana Economic Development Fund~~ state
5 general fund shall have received an amount equal to the amount of tax credits
6 granted for the pool. Thereafter, the certified capital company shall remit to the
7 ~~Louisiana Economic Development Fund~~ state general fund five percent of such
8 excess distributions.

9 B. Following a decertification of a pool that was certified on or after January
10 1, 2002, and for which income tax credits or insurance premium tax credits were
11 granted, an independent certified public accountant shall annually perform a review
12 of all distributions, other than tax distributions and management fees, from such pool
13 to the equity holders of the pool to determine if such distributions produce a rate of
14 return to the equity holders of the pool of at least ten percent calculated on the
15 original amount of certified capital contributed to such pool as well as any additional
16 capital contributed to such pool. Within thirty days following the issuance of the
17 accountant's annual report, the certified capital company shall remit twenty-five
18 percent of all distributions in excess of the amount required to produce a rate of
19 return of ten percent to the ~~Louisiana Economic Development Fund~~ state general
20 fund.

21 C. The calculation of internal rate of return shall include all cash
22 distributions to equity investors out of the certified capital company's investment
23 pool, except for tax distributions and management fees. Management fees shall not
24 exceed two and one-half percent per annum of the total certified capital of the pool
25 without the prior approval of the secretary. Notwithstanding any other provisions
26 in this Chapter to the contrary, for all certified capital pools formed after December
27 31, 2001, if a certified Louisiana capital company does not place (1) forty percent of
28 the investment pool in qualified investments within three years after the investment
29 date, (2) sixty percent of the investment pool in qualified investments within five

1 years of the investment date, and (3) upon the certified Louisiana capital company's
 2 option either (a) one hundred percent of the investment pool in qualified investments
 3 within seven years of the investment date or (b) one hundred and ten percent of the
 4 investment pool in qualified investments within eight years of the investment date,
 5 then following a decertification pursuant to R.S. 51:1928(B)(3), such company shall
 6 remit to the ~~Louisiana Economic Development Fund~~ state general fund twenty-five
 7 percent of all distributions, other than tax distributions and management fees, until
 8 the ~~Louisiana Economic Development Fund~~ state general fund shall have received
 9 one hundred percent of the tax credits granted for such pool and thereafter the
 10 company shall remit ten percent of all distributions, other than tax distributions and
 11 management fees to the ~~Louisiana Economic Development Fund~~ state general fund.

12 If a certified Louisiana capital company has not decertified an investment pool
 13 formed after December 31, 2001, pursuant to R.S. 51:1928(B)(3) within ten years
 14 from the investment date, such company shall remit to the ~~Louisiana Economic~~
 15 ~~Development Fund~~ state general fund fifty percent of all distributions until the
 16 ~~Louisiana Economic Development Fund~~ state general fund shall have received one
 17 hundred percent of the tax credits granted for such pool, and thereafter the company
 18 shall remit twenty percent of all distributions to the ~~Louisiana Economic~~
 19 ~~Development Fund~~ state general fund.

20 D. Notwithstanding any other provision of this Chapter to the contrary and
 21 considering the adverse impact of Hurricanes Katrina and Rita, all investment
 22 deadlines required by this Section which would have fallen between August 25,
 23 2005, and December 30, 2005, shall be extended to March 31, 2006.

24 * * *

25 §2211. Purpose and goals

26 A. The provisions of this Chapter ~~establish the MediFund as a special fund~~
 27 ~~within the state treasury shall be~~ shall be to support advancement of biosciences, biomedical,
 28 and medical centers of excellence in Louisiana. The MediFund governing board
 29 shall endeavor to achieve this purpose by coordinating and deploying public and

1 private resources to strategically develop and enhance this state's competitiveness in
2 biosciences, biomedical, and medical centers of excellence.

3 * * *

4 §2332. Definitions

5 As used in this Chapter, the following terms shall have the following
6 definitions:

7 * * *

8 (3) "Fund" means the ~~Louisiana Economic Development Fund~~ state general
9 fund.

10 * * *

11 §2341. Economic Development Award Program

12 * * *

13 F. The legislature shall make an annual appropriation to EDAP for deposit
14 in the ~~Louisiana Economic Development Fund~~ under the terms and conditions as
15 provided for in R.S. 51:2315. Project awards shall be disbursed by the corporation's
16 board.

