

2017 First Extraordinary Session

HOUSE BILL NO. 3

BY REPRESENTATIVE HENRY

APPROPRIATIONS/SUPPLEML: Supplemental appropriations and reductions in appropriations for Fiscal Year 2016-2017 (Item #1)

1 AN ACT

2 To appropriate funds and to make and otherwise provide for certain reductions in
3 appropriations from certain sources to be allocated to designated agencies and
4 purposes in specific amounts for the making of supplemental appropriations and
5 reductions for said agencies and purposes for the 2016-2017 Fiscal Year; to provide
6 for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1.A. The commissioner of administration is authorized and directed to
9 reduce the State General Fund (Direct) appropriations contained in Act 17 of the 2016
10 Regular Session of the Legislature for the following agencies in the following amounts:

11 **Executive Department**

- 12 01-100 Executive Office by (\$112,070)
- 13 01-106 Louisiana Tax Commission by (\$52,504)
- 14 01-107 Division of Administration by (\$820,941)

15 **Elected Officials**

- 16 04-146 Lieutenant Governor by (\$53,365)
- 17 04-160 Agriculture and Forestry by (\$1,245,410)

18 **Department of Economic Development**

- 19 05-251 Office of the Secretary by (\$223,934)
- 20 05-252 Office of Business Development by (\$390,695)

1 **Department of Culture, Recreation and Tourism**

- 2 06-261 Office of the Secretary by (\$161,511)
 3 06-262 Office of the State Library of Louisiana by (\$191,276)
 4 06-263 Office of State Museum by (\$193,334)
 5 06-264 Office of State Parks by (\$865,231)
 6 06-265 Office of Cultural Development by (\$120,751)

7 **Department of Public Safety and Corrections - Corrections Services**

- 8 08-400 Corrections - Administration by (\$829,631)
 9 08-402 Louisiana State Penitentiary by (\$1,273,091)
 10 08-405 Raymond Laborde Correctional Center by (\$276,761)
 11 08-406 Louisiana Correctional Institute for Women by (\$204,082)
 12 08-407 Winn Correctional Center by (\$128,796)
 13 08-408 Allen Correctional Center by (\$128,796)
 14 08-409 Dixon Correctional Institute by (\$378,337)
 15 08-413 Elayn Hunt Correctional Center by (\$548,396)
 16 08-414 David Wade Correctional Center by (\$252,185)
 17 08-416 B.B. "Sixty" Rayburn Correctional Center by (\$227,543)

18 **Department of Public Safety and Corrections - Youth Services**

- 19 08-403 Office of Juvenile Justice by (\$4,467,000)

20 **Department of Health and Hospitals**

- 21 09-300 Jefferson Parish Human Services Authority by (\$733,158)
 22 09-301 Florida Parishes Human Services Authority by (\$657,315)
 23 09-302 Capital Area Human Services District by (\$1,478,282)
 24 09-304 Metropolitan Human Services District by (\$430,787)
 25 09-305 Medical Vendor Administration by (\$3,915,741)
 26 09-306 Medical Vendor Payments by (\$128,635,262)
 27 09-307 Office of the Secretary by (\$1,286,432)
 28 09-309 South Central Louisiana Human Services Authority by (\$856,368)
 29 09-310 Northeast Delta Human Services Authority by (\$403,334)
 30 09-320 Office of Aging and Adult Services by (\$459,811)
 31 09-324 Louisiana Emergency Response Network by (\$27,625)
 32 09-325 Acadiana Area Human Services District by (\$720,729)
 33 09-326 Office of Public Health by (\$2,074,393)
 34 09-330 Office of Behavioral Health by (\$3,901,363)
 35 09-340 Office for Citizens with Developmental Disabilities by (\$1,246,816)
 36 09-375 Imperial Calcasieu Human Services Authority by (\$371,261)
 37 09-376 Central Louisiana Human Services District by (\$852,656)
 38 09-377 Northwest Louisiana Human Services District by (\$511,427)

39 Provided, however, that the reductions to the Medical Vendor Payments program shall not
 40 reduce the payments for waiver services, Applied Behavioral Analysis rates, and payments
 41 to public-private partnership hospitals.

