

**SENATE COMMITTEE AMENDMENTS**

2018 Regular Session

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 400 by Senator Hewitt

1 AMENDMENT NO. 12 On page 1, line 2, after "reenact" delete "R.S. 24:653(N)(3) and R.S. 49:308.5(B)(3) and  
3 (4)," and insert the following:

4 "R.S. 3:2(C), 3210(B), the introductory paragraph of (C), (4), and (5), R.S. 9:154.3,  
5 R.S. 15:572.8(H)(1) and the introductory paragraph of (2), and 921, R.S.  
6 17:3141.16(A), (B)(1), (2), (3), (7), and (8), (C)(1), (D)(1), (2), (5), (8), (9), and (10),  
7 (E)(1)(a) and (2), (F), (G)(1), and 3138.4, R.S. 22:1071(D)(3)(b) and (c), and  
8 1476(A)(2), R.S. 23:1514(D)(5), R.S. 24:653(N)(3), R.S. 30:2004(11), 2014(B),  
9 (D)(4)(a) and the introductory paragraph of (b), 2015(A), (B), the introductory  
10 paragraph of (C), the introductory paragraph of (D), and (E), 2035(B)(1),  
11 2054(B)(8), 2109(A) and (C), 2192(B)(4), 2195(B), (C), and (E), 2195.2(A)(4),  
12 2195.4(C)(1) and (2), 2195.5, 2205(A)(1), and 2252(A), (B), and (C), R.S. 32:202,  
13 402.3(I), and 412(C)(2), R.S. 39:82(A), 91(B), 100.136, and 352, R.S. 40:1135.10,  
14 R.S. 46:1301(A)(1), R.S. 47:318(D), 463.48(D), 463.60(F), 463.104(C), 463.148(E),  
15 463.167(E), 6351(G), and 7019.2(B)(1), R.S. 49:259(D), 308.3(B)(7) and (D), and  
16 308.5(B)(3) and (4), R.S. 51:1927.1(A) and (C), 2315, and 2341(F), the introductory  
17 paragraph of R.S. 56:10(B)(1) and (b), 70.3, 70.4(A), 253(C)(2)(a), 278(A), 279(A),  
18 (C), (D)(1) and (3), 302.3(B)(5)(c), 494(E)(5) and (F), 644(B), the introductory  
19 paragraph of (C), (D), and (E), Code of Criminal Procedure Article 895.1(F)(2), the  
20 introductory paragraph of (3), (b), and (e), Section 4(B) of Act No. 421 of the 2013  
21 Regular Session of the Legislature, as amended by Section 4(B) of Act No. 822 of  
22 the 2014 Regular Session of the Legislature, the introductory paragraph of Section  
23 7(A) and (B) of Act 41 of the 2006 First Extraordinary Session of the Legislature,  
24 and to repeal R.S. 11:544, R.S. 15:185.5, 572.8(N) and (S), R.S. 17:354, 3129.6,  
25 3138.2, and 3138.3, and Subpart A-2 of Part IX-A of Chapter 26 of Title 17 of the  
26 Louisiana Revised Statutes of 1950, comprised of R.S. 17:3397.11, R.S.  
27 27:392(C)(4), R.S. 30:2000.12 and 2551, R.S. 33:2740.18, R.S. 39:87.5, Subpart H  
28 of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes  
29 of 1950, comprised of R.S. 39:100.11, Subpart N of Part II-A of Chapter 1 of  
30 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
31 39:100.51, Subpart Q-1 of Part II-A of Chapter 1 of Subtitle I of Title 39 of the  
32 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.122, Subpart Q-2 of  
33 Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of  
34 1950, comprised of R.S. 39:100.123, Subpart S of Part II-A of Chapter 1 of Subtitle  
35 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
36 39:100.146, R.S. 39:1357, R.S. 40:16.2 and 1402, R.S. 46:290.1, 977.13, and 1816,  
37 Chapter 54 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
38 46:2691 and 2692, 2731, 2742(D), and 2901, R.S. 47:120.39, 463.104(D), and  
39 841.2, R.S. 49:214.6.7(D) and (E), R.S. 51:2211 through 2216, R.S. 56:14, 305(H)  
40 and 633, Section 9 of Act No. 138 of the 2005 Regular Session of the Legislature as  
41 amended by Section 7 of Act 642 of the 2006 Regular Session of the Legislature,  
42 Sections (3)(D) and (6) of Act No. 41 of the 2006 First Extraordinary Session of the  
43 Legislature, Section 7 of Act No. 420 of the 2013 Regular Session of the Legislature,  
44 Section (4)(B)(1) of Act No. 421 of the 2013 Regular Session of the Legislature, as  
45 amended by Section (4)(B)(1) of Act No. 822 of the 2014 Regular Session of the  
46 Legislature, and Section (4)(B)(2) of Act No. 421 of the 2013 Regular Session of the  
47 Legislature,"

48 AMENDMENT NO. 2

49 On page 1, at the end of line 8, insert the following:

"provide for the elimination of certain treasury funds and the creation of certain treasury accounts; to provide relative to monies deposited and credited into certain agency accounts in the state treasury; to provide for the classification and consideration of certain monies as fees and self-generated revenues; to provide that such fees and self-generated revenues shall be available for appropriation as recognized by the Revenue Estimating Conference; to provide for the retention of monies in certain agency accounts for future appropriation; to provide relative to monies deposited and credited to certain accounts in the state treasury; to"

AMENDMENT NO. 3

On page 1, between lines 10 and 11, insert the following:

"Section 1. The conversion of certain dedicated funds to special agency accounts in the state treasury contained herein, shall cause the dedicated funds to be classified as fees and self-generated revenues to be used only for the purposes specified in law. All funds transferred to agency accounts shall not revert to the state general fund at the end of the fiscal year. The revenues in the accounts shall remain in the account. All monies in the accounts shall require an appropriation to be withdrawn from the account. No funds shall be transferred in or out of an account without an annual appropriation or favorable action of the Joint Legislative Committee on the Budget through a budget adjustment.

Section 2. R.S. 3:2(C), 3210(B), the introductory paragraph of (C), (4), and (5) are hereby amended and reenacted to read as follows:

§2. Creation, powers, and duties of Department of Agriculture and Forestry and the commissioner of agriculture and forestry

\* \* \*

C. All funds derived from the sale of timber on state lands under this Section shall be deposited in the state treasury. Monies derived from the sale of timber on state lands in the custody of the Louisiana Department of Health shall be deposited into the ~~Louisiana Department of Health's Facility Support Fund as provided in R.S. 40:16.2~~ **state general fund**. The legislature shall annually appropriate to the Department of Agriculture and Forestry the costs incurred by that department under the provisions of this Section.