17 * * *

18 PART VI-A RAPID RESPONSE FUND PROJECTS

19 §2361. Rapid Response ~~Fund~~ Projects

20 A.(1) ~~The Rapid Response Fund, hereinafter referred to as the "fund", is~~
21 ~~hereby created as a special fund within the state treasury.~~

22 (2) ~~Beginning July 1, 2005, the state treasurer is directed to deposit into the~~
23 ~~fund at the beginning of each fiscal year ten million dollars. The legislature may~~
24 ~~appropriate additional monies to the fund notwithstanding the balance in the fund.~~

25 B.(1) ~~All unexpended and unencumbered monies in the fund at the end of~~
26 ~~the fiscal year shall remain in the fund. Monies in the fund shall be invested by the~~
27 ~~treasurer in the same manner as those in the state general fund, and any interest~~
28 ~~earned on the investment of monies in the fund shall be credited to the fund.~~

1 ~~(2) Monies in the fund shall be~~ The legislature may make available for
2 appropriation to the Department of Economic Development, hereinafter referred to
3 as the "department": ~~Such appropriations~~ monies that shall be used by the secretary
4 of the department for immediate funding of all or a portion of economic development
5 projects which may be necessary in order to successfully secure the creation or
6 retention of jobs by a business entity under such circumstances as may be determined
7 by the secretary and the governor.

8 ~~(3) B.(1)~~ The secretary shall report to the Joint Legislative Committee on the
9 Budget twice yearly, on the first day of October and the first day of April, with
10 respect to all actual expenditures of monies ~~appropriated from the fund~~. The reports
11 shall be available electronically, and the secretary shall include in these reports any
12 other information which the committee may require with respect to use of monies
13 ~~appropriated from the fund~~, including but not limited to the following information
14 on each economic development project which receives funding:

- 15 (a) Performance targets.
- 16 (b) Outcomes.
- 17 (c) Numbers of jobs created and retained.
- 18 (d) Overall payroll generated.

19 ~~(4) (2)~~ The department shall make available upon request the economic
20 impact analysis on an economic development project which receives monies ~~from~~
21 ~~the fund~~.

22 C. At the same time as the secretary submits to the official journal for the
23 state a notice containing general information regarding active negotiations for an
24 economic development project which is eligible for funding ~~from the fund~~, which
25 active negotiations the secretary desires to keep confidential as provided in R.S.
26 44:22, upon request by a member of the legislature in whose legislative district a
27 project is located, the secretary may provide information regarding the project if the
28 member submits his signature under oath that all information shall remain
29 confidential and privileged.

1 Development, hereinafter referred to as the "department". ~~Such appropriations~~
2 monies that shall be used by the secretary of the department for immediate funding
3 of all or a portion of economic development mega-projects which may be necessary
4 in order to successfully secure the creation or retention of jobs by a business entity
5 or a qualified major event under such circumstances as established by this Part.

6 (2) The secretary shall report to the Joint Legislative Committee on the
7 Budget twice yearly, on the first day of October and the first day of April, with
8 respect to all actual expenditures of monies ~~appropriated from the fund~~. The reports
9 shall be available electronically, and the secretary shall include in these reports any
10 other information which the committee may require with respect to use of monies
11 appropriated from the fund, including but not limited to the following information
12 on each economic development project which receives funding:

- 13 (a) Performance targets.
- 14 (b) Outcomes.
- 15 (c) Numbers of jobs created and retained.
- 16 (d) Overall payroll generated.

17 (3) The department shall make available upon request the economic impact
18 analysis on an economic development project which receives monies ~~from the fund~~.
19 This Subparagraph shall not apply to a mega-project which is a qualified major event
20 as defined in R.S. 51:2365.1.

21 ~~E. B.~~ B. Monies ~~in the fund~~ shall be expended only upon recommendation by
22 the secretary and concurrence by the governor. Any such recommendation shall be
23 implemented pursuant to a cooperative endeavor agreement executed in accordance
24 with the provisions of R.S. 33:9029.2 and subject to approval by the Joint Legislative
25 Committee on the Budget.

26 ~~F. C.~~ C.(1) For purposes of this Section, "mega-project" means:

- 27 (a) A project which will provide the following:
 - 28 (i) Either five hundred new direct jobs to the state or a minimum initial
 - 29 investment of five hundred million dollars by the private sector or the United States

1 Government through the creation of a new facility or the expansion of an existing
2 facility.

3 (ii) A substantial return on the investment by the state as measured by
4 projected tax revenues.

5 (b) A project for a military or federal installation which is important to the
6 Louisiana economy and that may be subject to base realignment and closure, or for
7 the purchase of land for a mega-project.