42 **Department of Natural Resources**

- 43 11-431 Office of the Secretary by (\$21,224)

44 **Department of Revenue**

- 45 12-440 Office of Revenue by (\$2,210,354)

1 **Department of Civil Service**

- 2 17-562 Ethics Administration by (\$80,767)
- 3 17-563 State Police Commission by (\$23,708)
- 4 17-565 Board of Tax Appeals by (\$28,946)

5 **Department of Education**

- 6 19-678 State Activities by (\$7,000,000)
- 7 19-681 Subgrantee Assistance by (\$1,750,000)

8 Provided, however, that the reductions to State Activities and Subgrantee Assistance shall
 9 not be applicable to early childhood activities, the Louisiana Student Scholarship for
 10 Excellence in Education Program, special education, or any other appropriations specifically
 11 allocated for local education agencies and other public schools. Additionally, no
 12 appropriations from the Louisiana Quality Education Support Fund or federal funds for the
 13 foregoing activities shall be reduced.

14 Section 1.B. The commissioner of administration is authorized and directed to
 15 reduce the State General Fund by Statutory Dedications appropriations contained in Act 17
 16 of the 2016 Regular Session of the Legislature for the following agencies in the following
 17 amounts:

18 **Executive Department**

- 19 01-124 Louisiana Stadium and Exposition District out of the New Orleans
 20 Sports Franchise Assistance Fund by (\$35,000)
- 21 01-124 Louisiana Stadium and Exposition District out of the Sports Facility
 22 Assistance Fund by (\$50,000)
- 23 01-124 Louisiana Stadium and Exposition District out of the New Orleans
 24 Sports Franchise Fund by (\$105,000)
- 25 01-124 Louisiana Stadium and Exposition District out of the Louisiana
 26 Stadium and Exposition District License Plate Fund by (\$10,000)
- 27 01-129 Louisiana Commission on Law Enforcement out of the Innocence
 28 Compensation Fund by (\$521)
- 29 01-129 Louisiana Commission on Law Enforcement out of the Crime
 30 Victims Reparations Fund by (\$237,403)
- 31 01-129 Louisiana Commission on Law Enforcement out of the Drug Abuse
 32 Education and Treatment Fund by (\$13,750)
- 33 01-133 Office of Elderly Affairs out of the New Orleans Urban Tourism
 34 Hospitality Training in Economic Development Foundation Fund by
 35 (\$5,000)
- 36 01-133 Office of Elderly Affairs out of the New Orleans Area Economic
 37 Development Fund by (\$32,750)
- 38 01-254 Louisiana State Racing Commission out of the Video Draw Poker
 39 Device Purse Supplement Fund by (\$79,324)
- 40 01-254 Louisiana State Racing Commission out of the Pari-mutuel Live
 41 Racing Facility Gaming Control Fund by (\$128,898)

42 **Elected Officials**

- 43 04-141 Office of the Attorney General out of the Video Draw Poker Device
 44 Fund by (\$141,154)
- 45 04-141 Office of the Attorney General out of the Riverboat Gaming
 46 Enforcement Fund by (\$93,473)
- 47 04-141 Office of the Attorney General out of the Pari-mutuel Live Racing
 48 Facility Gaming Control Fund by (\$41,732)

- 1 04-141 Office of the Attorney General out of the Medical Assistance
2 Programs Fraud Detection Fund by (\$88,988)
3 04-141 Office of the Attorney General out of the Insurance Fraud
4 Investigation Fund by (\$35,633)
5 04-141 Office of the Attorney General out of the Department of Justice Legal
6 Support Fund by (\$450,661)
7 04-141 Office of the Attorney General out of the Department of Justice Debt
8 Collection Fund by (\$119,566)
9 04-141 Office of the Attorney General out of the Tobacco Settlement
10 Enforcement Fund by (\$20,002)
11 04-141 Office of the Attorney General out of the Sex Offender Registry
12 Technology Fund by (\$81,877)
13 04-158 Public Service Commission out of the Motor Carrier Regulation Fund
14 by (\$6,676)
15 04-158 Public Service Commission out of the Utility and Carrier
16 Inspection/Supervision Fund by (\$246,801)
17 04-158 Public Service Commission out of the Telephonic Solicitation Relief
18 Fund by (\$6,728)

19 **Department of Economic Development**

- 20 05-251 Office of the Secretary out of the Louisiana Economic Development
21 Fund by (\$753,435)

22 **Department of Transportation and Development**

- 23 07-276 Engineering and Operations out of the Right-of-Way Permit
24 Processing Fund by (\$29,149)
25 07-276 Engineering and Operations out of the LTRC Transportation Training
26 and Education Center Fund by (\$36,229)
27 07-276 Engineering and Operations out of the Louisiana Highway Safety
28 Fund by (\$7,609)
29 07-276 Engineering and Operations out of the Louisiana Bicycle and
30 Pedestrian Safety Fund by (\$293)