\* \* \*

§3210. Pesticide ~~Fund~~ **Account**

\* \* \*

B. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and prior to monies being placed in the state general fund, an amount equal to that deposited as required by Subsection A hereof shall be credited to a special ~~fund~~ **agency account to be retained for future appropriation as provided in this Section which account is** hereby created in the state treasury to be known as the "Pesticide ~~Fund~~ **Account**". The monies in this ~~fund~~ **account** shall be used solely as provided in Subsection C hereof and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in this ~~fund~~ **account** at the end of the fiscal year shall be returned to the state general fund. The monies in this ~~fund~~ **account** shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the state general fund. **Funding deposited into the account shall be considered fees and self-generated revenues and shall be available for annual appropriations by the legislature.**

C. The monies in the Pesticide ~~Fund~~ **Account** shall be used solely for the following purposes:

\* \* \*

(4) The department, or the Louisiana Agricultural Finance Authority on behalf of the department, may fund the anticipated funds appropriated from the Pesticide ~~Fund~~ **Account** into revenue bonds for the purpose of renovating or

1 constructing a building on the Baton Rouge campus of Louisiana State University  
2 to provide administrative offices and analytical laboratories to be used in connection  
3 with the programs established in Parts I through VI of this Chapter and for the  
4 purpose of acquiring, constructing, renovating, and equipping buildings and related  
5 facilities for use by the department in connection with promoting and assisting  
6 agriculture and forestry in this state. The department may pledge those funds to  
7 secure the repayment of revenue bonds or to secure a lease or purchase agreement  
8 entered into in connection with the issuance of revenue bonds for those purposes.

9 (5) If the revenues in the Pesticide Fund Account are pledged to secure the  
10 repayment of revenue bonds, or are pledged to secure a lease or purchase agreement  
11 entered into in connection with the issuance of revenue bonds, the fees which  
12 provide the funds shall not be reduced below those levels existent at the time of the  
13 pledge until the bonds have been repaid.

14 \* \* \*

15 Section 3. R.S. 9:154.3 is hereby amended and reenacted to read as follows:

16 §154.3. Crescent City Connection amnesty program; ~~Crescent City Amnesty Refund~~  
17 ~~Fund~~; disposition

18 A. Notwithstanding the provisions of R.S. 9:154 or any other provision of law  
19 to the contrary, the provisions of this Section shall apply to monies collected as a  
20 result of the amnesty program provided for in R.S. 47:7019.1 for those persons who  
21 failed to pay a toll to cross the Crescent City Connection Bridge, prior to January 1,  
22 2013 **Crescent City Amnesty Refund Fund is hereby abolished and any monies**  
23 **remaining in the fund shall be transferred for the use of the Department of**  
24 **Transportation and Development.**

25 B. Notwithstanding the provisions of R.S. 48:1161.2(D)(c), and prior to  
26 appropriation of any monies to the New Orleans Regional Planning Commission, on  
27 July 1, 2014, one hundred twenty-eight thousand six hundred eighty-one dollars of  
28 monies on deposit in the Crescent City Transition Fund shall be deemed abandoned  
29 funds for the purposes of treatment as unclaimed property in accordance with the  
30 provisions of this Section.

31 C. Funds that are deemed abandoned funds pursuant to this Section shall be  
32 immediately transferred from the Crescent City Transition Fund by the state treasurer  
33 in his capacity as administrator of the Uniform Unclaimed Property Act. The state  
34 treasurer shall deposit these funds into the Crescent City Amnesty Refund Fund as  
35 provided in this Section, and shall provide for the return of such funds to their  
36 owners in accordance with the Uniform Unclaimed Property Act during the term set  
37 forth in R.S. 47:7019.2. The state treasurer shall further provide for the payment of  
38 all unexpended and unencumbered funds remaining in the Crescent City Amnesty  
39 Refund Fund as of July 1, 2015, in accordance with the provisions of this Section.

40 D.(1) There is hereby created the Crescent City Amnesty Refund Fund as a  
41 special fund in the state treasury, hereinafter referred to as the "fund". The source of  
42 monies for the fund shall be the monies transferred from the Crescent City Transition  
43 Fund as provided for in this Section.

44 (2) After compliance with the requirements of Article VII, Section 9(B) of  
45 the Constitution of Louisiana, relative to the Bond Security and Redemption Fund,  
46 an amount equal to that deposited into the state treasury from the foregoing sources  
47 shall be deposited in and credited to the fund. The monies in the fund shall be  
48 invested by the treasurer in the same manner as the state general fund, and interest  
49 earnings shall be deposited into the fund.

50 (3) All unexpended and unencumbered monies remaining in the fund on July  
51 1, 2015, shall be appropriated as follows:

52 (a) An amount not to exceed thirty percent of the monies in the fund shall be  
53 appropriated to the Department of Transportation and Development for operational  
54 and maintenance costs for the New Orleans ferries, formerly operated by its Crescent  
55 City Connection Division.

56 (b) The balance of the monies in the fund as of July 1, 2015, shall be  
57 appropriated to the New Orleans Regional Planning Commission for lighting of the  
58 eastbank and westbank approaches to the Crescent City Connection Bridge,  
59 including General DeGaulle and the Westbank Expressway approach through ground

1 level, improvements to ingress and egress points, lighting, maintenance, grass  
2 cutting, and landscaping of the Westbank Expressway and its connecting arteries.

3 (4) The state treasurer shall be relieved of all liability which may arise with  
4 respect to such distribution of funds.

5 E. All data associated with monies deposited into the Crescent City  
6 Transition Fund that was collected by the Department of Transportation and  
7 Development pursuant to R.S. 47:7013.1 shall be transferred by such department to  
8 the state treasurer pursuant to this Section and shall be provided by such department  
9 to the Unclaimed Property Division in an electronic format as designated by such  
10 division.

11 F. For the purposes of this Section, holder requirements under R.S. 9:159  
12 shall be deemed waived.

13 G. The state treasurer in his capacity as administrator of the Uniform  
14 Unclaimed Property Act may establish policies and procedures as necessary to  
15 implement the provisions of this Section.

16 H. All books, papers, and records transferred to the state treasurer pursuant  
17 to this Section shall be retained for a period of no less than five years following such  
18 transfer.

19 I. The provisions of this Section shall supersede and control to the extent of  
20 conflict with any other provision of law.