8 (c) A project resulting in re-creating or saving at least five hundred direct
9 jobs in this state, through the transfer of ownership of a facility that has been closed
10 or a facility that is at risk of closure due to conditions arising out of or relating to a
11 proceeding under Title 11 of the United States Code.

12 (d) A qualified major event as defined in R.S. 51:2365.1(A)(5) which meets
13 all of the requirements for eligibility as set forth in R.S. 51:2365.1(D).

14 (2) Except for a mega-project as provided in Subparagraphs (1)(b) and (d) of
15 this Subsection, the investment by the state in any mega-project shall not exceed
16 thirty percent of the total cost of the project as described by the cooperative endeavor
17 agreement.

18 G. D. At the same time as the secretary submits to the official journal for the
19 state a notice containing general information regarding active negotiations for an
20 economic development mega-project which is eligible for funding ~~from the fund~~,
21 which active negotiations the secretary desires to keep confidential as provided in
22 R.S. 44:22, upon request by a member of the legislature in whose legislative district
23 a project is located, the secretary may provide information regarding the project if
24 the member submits his signature under oath that all information shall remain
25 confidential and privileged.

26 §2365.1. Major Events Incentive Program ~~and the Major Events Incentive Program~~
27 ~~Subfund~~

28 * * *

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1 ~~B.(1) There is hereby established in the state treasury a special subfund in~~
2 ~~the Mega-Project Development Fund to be known as the "Major Events Incentive~~
3 ~~Program Subfund", hereafter in this Section, the "subfund".~~

4 ~~(2) Beginning with the 2015-2016 Fiscal Year and for each fiscal year~~
5 ~~thereafter, and after allocation of money to the Bond Security and Redemption Fund~~
6 ~~as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the~~
7 ~~treasurer shall transfer in and credit to the subfund an amount equal to the sum of the~~
8 ~~incremental increase in state tax receipts generated by the occurrence of all qualified~~
9 ~~events.~~

10 ~~(3) Monies in the subfund shall be invested in the same manner as monies~~
11 ~~in the Louisiana Mega-Project Development Fund and any interest earned on the~~
12 ~~investment of monies in the subfund shall be credited to the subfund. All~~
13 ~~unexpended and unencumbered monies in the subfund at the end of the fiscal year~~
14 ~~shall remain in the subfund.~~

15 ~~(4) Subject to legislative appropriation and the approval of the Joint~~
16 ~~Legislative Committee on the Budget, the treasurer shall disburse monies as provided~~
17 ~~in R.S. 51:2365 to each eligible entity at times and in amounts as determined by the~~
18 ~~secretary and approved by the Joint Legislative Committee on the Budget.~~

19 ~~C.(1)~~ B.(1) Subject to legislative appropriation and the approval of the Joint
20 Legislative Committee on the Budget, the secretary of the Department of Economic
21 Development is hereby authorized to enter into a contract with a local organizing
22 committee, endorsing parish, or endorsing municipality to recruit, solicit, or acquire
23 for Louisiana any qualified event that will have a significant positive impact on
24 economic development in the state. The contract shall provide for a financial
25 commitment to the local organizing committee, endorsing parish, or endorsing
26 municipality which shall be subject to legislative appropriation.

27 (2) The amount of the incremental increase in certain state tax receipts
28 generated within the designated area by the occurrence of the qualified event during
29 a specified period shall be determined by the secretary. ~~The secretary shall notify the~~

1 Section 4.

2 * * *

3 B.(1) After satisfaction of the requirements of Subsection A of this Section,
4 all remaining monies collected pursuant to this Act shall be paid into the state
5 treasury. After compliance with the requirements of Article VII, Section 9(B) of the
6 Constitution of Louisiana relative to the Bond Security and Redemption Fund ~~and~~
7 ~~prior to any monies being placed into the state general fund or any other fund;~~ an
8 amount equal to the remaining collections shall be credited by the state treasurer to
9 a special fund hereby created in the state treasury to be known as the 2013 Amnesty
10 Collections Fund, hereinafter referred to as "fund". ~~The monies in the fund shall be~~
11 ~~available for appropriation for any public purpose.~~ the state general fund.