31 **Department of Public Safety and Corrections - Public Safety Services**

- 32
33 08-418 Office of Management and Finance out of the Video Draw Poker
34 Device Fund by (\$65,516)
35 08-418 Office of Management and Finance out of the Riverboat Gaming
36 Enforcement Fund by (\$134,484)
37 08-419 Office of State Police out of the Tobacco Tax Health Care Fund by
38 (\$40,494)
39 08-419 Office of State Police out of the Video Draw Poker Device Fund by
40 (\$31,485)
41 08-419 Office of State Police out of the Riverboat Gaming Enforcement
42 Fund by (\$398,794)
43 08-419 Office of State Police out of the Pari-mutuel Live Racing Facility
44 Gaming Control Fund by (\$12,948)
45 08-419 Office of State Police out of the Insurance Fraud Investigation Fund
46 by (\$20,378)
47 08-419 Office of State Police out of the Motorcycle Safety and Operator
48 Training Program Fund by (\$808)
49 08-419 Office of State Police out of the Public Safety DWI Test Maintenance
50 and Training Fund by (\$2,342)
51 08-419 Office of State Police out of the Louisiana Towing and Storage Fund
52 by (\$2,562)
53 08-419 Office of State Police out of the Concealed Handgun Permit Fund by
54 (\$21,825)

1 08-419 Office of State Police out of the Underground Damages Prevention
2 Fund by (\$485)
3 08-419 Office of State Police out of the Hazardous Materials Emergency
4 Response Fund by (\$1,221)
5 08-419 Office of State Police out of the Explosives Trust Fund by (\$3,585)
6 08-419 Office of State Police out of the Sex Offender Registry Technology
7 Fund by (\$149)
8 08-419 Office of State Police out of the Criminal Identification and
9 Information Fund by (\$49,453)
10 08-419 Office of State Police out of the Louisiana State Police Salary Fund
11 by (\$92,722)
12 08-419 Office of State Police out of the Department of Public Safety Peace
13 Officers Fund by (\$1,763)
14 08-419 Office of State Police out of the Unified Carrier Registration
15 Agreement Fund by (\$69,350)
16 08-419 Office of State Police out of the Insurance Verification System Fund
17 by (\$249,636)
18 08-422 Office of State Fire Marshal out of the 2% Fire Insurance Fund by
19 (\$900,503)

20 **Department of Natural Resources**

21 11-432 Office of Conservation out of the Underwater Obstruction Removal
22 Fund by (\$18,136)
23 11-432 Office of Conservation out of the Oil and Gas Regulatory Fund by
24 (\$947,258)
25 11-434 Office of Mineral Resources out of the Mineral and Energy Operation
26 Fund by (\$100,000)
27 11-435 Office of Coastal Management out of the Coastal Resources Trust
28 Fund by (\$132,189)

29 **Department of Environmental Quality**

30 13-856 Office of Environmental Quality out of the Environmental Trust
31 Fund by (\$3,757,183)
32 13-856 Office of Environmental Quality out of the Hazardous Waste Site
33 Cleanup Fund by (\$98,696)
34 13-856 Office of Environmental Quality out of the Waste Tire Management
35 Fund by (\$262,972)
36 13-856 Office of Environmental Quality out of the Lead Hazard Reduction
37 Fund by (\$2,489)

38 Section 1.C. The commissioner of administration is authorized and directed to
39 reduce the State General Fund by Statutory Dedications appropriations contained in Act 16
40 of the 2016 Second Extraordinary Session of the Legislature for the following agencies in
41 the following amounts:

42 **DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

43 **07/270 ADMINISTRATION**

44 (13) Non-Federal Aid Eligible Highway Program out of the State Highway
45 Improvement Fund by (\$2,940,000)

1 Section 1.D. The commissioner of administration is authorized and directed to
2 reduce the State General Fund by Fees and Self-generated Revenues appropriations
3 contained in Act 17 of the 2016 Regular Session of the Legislature for the following
4 agencies in the following amounts:

5 **Elected Officials**

- 6 04-147 State Treasurer by (\$1,000,000)
- 7 04-165 Commissioner of Insurance by (\$715,162)

8 **Department of Transportation and Development**

- 9 07-273 Administration by (\$1,325)
- 10 07-276 Engineering and Operations by (\$1,532,088)

11 **Department of Public Safety and Corrections - Public Safety Services**

- 12 08-419 Office of State Police by (\$7,380,000)

14 Section 1.E. The commissioner of administration is authorized and directed to
15 reduce the State General Fund by Interagency Transfers appropriations contained in Act 17
16 of the 2016 Regular Session of the Legislature for 17-560 State Civil Service by (\$400,000).