21  
22 Section 4. R.S. 15:572.8(H)(1), the introductory paragraph of (2), and 921  
23 are hereby amended and reenacted to read as follows:

24 §572.8. Compensation for wrongful conviction and imprisonment; petition process;  
25 compensation; proof; assignment of powers and duties

26 \* \* \*

27 H.(1) After a contradictory hearing with the attorney general, the court shall  
28 render a decision as soon as practical. If, from its findings of fact, the court  
29 determines that the petitioner is entitled to compensation because he is found to be  
30 factually innocent of the crime of which he was convicted, it shall determine the  
31 compensation due in accordance with the provisions of this Section, and it shall order  
32 payment to the petitioner from the ~~Innocence Compensation Fund which shall be~~  
33 ~~created specifically for the administration of awards under this Section~~ **state general**  
34 **fund**.

35 (2) Compensation shall be calculated at a rate of twenty-five thousand dollars  
36 per year incarcerated not to exceed a maximum total amount of two hundred fifty  
37 thousand dollars for the physical harm and injury suffered by the petitioner to be paid  
38 at a rate of twenty-five thousand dollars annually. As compensation for the loss of  
39 life opportunities resulting from the time spent incarcerated, the court shall also  
40 review requests for payment and order payment, not to exceed eighty thousand  
41 dollars, which the court finds reasonable and appropriate from the ~~Innocence~~  
42 ~~Compensation Fund~~ **state general fund** to:

43 \* \* \*

44 §921. Youthful Offender Management Fund **Account**; creation

45 A. All probation and parole supervision fees received by the Department of  
46 Public Safety and Corrections pursuant to Children's Code Articles 781.1 and 901.1  
47 and any amounts appropriated by the legislature to the Youthful Offender  
48 Management Fund **Account** shall be deposited immediately upon receipt into the  
49 state treasury.

50 B. After compliance with the requirements of Article VII, Section 9(B) of the  
51 Constitution of Louisiana, relative to the Bond Security and Redemption Fund, and  
52 prior to monies being placed in the state general fund, an amount equal to that  
53 deposited as required by Subsection A of this Section shall be credited to the special  
54 fund **agency account** hereby created in the state treasury to be known as the  
55 "Youthful Offender Management Fund **Account**". The monies in this **fund account**  
56 shall be used solely as provided by Subsection C of this Section and only in the  
57 amounts appropriated by the legislature. All unexpended and unencumbered monies  
58 in this **fund account** at the end of the fiscal year shall remain in such **fund account**.  
59 All monies in this **fund account** shall be invested by the state treasurer in the same

manner as monies in the state general fund, with interest earned on the investment of these monies credited to this ~~fund~~ **account** following compliance with the requirements of Article VII, Section 9(B), relative to the Bond Security and Redemption Fund. **Funding deposited into the account shall be considered fees and self-generated revenues and shall be available for annual appropriations by the legislature.**

C. The monies in the Youthful Offender Management ~~Fund~~ **Account** shall be used solely by the department to supplement appropriated funds for salaries and other category expenditures within the office of juvenile justice deemed necessary by the secretary of the department, and to defray cost of collection and disbursement of monetary assessments imposed as a condition of probation and parole, including reasonable attorney fees.

Section 5. R.S. 17:3141.16(A), (B)(1), (2), (3), (7), and (8), (C)(1), (D)(1), (2), (5), (8), (9), and (10), (E)(1)(a) and (2), (F), and (G)(1) and 3138.4 are hereby amended and reenacted to read as follows:

§3141.16. Proprietary school student protection ~~fund~~ **account** and program

A. There shall be established in the state treasury as a special permanent ~~fund~~ **agency account** the Proprietary School Students Protection ~~Fund~~ **Account**, hereinafter referred to as the "Student Protection ~~Fund~~ **Account**". Following compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, all monies generated pursuant to the provisions of this Section shall be deposited into the Student Protection ~~Fund~~ **Account**, and monies **Monies** in this ~~fund~~ **account** shall be used solely to make refunds of unearned tuition as provided for by this Chapter. The monies in this ~~fund~~ **account** shall be invested by the state treasurer in the same manner as for the state general fund and interest earned on the investment of these monies shall be credited to the Student Protection ~~Fund~~ **Account**. All unexpended and unencumbered monies in this ~~fund~~ **account** at the end of a fiscal year shall remain in such ~~fund~~ **account** and be available for expenditure in the next fiscal year. The legislature shall make yearly appropriations from the ~~fund~~ **account** to the Board of Regents for the purposes of the proprietary school student protection program. **Funding deposited into the account shall be considered fees and self-generated revenues and shall be available for annual appropriations by the legislature.**

B.(1) All proprietary schools licensed under the provisions of this Chapter prior to September 3, 1989, shall make payments to the Student Protection ~~Fund~~ **Account** according to the following graduated schedule beginning July 1, 1991, and annually thereafter. For the calculation of the first payment, the assessment period shall be July 1, 1990 to June 30, 1991. Subsequent payments shall be calculated upon annual assessment period beginning July first of each year.

(2) Except for the initial payment, all proprietary schools licensed subsequent to September 3, 1989, shall make payments to the Student Protection ~~Fund~~ **Account** according to the following graduated schedule beginning one year after licensure by the board and annually thereafter. The first payment to the Student Protection ~~Fund~~ **Account** by such schools shall be one thousand dollars and shall accompany application for licensure. Should the gross tuition collected by such a school during the first assessment period after licensure require an adjustment, such adjustment shall be made in accordance with the applicable provisions of this Section.

STUDENT PROTECTION ~~FUND~~ **ACCOUNT** SCHEDULE

Gross Tuition Collected During Assessment Period	Annual Payment
\$ 1 - 24,999	\$ 200.00
\$ 25,000 - 49,999	\$ 250.00
\$ 50,000 - 99,999	\$ 300.00
\$ 100,000 - 199,999	\$ 400.00
\$ 200,000 - 299,999	\$ 500.00
\$ 300,000 - 399,999	\$ 600.00
\$ 400,000 - 499,999	\$ 700.00
\$ 500,000 - 749,999	\$ 1,000.00

1	\$	750,000	-	999,999	\$	1,250.00
2	\$	1,000,000	-	1,499,999	\$	1,500.00
3	\$	1,500,000	-	and above	\$	2,000.00

4 (3) All payments to the Student Protection **Fund Account** shall be made to  
 5 the executive secretary of the Advisory Commission on Proprietary Schools. Except  
 6 in cases of overpayment, all payments to the Student Protection **Fund Account** shall  
 7 be nonrefundable.

8 \* \* \*

9 (7) If an audit of tuition revenues conducted by the Board of Regents  
 10 determines that a school has paid into the Proprietary School Student Protection  
 11 **Fund Account** an amount less than was required, the school shall pay said amount  
 12 required to the executive secretary of the Advisory Commission on Proprietary  
 13 Schools within thirty days of receipt of written notice from the superintendent or his  
 14 designee of the amount of the underpayment.