12 ~~(2) Monies in the fund shall be invested by the state treasurer in the same~~
13 ~~manner as those in the state general fund and interest earned on such investment shall~~
14 ~~be credited to the fund after compliance with the requirements of the Bond Security~~
15 ~~and Redemption Fund. All unexpended and unencumbered monies in the fund at the~~
16 ~~end of the year shall remain in the fund.~~

17 * * *

18 Section 15. R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S.
19 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3,
20 3138.4, and Part VI of Chapter 42 of Title 17 of the Louisiana Revised Statutes of 1950,
21 comprised of R.S. 17:4001, R.S. 22:347(A)(1), (2), and (3), 831(B), and 835(C), (D), and
22 (F), R.S. 24:39, R.S. 27:92(C), 392(B)(4) and (6), and 439, R.S. 28:842, R.S. 39:97.3, 98.7,
23 Subpart G of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes
24 of 1950, comprised of R.S. 39:100.1, Subpart H of Part II of Chapter 1 of Subtitle I of Title
25 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.11, Subpart I of Part
26 II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised
27 of R.S. 39:100.21, Subpart J of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana
28 Revised Statutes of 1950, comprised of R.S. 39:100.26, Subpart K of Part II of Chapter 1 of
29 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.

1 39:100.31, Subpart M of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana
 2 Revised Statutes of 1950, comprised of R.S. 39:100.41, Subpart N of Part II of Chapter 1 of
 3 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.
 4 39:100.51, Subpart P-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana
 5 Revised Statutes of 1950, comprised of R.S. 39:100.81, Subpart Q-1 of Part II of Chapter
 6 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.
 7 39:100.122, Subpart Q-2 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana
 8 Revised Statutes of 1950, comprised of R.S. 39:100.123, Subpart R of Part II of Chapter 1
 9 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.
 10 39:100.126, Subpart R-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana
 11 Revised Statutes of 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1
 12 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.
 13 39:100.146, and R.S. 39:1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3) and (E),
 14 R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e), 1602.1, and
 15 6351(G)(3) and (4), R.S. 49:259, and R.S. 51:2212(3), 2213, and 2315, Code of Criminal
 16 Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013 Regular Session of the
 17 Legislature, and Section 3 of Act No. 1065 of the 1997 Regular Session of the Legislature
 18 are hereby repealed in their entirety.

19 Section 16. The state treasurer is hereby authorized and directed to transfer any
 20 unencumbered balances remaining in the funds repealed and abolished in Sections 1 through
 21 15 of this Act to the state general fund after satisfying the appropriations for Fiscal Year
 22 2015-2016.

23 Section 17. This Act shall become effective on July 1, 2016.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 742 Original

2016 Regular Session

Jay Morris

Abstract: Eliminates certain dedicated funds and transfers remaining fund balances into the state general fund and eliminates certain dedications of certain funds.

VARIOUS FUNDS

Proposed law eliminates the following funds:

2013 Amnesty Collections Fund	§4(B) of Act No. 421 of the 2013 R.S. of the Legislature
Academic Improvement Fund	R.S. 17:354
Center for Excellence for Autism Spectrum Disorder	R.S. 39:100:122
Competitive Core Growth Fund	R.S. 17:3138.2
Compulsive and Problem Gaming Fund	R.S. 27:27.1(F), 92(B)(2)(a), 249(A), 270(A)(2), 392(B)(2)(a) and 437, R.S. 28:842, and R.S. 47:9029(B)
Community Water Enrichment Fund	R.S. 39:100.81
Department of Health and Hospitals Facility Support Fund	R.S. 40:16.2 and R.S. 3:2(C)
Department of Justice Legal Support Fund	R.S. 49:259 and R.S. 42:262(B)
Department of Revenue Alcohol and Tobacco Control Officers Fund	R.S. 11:544
DNA Testing Post-Conviction Relief for Indigents Fund	CCrP. Art. 926.1(K) and R.S. 15:147(B)(14)
Equine Health Studies Program Fund	R.S. 27:392(B)(6)(a)
FEMA Reimbursement Fund	R.S. 39:100.26 and 100.31
Fiscal Administrator Revolving Loan Fund	R.S. 39:1357
FMAP Stabilization Fund	§7 of Act No. 420 of the 2013 R.S. of the Legislature
Forest Productivity Fund	R.S. 3:4411
Forest Protection Fund	R.S. 3:4321(C) through (D)
Fund for Louisianians in Need of Civil Legal Assistance	§3 of Act No. 1065 of the 1997 R.S. of the Legislature
Health Care Redesign Fund	R.S. 39:100.51 and R.S. 46:977.13
Higher Education Initiatives Fund	R.S. 17:3129.6
Higher Education Financing Fund	R.S. 39:100.146, 352, and 1590(A)(2)(b) and (c) and (B)(2)
Indigent Parent Representation Program Fund	R.S. 15:185.5
Innocence Compensation Fund	R.S. 15:572.8(N)
Legislative Capitol Technology Enhancement Fund	R.S. 24:39
Louisiana Agricultural Finance Authority Fund	R.S. 3:277, and R.S. 27:392(B)(4)
Louisiana Asbestos Detection and Abatement Fund	R.S. 39:97.3
Louisiana Charter School Start-Up Loan Fund	R.S. 17:4001
Louisiana Economic Development Fund	R.S. 23:1514(D)(5), R.S. 47:318(D), R.S. 51:1927.1, 2315, 2332(3), and 2341
Louisiana Emergency Response Network Fund	R.S. 40:2845(A)(6), (D)(2) and (3), and (E)
Louisiana Fire Marshal Fund	R.S. 22:835 and R.S. 40:1582(E)
Louisiana Interoperability Communications Fund	R.S. 39:100.41
Louisiana Mega-Project Development Fund	R.S. 51:2365 and 2366, R.S. 3:4423(3)
Louisiana Public Defender Fund	R.S. 15:167
Louisiana State Police Salary Fund	R.S. 22:831(B)
Louisiana State University Firemen Training Program Film Library Fund	R.S. 40:1547
Major Events Fund	R.S. 39:100.126