17 Section 1.F. The commissioner of administration is authorized and directed to reduce
18 the appropriations out of the State General Fund (Direct) contained in Act 17 of the 2016
19 Regular Session of the Legislature for the vacancies in state government, excluding
20 vacancies in higher education, funded through that Act by \$17,168,329.

21 Section 1.G. The following sums are appropriated from the sources specified in the
22 amounts specified for the purpose of making supplemental appropriations for Fiscal Year
23 2016-2017.

24 **ELECTED OFFICIALS**

25 **04-141 OFFICE OF THE ATTORNEY GENERAL**

26 Payable out of the State General Fund by		
27 Statutory Dedications out of the Medical		
28 Assistance Programs Fraud Detection Fund	\$	88,988
29 Payable out of the State General Fund by		
30 Statutory Dedications out of the Department		
31 of Justice Debt Collection Fund	\$	119,566
32 Payable out of the State General Fund by		
33 Statutory Dedications out of the Tobacco		
34 Settlement Enforcement Fund	\$	20,002

1 The commissioner of administration is hereby authorized and directed to adjust the means
 2 of finance for this agency, as contained in Act No. 17 of the 2016 Regular Session of the
 3 Legislature, by reducing the appropriation out of the State General Fund by Statutory
 4 Dedications out of the Louisiana Fund by (\$1,100,000).

5 **04-146 OFFICE OF THE LIEUTENANT GOVERNOR**

6 Payable out of the State General Fund by
 7 Interagency Transfers to the Administrative
 8 Program from the Office of Tourism \$ 53,365

9 **04-147 STATE TREASURER**

10 Payable out of the State General Fund by
 11 Fees and Self-generated Revenues \$ 500,000

12 **DEPARTMENT OF CULTURE, RECREATION AND TOURISM**

13 **06-261 OFFICE OF THE SECRETARY**

14 Payable out of the State General Fund by
 15 Interagency Transfers to the Management and
 16 Finance Program from the Office of Tourism \$ 161,511

17 **06-262 OFFICE OF THE STATE LIBRARY OF LOUISIANA**

18 Payable out of the State General Fund by
 19 Interagency Transfers to the Library Services
 20 Program from the Office of Tourism \$ 191,276

21 **06-263 OFFICE OF STATE MUSEUM**

22 Payable out of the State General Fund by
 23 Interagency Transfers to the Museum Program
 24 from the Office of Tourism \$ 193,334

25 **06-264 OFFICE OF STATE PARKS**

26 Payable out of the State General Fund by
 27 Interagency Transfers to the Parks and Recreation
 28 Program from the Office of Tourism \$ 865,231

29 **06-265 OFFICE OF CULTURAL DEVELOPMENT**

30 Payable out of the State General Fund by
 31 Interagency Transfers to the Management and
 32 Finance Program from the Office of Tourism \$ 120,751

33 **06-267 OFFICE OF TOURISM**

34 Payable out of the State General Fund by
 35 Fees and Self-generated Revenues to the
 36 Marketing Program \$ 1,585,468

1 **DEPARTMENT OF NATURAL RESOURCES**

2 **11-432 OFFICE OF CONSERVATION**

3	Payable out of the State General Fund by		
4	Statutory Dedications out of the Underwater		
5	Obstruction Removal Fund to the Oil and Gas		
6	Regulatory Program	\$	12,500

7	Payable out of the State General Fund by		
8	Statutory Dedications out of the Oil and Gas		
9	Regulatory Fund to the Oil and Gas Regulatory Program	\$	652,894

10 **11-435 OFFICE OF COASTAL RESTORATION AND MANAGEMENT**

11	Payable out of the State General Fund by		
12	Statutory Dedications out of the Coastal Resources		
13	Trust Fund to the Coastal Management Program	\$	132,189

14 **DEPARTMENT OF ENVIRONMENTAL QUALITY**

15 **13-856 OFFICE OF ENVIRONMENTAL QUALITY**

16	Payable out of the State General Fund by		
17	Statutory Dedications out of the Environmental		
18	Trust Fund	\$	2,121,340

19 Section 1.H. The following sums are appropriated from the sources specified in the
20 amounts specified for the purpose of making supplemental capital outlay appropriations for
21 Fiscal Year 2016-2017.

22 **DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

23 **26/279 ADMINISTRATION**

24	Non-Federal Aid Eligible Highway Program		
25	(Statewide)		
26	Payable from State Highway Improvement Fund	\$	<u>2,940,000</u>

27 Section 1.I. The commissioner of administration is authorized to make adjustments
28 to appropriations as are necessary to effectuate the governor's deficit plan approved by the
29 Joint Legislative Committee on the Budget and as provided in this Act, after review of the
30 adjustments by the Legislative Fiscal Office.