15 (8) If an audit of tuition revenues conducted by the Board of Regents  
 16 determines that a school has paid into the Proprietary School Student Protection  
 17 **Fund Account** an amount more than was required, subsequent payment or payments  
 18 by the school shall be appropriately credited by the commissioner of higher  
 19 education or his designee until such credited payment or payments equal the amount  
 20 of the overpayment.

21 C.(1) Forms developed and provided annually by the commissioner of higher  
 22 education to calculate payments due the Student Protection **Fund Account** shall be  
 23 completed by the school and submitted annually to the executive secretary of the  
 24 Advisory Commission on Proprietary Schools. The school director or persons  
 25 designated to sign on his behalf shall attest that the information provided is correct  
 26 and complete.

27 \* \* \*

28 D.(1) No payment shall be paid from the **fund account** until the avails from  
 29 the surety bond required by R.S. 17:3141.5(D) have been exhausted.

30 (2) Claims against the **fund account** shall be considered from currently  
 31 enrolled students only when there is a lack of availability for that student to transfer  
 32 for the time remaining in his course of study, at no additional cost, to a similar  
 33 program within the student's local area, as determined by the Advisory Commission  
 34 on Proprietary Schools. The receiving school shall in no way be liable for any  
 35 transferring student's tuition refunds.

36 \* \* \*

37 (5) A school shall inform its students in writing of their rights under the  
 38 provisions governing the Student Protection **Fund Account**. Application for refund  
 39 shall be made on forms provided by the commissioner of higher education after  
 40 determination of cessation of operation of the school.

41 \* \* \*

42 (8) If a school's cessation of operation renders eligible a student,  
 43 governmental agency or other organization, or any person for a refund, reasonable  
 44 effort must be made to acquire such a refund from such school, surety bond as  
 45 required by R.S. 17:3141.5(D), or any other school resources, and any refund  
 46 payments for tuition from any other source made to a student as a result of this  
 47 cessation of operation shall be deducted from the obligation of the **fund account**.

48 (9) A claim shall be made against the **fund account** only if it arises out of the  
 49 cessation of operation by an institution on or after September 3, 1989, and after  
 50 claims are made against the surety bond or other school resources.

51 (10) In the event of the cessation of operation of any authorized school after  
 52 July 1, 1999, the Board of Regents shall have the authority to authorize the seizure  
 53 and sale at public auction of all unsecured assets of the school, with all proceeds to  
 54 be deposited in the Proprietary School Student Protection **Fund Account**. Cessation  
 55 of operation shall mean the cessation of all instructional and business operations  
 56 directly related to the offering of education and training as authorized under the  
 57 provisions of this Chapter, with no reasonable prospect of resuming operations.

58 E.(1)(a) Any student enrolled in a proprietary school licensed under the  
 59 provisions of R.S. 17:3141.4 through 3141.17, who is unable to complete a course  
 60 or unit of instruction at such school because of cessation of operation of the school  
 61 and who has paid tuition for such course or unit of instruction, may make application

1 to the commissioner of higher education for a refund of tuition from the Student  
 2 Protection ~~Fund~~ Account established pursuant to R.S. 17:3141.16 to the extent that  
 3 such ~~fund~~ account exists or has reached the level necessary to pay outstanding  
 4 approved claims.

5 \* \* \*

6 (2) Each recipient of a tuition refund made in accordance with the provisions  
 7 of this Section shall assign all rights to the state of any action against the school or  
 8 its owner or owners for tuition amounts reimbursed pursuant to this Section. Upon  
 9 such assignment, the Board of Regents may take appropriate action against the  
 10 school or its owner or owners in order to reimburse the Student Protection ~~Fund~~  
 11 Account for any expenses or claims that are paid from the ~~fund~~ account and to  
 12 reimburse the state for the reasonable and necessary expenses in undertaking such  
 13 action.

14 F. The Board of Regents shall adopt necessary rules and regulations based  
 15 on recommendations from the Advisory commission on Proprietary Schools  
 16 providing for the cessation of payments into the Student Protection ~~Fund~~ Account  
 17 by schools licensed under the provisions of this Chapter upon the ~~fund~~ account  
 18 balance reaching a minimum of eight hundred thousand dollars and for the  
 19 resumption of payments into the ~~fund~~ account whenever the ~~fund~~ account balance  
 20 is less than seven hundred fifty thousand dollars.

21 G.(1) Notwithstanding the provisions of Subsection A of this Section, there  
 22 is hereby established a special account within the Proprietary School Students  
 23 Protection ~~Fund~~ Account to be known as the Proprietary School Student Records  
 24 and Administration Account, hereinafter referred to as the "Administration  
 25 Account". Any balance in the Student Protection ~~Fund~~ Account on July 1, 2000, that  
 26 exceeds eight hundred thousand dollars, as provided in Subsection F of this Section,  
 27 shall be deposited into the Administration Account. All interest earned on the ~~fund~~  
 28 account after July 1, 2000, shall be deposited in the Administration Account. All  
 29 deposits made to the Student Protection ~~Fund~~ Account after July 1, 2000, shall be  
 30 made in accordance with the provisions of Subsection B of this Section.

31 \* \* \*

32 §3138.4. Workforce and Innovation for a Stronger Economy Fund

33 A. ~~The "Workforce and Innovation for a Stronger Economy Fund",~~  
 34 ~~hereinafter referred to in this Section as the "fund", is hereby created within the state~~  
 35 ~~treasury as a special fund for the purpose of funding degree and certificate~~  
 36 ~~production and research priorities in high demand fields through programs offered~~  
 37 ~~by Louisiana's public postsecondary education institutions to meet the state's future~~  
 38 ~~workforce and innovation needs.~~

39 B. ~~Monies in the fund shall be invested in the same manner as monies in the~~  
 40 ~~general fund. Interest earned on investment of monies in the fund shall be credited~~  
 41 ~~to the fund. Unexpended and unencumbered monies in the fund at the end of the~~  
 42 ~~fiscal year shall remain in the fund.~~

43 C. ~~Subject to an annual appropriation by the legislature, each fiscal year the~~  
 44 ~~sum of forty million dollars shall be deposited into the fund. Monies in the fund~~  
 45 ~~shall be appropriated and administered as provided in this Section.~~

46 D.(1) ~~Monies in the fund shall be appropriated to the Board of Regents to be~~  
 47 ~~distributed to and used by postsecondary education institutions in accordance with~~  
 48 ~~a statewide workforce demand and gap analysis to be developed as provided for in~~  
 49 ~~this Section.~~

50 (2) ~~The funds distributed pursuant to this Section shall be used by the~~  
 51 ~~institution towards degree and certificate production pursuant to the workforce~~  
 52 ~~demand and gap analysis and research priorities according to implementation plans.~~