Major Events Incentive Program Subfund	R.S. 51:2365.1
Marketing Fund	R.S. 47:318
MediFund	R.S. 51:2211-13
Municipal Fire and Police Civil Service Operating Fund	R.S. 22:1476(A)(2)
New Orleans Public Safety Fund	R.S. 40:1402
Overcollections Fund	R.S. 39:100.21, R.S. 17:407.27(B)(3), 3046.3(C), 5068(D)(3), and 4019(C)
Payments Towards the UAL Fund	R.S. 39:100.11, R.S. 39:82(A) and 352
Rapid Response Fund	R.S. 51:2361,2362, 2363, R.S. 3:4423(3), R.S. 23:1514(D)(5)
Riverboat Gaming Enforcement Fund	R.S. 27:92(B)(2)(c) and (C)
Sickle Cell Fund	R.S. 39:100.123
Southern University AgCenter Program Fund	R.S. 27:392(B)(6)(b)
Sports Facility Assistance Fund	R.S. 39:100.1, and R.S.47:1602.1 and 1520(A)(1)(e)
State Emergency Response Fund	R.S. 39:100.26(A) and 100.31
Status of Grandparents Raising Grandchildren Fund	R.S. 46:2913
Science, Technology, Engineering, and Math (STEM) Upgrade Fund	R.S. 17:3138.3
Support Education in Louisiana First Fund	R.S. 17:421.7, R.S. 27:92(B)(2), 270(A)(3)
Telecommunications for the Deaf Fund	R.S. 47:301.1(F) and 1061
Tobacco Regulation Enforcement Fund	R.S. 47:841(G)
Tobacco Settlement Enforcement Fund	R.S. 13:5073(A)(1), and R.S. 39:98.7
Tobacco Tax Health Care Fund	R.S. 47:841.1
Tobacco Tax Medicaid Match Fund	R.S. 47:841.2
Unfunded Accrued Liability and Specialized Educational Institutions Support Fund	R.S. 39:100.136; and R.S. 47:6351(G)(3) and (4)
Video Draw Poker Device Purse Supplement Fund	R.S. 27:439
Workforce and Innovation for a Strong Economy	R.S. 17:3138.2, 3138.3, and 3138.4
Workforce Training Rapid Response Fund	R.S. 17:1874

Proposed law directs the state treasurer to transfer any balances remaining in the funds eliminated to the state general fund.

NEW OPPORTUNITIES WAIVER FUND (R.S. 39:100.61)

Present law (R.S. 39:100.61) creates the New Opportunities Waiver Fund and provides for sources of monies in the fund including:

- (1) 12% of recurring state general fund, not to exceed \$50 million any fiscal year, that is recognized by the Revenue Estimating Conference in excess of the official forecast at the beginning of the current fiscal year.
- (2) Any donations, gifts, grants, appropriations, or other revenue designated to the fund and received by the treasurer.

Present law (R.S. 47:120.171) provides that a state taxpayer that files an individual income tax return may donate an amount of their refund to the New Opportunities Waiver Fund.