31 Section 2.A. The Legislative Budgetary Control Council is hereby authorized and
32 directed to reduce the State General Fund (Direct) appropriation contained in Act No. 77 of
33 the 2016 Regular Session of Legislature for the Louisiana Legislature in the amount of One
34 Million Six Hundred Fifty Thousand Four Hundred Thirty-Eight and No/100 Dollars
35 (\$1,650,438.00).

1 Section 2.B. The Speaker of the House of Representatives is hereby authorized and
2 directed to reduce the State General Fund (Direct) appropriation contained in Act No. 77 of
3 the 2016 Regular Session of the Legislature for the Louisiana Legislature and allocated to
4 the House of Representatives in the amount of One Million Eight Hundred Ninety-Four
5 Thousand One Hundred Thirty-Six and No/100 Dollars (\$1,894,136.00).

6 Section 2.C. The appropriation for the legislative auditor contained in Section 3 of
7 Act No. 77 of the 2016 Regular Session of the Legislature is hereby amended and reenacted
8 to read as follows:

9 On page 5, between lines 28 and 29, insert the following:

10 "(F) Notwithstanding any provision of this Section to the contrary, the
11 legislative auditor shall remit \$2,000,000 from the Legislative Auditor Ancillary
12 Enterprise Fund to the state treasurer for deposit into the state general fund."

13 Section 3. Notwithstanding any provision of law to the contrary, the state treasurer
14 is hereby authorized and directed to transfer to the State General Fund (Direct) the amounts
15 of any reduction in State General Fund by Fees and Self-generated Revenues, Statutory
16 Dedications, or Interagency Transfers reduced as provided or recognized in this Act,
17 excluding any reductions contained in Section 1.G., and the amounts of any reductions in
18 State General Fund by Fees and Self-generated Revenues or Statutory Dedications approved
19 and certified by the Joint Legislative Committee on the Budget. The state treasurer shall
20 make such transfers from each fund prior to fully funding the appropriation from the fund.
21 Within ten days after the effective date of this Act, the state treasurer shall make all transfers
22 provided in this Act. In the event that the amount of any reduction in State General Fund
23 by Fees and Self-generated Revenues, Statutory Dedications, or Interagency Transfers being
24 transferred to the State General Fund (Direct) are insufficient to fully fund the reduction
25 made from such fund source on that date following the effective date of this Act or on that
26 date the amount remaining in Fees and Self-generated Revenues, Statutory Dedications, or
27 Interagency Transfers is insufficient to fully fund the reductions required by this Act and the
28 appropriation remaining after the reductions in this Act, the treasurer shall notify the
29 commissioner of administration and the Joint Legislative Committee on the Budget.

1 Section 4. This Act shall become effective upon signature by the governor or, if not
 2 signed by the governor, upon expiration of the time for bills to become law without signature
 3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 5 effective on the day following such approval.

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 3 Reengrossed 2017 First Extraordinary Session Henry

Increase (decrease) appropriations for Fiscal Year 2016-2017 as follows:

State General Fund (Direct) by (\$176,367,974).

Statutory Dedications by (\$13,217,078) to be transferred to the State General Fund (Direct).

Fees and Self-generated Revenues by (\$10,628,575) to be transferred to the State General Fund (Direct).

Interagency Transfers by (\$400,000) to be transferred to the State General Fund (Direct).

Directs the legislative auditor to remit \$2,000,000 from the Legislative Auditor Ancillary Fund to be transferred to the state general fund.

Directs the commissioner of administration to reduce the appropriations contained in Act 17 of the 2016 R.S. out of the State General Fund (Direct) by (\$17,168,329) for vacancies in state government excluding higher education.

Additional increase (decrease) in appropriations for Fiscal Year 2016-2017 as follows:

Statutory Dedications by \$58,272,501; Fees and Self-generated Revenues by \$40,125,272; Interagency Transfers by \$1,585,468; and Federal Funds by (\$22,210,104).

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

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Increase (decrease) appropriations as follows: State General Fund (Direct) (\$50,381,601); Interagency Transfers by (\$400,000); Fees & Self-generated Revenues by (\$500,000); and Statutory Dedications by (\$3,619,892).
2. Direct the legislative auditor to remit \$2,000,000 from the Legislative Auditor Ancillary Fund to be transferred to the state general fund.

The House Floor Amendments to the engrossed bill:

1. Increase (decrease) appropriations as follows: State General Fund (Direct) \$17,168,329 and Fees & Self-generated Revenues by (\$110,884).

2. Direct the commissioner of administration to reduce State General Fund (Direct) appropriations by (\$17,168,329) for vacancies in state government excluding higher education.