53 (3) ~~Any funds distributed to any institution that remain unexpended or~~  
 54 ~~unobligated at the end of the fiscal year shall be available for use in the subsequent~~  
 55 ~~fiscal year by an institution pursuant to their implementation plan.~~

56 (4)(a) ~~Funding shall be distributed by the Board of Regents only upon receipt~~  
 57 ~~of certification by the postsecondary education management board on behalf of the~~  
 58 ~~receiving public postsecondary education institution that a match of no less than~~  
 59 ~~twenty percent of the amount of funding to be distributed has been guaranteed by a~~  
 60 ~~private entity. Match certification shall be reported to the Joint Legislative~~

1 Committee on the Budget within thirty days of the receipt. The certification shall  
 2 detail the type of private match to be provided, which may include: cash; in-kind  
 3 donations of technology, personnel, construction materials, facility modification, or  
 4 tangible property; internships; scholarships; sponsorship of staff or faculty; or faculty  
 5 endowment. The Workforce and Innovation for a Stronger Economy Fund Strategic  
 6 Planning (WISE) Council may authorize a match for an institution in types other  
 7 than those provided for in this Paragraph, upon request of the system president.

8 (b) In any fiscal year that the total appropriated funds from the sum of the  
 9 state general fund and dedicated funds for higher education are below the  
 10 appropriated funding in the prior fiscal year, the WISE Council may at its discretion,  
 11 delay or waive requirements as set forth in Subparagraph (a) of this Paragraph.

12 E.(1) A Workforce and Innovation for a Stronger Economy Fund Strategic  
 13 Planning Council, to be referred to as the "WISE Council", shall be established as  
 14 an independent subcommittee of the Board of Regents and shall be comprised of the  
 15 president-chancellor of Louisiana State University, the president of the Southern  
 16 University System, the president of the University of Louisiana System, the president  
 17 of the Louisiana Community and Technical College System, the commissioner of  
 18 higher education, the secretary of the Department of Economic Development, the  
 19 executive director of the Louisiana Workforce Commission, and the chairman of the  
 20 Workforce Investment Council, or their successors.

21 (2)(a) The WISE Council shall develop a method for the distribution of  
 22 monies in the fund in alignment with the statewide workforce demand and gap  
 23 analysis and research priorities as provided in this Section. The methodology for the  
 24 distribution shall be reevaluated no more than once every three years unless a  
 25 majority of the WISE Council vote to reevaluate the methodology more often.

26 (b) The methodology of distribution shall be as follows:

27 (i) Eighty percent of funds distributed shall be based on degree and certificate  
 28 production in fields required for four- or five-star jobs, as defined by the Louisiana  
 29 Workforce Commission's Louisiana Star Jobs program or its successors and  
 30 weighted by cost and a prioritization of high demand degree and certificate  
 31 production based on data provided by the Department of Economic Development  
 32 and the Louisiana Workforce Commission.

33 (ii) Twenty percent of funds distributed shall be based on federally funded  
 34 research expenditures as defined by the National Science Foundation.

35 (iii) The WISE Council shall have the authority to adjust the percentage of  
 36 the distributions by no more than ten percent relative to the distribution of funds  
 37 between degree certification production in Item (i) of this Subparagraph and  
 38 federally funded research expenditures in Item (ii) of this Subparagraph. However,  
 39 in no event shall the distribution based on federally funded research expenditures be  
 40 reduced below twenty percent.

41 (3) The WISE Council shall prepare a statewide workforce demand and gap  
 42 analysis which shall include:

43 (a) Statewide and regional degree and certificate production and research  
 44 priorities based on an analysis of credential completion at all Louisiana  
 45 postsecondary education institutions and workforce demand.

46 (b) A prioritization of high-demand degree and certificate production based  
 47 on data provided by the Department of Economic Development and the Louisiana  
 48 Workforce Commission.

49 (4)(3) The WISE Council and the Board of Regents shall review and approve  
 50 the statewide workforce demand and gap analysis and research priorities.

51 (5)(4) The WISE Council shall review and approve implementation plans  
 52 submitted by institutions. The implementation plans shall include at a minimum a  
 53 plan for expenditure of monies and outcomes expected.

54 (6) (5) The system presidents shall report annually to the WISE Council on  
 55 progress towards degree and certificate and research priorities in accordance with the  
 56 implementation plans.

57 F. B. The statewide workforce demand and gap analysis, including any  
 58 revisions to the analysis, ~~distribution of funds~~, and implementation plans shall be  
 59 posted on the Board of Regents' website.

60 G. C. The WISE Council may create policies and procedures for its own  
 61 management but shall meet no less than two times per year.



H. ~~D.~~ The Board of Regents, on behalf of postsecondary education, shall provide annual reporting to the Senate Committee on Education, Senate Committee on Finance, the House Committee on Education, and the House Committee on Appropriations. Such reports shall include the statewide workforce demand and gap analysis, including any revisions to the analysis, ~~distribution of funds~~, and implementation plans.

~~I. The Board of Regents shall promulgate rules developed jointly and collaboratively by the commissioner of higher education and the system presidents for the administration of the fund. Prior to final adoption, the rules shall be approved by the WISE Council.~~

~~J. The fund is in addition to, and separate from, any monies appropriated or allocated to any postsecondary education management board. Allocations from this fund shall not be included in the Board of Regents' funding formula calculation, nor shall it supplant any state general fund allocations provided to institutions. The availability of the fund shall not in any way substitute, limit, or otherwise affect the allocation of any funds otherwise available to those institutions under state or federal laws.~~

~~K. E.~~ All actions of the WISE Council and the implementation of this Section shall be subject to the approval of the Board of Regents.

Section 6. R.S. 22:1071(D)(3)(b) and (c) and 1476(A)(2) are hereby amended and reenacted to read as follows:

§1071. Enforcement provisions

*	*	*
D.	*	*
(3)	*	*

(b) After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and prior to monies being placed in the state general fund, an amount equal to that deposited as required by Subparagraph (a) of this Paragraph shall be credited to a special fund **agency account to be retained for future appropriation as provided in this Section** hereby created in the state treasury to be known as the Administrative Fund **Account** of the Department of Insurance. The monies in this fund **account** shall be used solely as provided by Subparagraph (c) of this Paragraph and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in this fund **account** at the end of the fiscal year shall remain in such fund **account**. The monies in this fund **account** shall be invested by the state treasurer in the same manner as monies in the state general fund and interest earned on the investment of these monies shall be credited to this fund **account**. **Funding deposited into the account shall be considered fees and self-generated revenues and shall be available for annual appropriations by the legislature.**

(c) The monies in the Administrative Fund **Account** of the Department of Insurance shall be used solely for the expenses in connection with the administration and enforcement of the provisions of this Subpart.