Proposed law eliminates the recurring state general fund as a source of revenue into the fund and changes the other revenue from any donations, gifts, grants, appropriations, or other revenue to donations received from the refund of a state taxpayer as provided for in present law.

TWO PERCENT FIRE INSURANCE FUND (R.S. 22:347)

Present law provides for the collection of a 2% tax on the amount of premiums received from any business that insures property against loss or damage by fire, as well as certain penalties on such insurers.

Present law creates the Two Percent Fire Insurance Fund (R.S. 22:347) and deposits the collections related to insurers of property against loss or damage by fire into the fund. Monies in the fund are dedicated as follows:

- (1) The state fire marshal to purchase group insurance for volunteer firefighters.
- (2) The Fire and Emergency Training Institute at Louisiana State University at Baton Rouge, including allocations to the Pine Country Education Center and Delgado Community College, for firefighter training.
- (3) Distributions to each parish governing authority according to a formula provided for in present law.

Proposed law eliminates the distributions to the state fire marshal and Fire and Emergency Training Institute at Louisiana State University.

PARI-MUTUEL LIVE RACING FACILITY GAMING CONTROL FUND (R.S. 27:392)

Present law provides for the collection of fees, fines and taxes related to slot machines.

Present law creates the Pari-mutuel Live Racing Facility Gaming Control Fund (Gaming Control Fund) and after deposit into the Compulsive and Problem Gaming Fund, deposits the remainder of the revenues into the Gaming Control Fund. Monies are dedicated to the expenses of the Gaming Control Board, the Department of Justice, and the Louisiana Racing Commission.

Present law further deposits certain amounts of slot machine proceeds into certain funds for the use of various localities with remaining monies deposited into the New Orleans Sports Franchise Assistance Fund.

Proposed law eliminates the dedications from the fund to the Gaming Control Board, the Department of Justice, and the Louisiana Racing Commission.

Proposed law further limits the deposit into the New Orleans Sports Franchise Assistance Fund to \$3.1 million annually and deposits money remaining in the Gaming Control Fund at the end of the year into the state general fund.

VIDEO DRAW POKER DEVICE FUND (R.S. 27:437)

Present law provides for the collection of taxes, fees, fines and penalties related to video draw poker devices.

Present law creates the Video Draw Poker Device Fund and, after the deposit into the Compulsive and Problem Gaming Fund, deposits the remainder of the revenues into the Video Draw Poker Device Fund. Monies in the fund are dedicated as follows:

- (1) 25% of the monies in the fund are distributed as follows:
 - (a) Compensation for district attorneys and assistant district attorneys, not to exceed \$5.4 million.
 - (b) Governing authorities of municipalities in which video draw poker devices are operated.
 - (c) Sheriff of municipalities in which video draw poker devices are operated.
- (2) An allocation to the Dept. of Public Safety and Correction and the Department of Justice to enforce the laws and regulations governing video draw poker devices.
- (3) Monies in the fund that are not required to meet the other dedications as required in present law are deposited into the state general fund.

Proposed law eliminates the allocation to the Dept. of Public Safety and Correction and the Department of Justice to enforce the laws and regulations governing video draw poker devices. Proposed law further requires the deposit of any unexpended or unencumbered money at the end of the fiscal year into the state general fund.

Effective July 1, 2016.

(Amends R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3), R.S. 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3), R.S. 22:347(A)(intro. para.), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5), R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c) and (2) and (C)(2), (3), and (4), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S. 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 40:1582(E), 1593, and 2845(A)(6)(b), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4) and (B) and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), and 2341(F), 2361, 2362(A)(intro. para.), 2363, 2365, 2365.1(B) through (D), and 2366 and §4(B) of Act No. 421 of the 2013 Regular Session of the Legislature; Repeals R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, and R.S. 17:4001, R.S.22:347(A)(1),(2), and (3), 831(B), and 835(C), (D), and (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2), (4), and (6), and 439, R.S. 28:842, R.S. 39:97.3, 98.7, 100.1, 100.11, 100.21, 100.26, 100.31, 100.41, 100.51, 100.81, 100.122, 100.123, 100.126, 100.136, 100.146 and 1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3) and (E), R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S. 49:259, R.S. 51:2212(3), 2213, and 2315, and Code of Criminal Procedure Article 926.1(K), §7 of Act No. 420 of the 2013 R.S. of the Legislature, and §3 of Act No. 1065 of the 1997 R.S. of the Legislature)