*	*	*
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§1476. Assessments against insurers; dedications

A.	*	*	*
----	---	---	---

(2) An amount equal to two and one-fourth hundredths of one percent of the gross direct premiums received in this state, in the preceding year; two and thirty-seven hundredths of one percent of the direct gross premiums received in this state, in the year 2001; and two and one-half hundredths of one percent of the direct gross premiums received in the state, in the year 2003 and every year thereafter by insurers doing business in this state and subject to this Subpart, less returned premiums shall be deposited by the commissioner of insurance with the state treasurer to be credited to a special fund **agency account**, created in the state treasury entitled the Municipal Fire and Police Civil Service Operating Fund **Account**, hereinafter known as the

1 "fund account". Subject to an annual appropriation by the legislature pursuant to the  
2 provisions of R.S. 33:2480 and 2540, monies in the fund account shall be used  
3 solely to support the operations of the office of state examiner, Municipal Fire and  
4 Police Civil Service. Monies in the fund account shall be invested by the treasurer  
5 in the same manner as monies in the state general fund and interest earned on  
6 investment of these monies shall be credited to the state general fund. All  
7 unexpended and unencumbered monies in the fund account at the end of the fiscal  
8 year shall revert to the state general fund. **Funding deposited into the account**  
9 **shall be considered fees and self-generated revenues and shall be available for**  
10 **annual appropriations by the legislature.**

11 \* \* \*

12 Section 7. R.S. 23:1514(D)(5) is hereby amended and reenacted to read as  
13 follows:

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

16 \* \* \*

17 D.

18 \* \* \*

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

29 \* \* \*"

30 AMENDMENT NO. 4

31 On page 1, line 11, change "Section 1." to "Section 8."

32 AMENDMENT NO. 5

33 On page 2, between lines 1 and 2, insert the following:

34 "Section 9. R.S. 30:2004(11), 2014(B), (D)(4)(a) and the introductory  
35 paragraph of (b), 2015(A), (B), the introductory paragraph of (C), the introductory  
36 paragraph of (D), and (E), 2035(B)(1), 2054(B)(8), 2109(A) and (C), 2192(B)(4),  
37 2195(B), (C), and (E), the introductory paragraph of 2195.2(A)(4), 2195.4(C)(1) and  
38 (2), 2195.5, 2205(A)(1), and 2252(A), (B), and (C) are hereby amended and  
39 reenacted to read as follows:

40 §2004. Definitions

41 The following terms as used in this Subtitle, unless the context otherwise  
42 requires or unless redefined by a particular Chapter hereof, shall have the following  
43 meanings:

44 \* \* \*

45 (11) "Response fund account" means the Environmental Trust Fund Account  
46 created in R.S. 30:2015.

47 \* \* \*

48 §2014. Permits, licenses, registrations, variances, and fees

49 \* \* \*

50 B. In order to provide for adequate permitting, monitoring, investigation,  
51 administration, and other activities required for the maintenance of a healthful and  
52 safe environment, an initial fee and an annual monitoring and maintenance fee shall

1 be charged for all permits, licenses, registrations, or variances authorized by this  
2 Subtitle. These fees shall be determined, except as otherwise provided in this Subtitle  
3 relative to maximum amounts of fees, using a formula developed by rules to be  
4 based upon a cost equal to the cost of the annual maintenance, permitting,  
5 monitoring, investigation, administration, and other activities required therewith,  
6 including any effects the volume of emissions or effluents may have on such  
7 activities. Any such formula or fees shall be adopted by the department by rule in  
8 accordance with the Administrative Procedure Act, R.S. 49:950 et seq. Funds  
9 generated from these fees shall be deposited in the Environmental Trust ~~Fund~~  
10 Account as provided in R.S. 30:2015.

11 \* \* \*

12 D.

13 \* \* \*

14 (4)(a) In accordance with the provisions of Article VII, Section 2.1 of the  
15 Constitution of Louisiana, and notwithstanding any other provision of law, the  
16 Department of Environmental Quality may modify any fee that is in effect on June  
17 30, 2002, is authorized by this Title, and is required to be deposited into the  
18 Environmental Trust ~~Fund~~ Account. Such a modification may increase the rate in  
19 effect on June 30, 2002, over the two-year fiscal period beginning July 1, 2002, as  
20 follows: the department may increase any such fee by a maximum of twenty percent,  
21 effective on or after July 1, 2002, and by a maximum of ten percent above the rate  
22 in effect on June 30, 2003, effective on or after July 1, 2003. Within ninety days of  
23 the promulgation and adoption of any regulation necessary to implement the fees  
24 herein, the Department of Environmental Quality shall submit a written report to the  
25 Joint Legislative Committee on the Budget for its approval which details the  
26 proposed use for the fee increase, efforts to decrease the processing time for permits,  
27 efforts to increase the number of inspections conducted at regulated facilities,  
28 enforcement activities, and efforts to increase the collection of fines imposed by the  
29 Department of Environmental Quality.

30 (b) Notwithstanding any other provision of law to the contrary, the  
31 Department of Environmental Quality may increase the following fees from the  
32 amounts in effect on March 14, 2015, as authorized by this Title or any rule or  
33 regulation promulgated pursuant thereto, and is required to be deposited into the  
34 Environmental Trust ~~Fund~~ Account as follows:

35 \* \* \*

36 §2015. Environmental Trust ~~Fund~~ Account

37 A. In order to fulfill the constitutional mandate of Article IX of the Louisiana  
38 Constitution to protect, conserve and replenish the natural resources of the state, the  
39 legislature hereby declares that sufficient funds shall be available to the Department  
40 of Environmental Quality to fulfill that mandate. It is the intent of this Section to  
41 insure that all funds generated by the department are used to fulfill and carry out its  
42 powers, duties, and functions as provided by law.

43 B. There is hereby established ~~a fund~~ an agency account in the state treasury  
44 to be known as the "Environmental Trust ~~Fund~~ Account", hereafter referred to as the  
45 "trust ~~fund~~ account", into which the state treasurer shall each fiscal year deposit the  
46 revenues received from those sources provided for by Subsection C of this Section  
47 and other sources as provided for by law after those revenues have been deposited  
48 in the Bond Security and Redemption Fund. Out of the funds remaining in the Bond  
49 Security and Redemption Fund after a sufficient amount is allocated from that fund  
50 to pay all obligations secured by the full faith and credit of the state that become due  
51 and payable within each fiscal year, the treasurer, prior to placing such funds in the  
52 state general fund, shall pay into the trust ~~fund~~ account an amount equal to the  
53 revenue generated from collection from those sources provided for by Subsection C  
54 of this Section and other sources as provided for by law. No expenditures shall be  
55 made from the trust ~~fund~~ account unless first appropriated by the legislature. The  
56 monies in the trust ~~fund~~ account shall be invested by the state treasurer in the same  
57 manner as monies in the state general fund. All interest earned on money from the  
58 ~~fund~~ account and invested by the state treasurer shall be credited to the  
59 Environmental Trust ~~Fund~~ Account. Funding deposited into the account shall be

**considered fees and self-generated revenues and shall be available for annual appropriations by the legislature.**

C. The Environmental Trust Fund **Account** shall consist of all revenues generated from the following sources:

\* \* \*

D. The monies in the Environmental Trust Fund **Account** shall be used for the following purposes:

\* \* \*

E. In any cases where monies from the trust fund **account** are expended, the attorney general shall institute a civil action to recover from the responsible persons all such monies expended from the trust fund **account**. If the secretary requests that the attorney general institute a civil action to recover monies expended from the trust fund **account** and the attorney general declines to institute such action or does not respond within sixty days of such request and agree to institute a civil action, an attorney from the department may, with the concurrence of the attorney general, institute a civil action to recover monies expended from the trust fund **account**. Any monies so recovered shall be paid into the trust fund **account**.

\* \* \*

§2035. Environmental Emergency Response Training Program

\* \* \*

B.(1) The chief of each eligible agency including any municipality or parish may apply to the department for allocation of funds from the Environmental Trust Fund **Account** to provide or secure the training authorized by this Section.

\* \* \*

§2054. Air quality control; secretary of environmental quality; powers and duties

\* \* \*

B. The secretary shall have the following powers and duties:

\* \* \*

(8) To establish and implement a program for the control and abatement of motor vehicle emissions in accordance with R.S. 30:2060 and other applicable state and federal laws, particularly the Clean Air Act as amended, but not to exceed the requirements provided in such act unless specifically authorized. Such program shall be applicable only in parishes and municipalities as necessary to comply with the requirements of the federal Clean Air Act or regulations promulgated by the United States Environmental Protection Agency. If such program includes the periodic inspection of motor vehicles, the frequency of performing such inspections shall be as allowed by federal law or regulations or by agreements with federal agencies. During each calendar year, the secretary may exempt vehicles of that model year and vehicles from prior model years from on-board diagnostic (OBD II) testing. The fees due the department for this program pursuant to R.S. 32:1306(C)(3) shall be deposited into the Environmental Trust Fund **Account**. The inspection and maintenance of motor vehicles as required by this Paragraph shall begin on January 1, 2000.

\* \* \*

§2109. Nuclear power facilities; emergency planning; findings

A. The legislature finds and declares that it is necessary that the secretary of environmental quality be empowered upon a declaration of a state of disaster emergency, as provided for in Subsection C of this Section, and which is related to a source of radiation, to enter into contracts and agreements necessary to perform duties assigned under any radiological response plan and to expend funds from the Environmental Trust Fund **Account** for such purposes, according to the provisions of R.S. 30:2015.

\* \* \*

C. Upon a declaration of a state of disaster emergency pursuant to and in accordance with R.S. 29:705 or R.S. 29:706 related to a source of radiation, the secretary of the Department of Environmental Quality is authorized to enter into any contracts or agreements necessary to perform any duty or function required of the secretary in any radiological response plan. The secretary is authorized to expend

1 funds from the Environmental Trust **Fund Account** in the performance of such duties  
2 in accordance with the provisions of R.S. 30:2015.

3 \* \* \*

4 §2192. Treatment, storage, and disposal facilities

5 \* \* \*

6 B. The regulations at a minimum shall require:

7 \* \* \*

8 (4) A surety bond in favor of the state, a certificate of public liability  
9 insurance, payments into the Environmental Trust **Fund Account**, other financial  
10 assurance, or any combination thereof, sufficient to assure financial responsibility  
11 for damages resulting from accidents or negligence, when corrective action is  
12 required or as specified in the permit, and to assure closure and post-closure care,  
13 said assurance to be consistent with the degree and duration of risks associated with  
14 the treatment, storage, or disposal of the type of hazardous waste handled.

15 \* \* \*

16 §2195. Motor Fuels Underground Storage Tank Trust Fund

17 \* \* \*

18 B. There is hereby established a special custodial trust fund in the state  
19 treasury to be known as the Motor Fuel Underground Storage Tank Trust Fund,  
20 hereafter referred to as the "Tank Trust Fund", into which the state treasurer shall,  
21 each fiscal year, deposit the revenues received from the collection of the fees as  
22 established in R.S. 30:2195.3(A)(1)(a) and (B). The secretary is authorized pursuant  
23 to Article VII, Section 9(A) of the Constitution of Louisiana and R.S. 30:2031 to  
24 enter into an agreement with a private legal entity to receive and administer the Tank  
25 Trust Fund for the purpose of providing financial responsibility for underground  
26 motor fuel storage tanks. On an annual basis, all owners of registered tanks shall  
27 remit to the department a tank registration fee of sixty dollars for each tank. The  
28 revenue from the tank registration fees shall be deposited directly into the  
29 Environmental Trust **Fund Account** as provided by R.S. 30:2015 and utilized for  
30 underground storage tank activities only, and any deviation from the aforesaid shall  
31 be documented and reported to the House Committee on Natural Resources and  
32 Environment and the Senate Committee on Environmental Quality. Revenues  
33 received from annual maintenance and monitoring fees, other than those established  
34 in R.S. 30:2195.3(B), shall be deposited into the Environmental Trust **Fund Account**.  
35 The department shall promulgate rules and regulations for the implementation of this  
36 Section in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.

37 C. Monies so deposited in the Environmental Trust **Fund Account** shall be  
38 used to defray the cost to the state of administering the underground storage tank  
39 program and the cost of investigation, testing, containment, control, and cleanup of  
40 releases from underground storage tanks containing regulated substances. Only  
41 monies recovered pursuant to R.S. 30:2195.2(A)(2) and deposited in the Tank Trust  
42 Fund may be used for the loans authorized by R.S. 30:2195.12(E). These monies  
43 shall also be used to provide money or services as the state share of matching funds  
44 for federal grants involving underground storage tanks. At the end of each fiscal  
45 year, all monies that were deposited into the Environmental Trust **Fund Account**  
46 from the fees established in R.S. 30:2195.3(A)(1)(a) and (B) which remain unspent,  
47 including all accrued interest, shall be transferred to the Tank Trust Fund.

48 \* \* \*

49 E. Annually, the department shall prepare a report for the House Committee  
50 on Natural Resources and Environment and the Senate Committee on Environmental  
51 Quality of all disbursements of monies from the Tank Trust Fund and the  
52 Environmental Trust **Fund Account**. The report shall include all loans made from the  
53 Tank Trust Fund, the number of sites actively seeking reimbursement from the Tank  
54 Trust Fund as of June thirtieth of each year, the number of sites deemed eligible for  
55 the Tank Trust Fund during the previous fiscal year, and the number of sites that  
56 have been granted "No Further Action", and the department has received the last  
57 application for reimbursement during the previous fiscal year. Regarding  
58 disbursements from the Tank Trust Fund as provided by R.S. 30:2195.2, the report  
59 shall include a list of all reimbursements, all pending reimbursements, the date the

1 application was made for reimbursement, and the date reimbursement was made by  
 2 the department. The report shall be delivered to the respective legislative committees  
 3 no later than March first of each year.

4 \* \* \*

5 §2195.2. Uses of the Tank Trust Fund

6 A. The department shall administer the Tank Trust Fund and shall make  
 7 disbursements from the fund for all necessary and appropriate expenditures. Pursuant  
 8 to the authorization in R.S. 30:2195, the secretary of the Department of  
 9 Environmental Quality shall use the Tank Trust Fund as follows:

10 \* \* \*

11 (4) The Environmental Trust Fund **Account** may be used to reimburse or pay  
 12 for any costs associated with the review of applications for reimbursement from the  
 13 trust, legal fees associated with the collection of costs from parties who are not  
 14 eligible participants, audits of the Tank Trust Fund and bulk operators, and  
 15 accounting and reporting of the uses of the trust. The Environmental Trust Fund  
 16 **Account** will also reimburse the Department of Environmental Quality for costs  
 17 associated with administering the underground storage tank program in accordance  
 18 with R.S. 30:2195(C) up to the amount appropriated pursuant to R.S. 30:2195(B).

19 \* \* \*

20 §2195.4. Procedures for disbursements from the Tank Trust Fund

21 \* \* \*

22 C.(1) For any month during which the collection of fees assessed pursuant  
 23 to R.S. 30:2195.3 is suspended, the treasurer shall transfer an amount equal to twenty  
 24 percent of the average monthly fee amount collected according to the schedule  
 25 specified in R.S. 30:2195.3(A)(1) from the trust into the Environmental Trust Fund  
 26 **Account** for use as provided by R.S. 30:2195.3(A)(9).

27 (2) If the secretary determines that the funds deposited on a monthly basis  
 28 into the Environmental Trust Fund **Account** pursuant to R.S. 30:2195(B) are  
 29 insufficient relative to the legislatively approved fiscal appropriation for the  
 30 department during a given year, the secretary may order the treasurer to transfer from  
 31 the Tank Trust Fund to the Environmental Trust Fund **Account** only that amount  
 32 necessary to reach the authorized ceiling.

33 \* \* \*

34 §2195.5. Audits

35 An annual independent audit of the Tank Trust Fund shall be conducted.  
 36 Such funds as are necessary to perform the audit shall be authorized from the Tank  
 37 Trust Fund. The secretary shall authorize funding from the Environmental Trust  
 38 Fund **Account**, R.S. 30:2015, for the purpose of auditing bulk operators regarding  
 39 the remittance of motor fuel delivery fees.

40 \* \* \*

41 §2205. Hazardous Waste Site Cleanup Fund

42 A.(1) All sums recovered through judgments, settlements, assessments of  
 43 civil or criminal penalties, funds recovered by suit or settlement from potentially  
 44 responsible parties for active or abandoned site remediation or cleanup, or otherwise  
 45 under this Subtitle, or other applicable law, each fiscal year for violation of this  
 46 Subtitle, shall be paid into the state treasury and shall be credited to the Bond  
 47 Security and Redemption Fund. After a sufficient amount is allocated from that fund  
 48 to pay all obligations secured by the full faith and credit of the state which become  
 49 due and payable within any fiscal year, the treasurer, prior to placing such remaining  
 50 funds in the state general fund, shall pay into a special fund, which is hereby created  
 51 in the state treasury and designated as the "Hazardous Waste Site Cleanup Fund", all  
 52 of those funds generated by the hazardous waste tax under the provisions of Chapter  
 53 7-A of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 and the sums  
 54 recovered through all judgments, settlements, assessments of civil or criminal  
 55 penalties, fees and oversight costs received from potentially responsible parties for  
 56 the department's work in overseeing of assessment and remediation at inactive or  
 57 abandoned sites, funds recovered by suit or settlement from potentially responsible

1 parties for active or abandoned site remediation or cleanup, or otherwise, for  
2 violation of this Subtitle, except as provided in R.S. 30:2025 and 2198; however, the  
3 balance in the fund shall not exceed six million dollars at any time and upon the  
4 accumulation of six million dollars in the fund, the treasurer shall pay all remaining  
5 sums provided for in this Subsection into the Environmental Trust ~~Fund~~ **Account**,  
6 R.S. 30:2015.

7 \* \* \*

8 §2552. ~~Brownfields Cleanup Revolving Loan Fund Program~~; authority **Authority**  
9 to make loans and grants; incur debt; tax exemption

10 A. Any political subdivision, public trust, quasi governmental organization,  
11 or eligible nonprofit or private entity, except as provided in R.S. 30:2551(C), is  
12 hereby authorized to make loans from and incur debt payable to the department in  
13 accordance with the provisions of this Section. The making of a loan ~~from the~~  
14 ~~Brownfields Cleanup Revolving Loan Fund~~ and the issuance of debt evidencing such  
15 loan by any political subdivision, eligible nonprofit organization, or eligible private  
16 entity shall be approved by the State Bond Commission. This Section shall not be  
17 deemed to be the exclusive authority under which a political subdivision, eligible  
18 nonprofit organization, or eligible private entity may borrow money from or incur  
19 indebtedness to the department. ~~The department shall aggressively pursue leveraging~~  
20 ~~of all funds to the maximum amount allowable by law.~~

21 B. All bonds, notes, or other evidence of indebtedness of any political  
22 subdivision, public trust, quasi governmental organization, or eligible nonprofit or  
23 private entity issued to represent a loan from the department ~~or the fund~~ shall be  
24 authorized and issued pursuant to a resolution of the governing authority of such  
25 entity, which resolution shall prescribe the form and details thereof, including the  
26 terms, security for, manner of execution, repayment schedule, and redemption  
27 features thereof, and such resolution may provide that an officer of such entity may  
28 execute in connection with such obligation any related contract, including but not  
29 limited to a credit enhancement device, indenture of trust, loan agreement, pledge  
30 agreement, or other agreement or contract needed to accomplish the purposes for  
31 which said evidence of indebtedness is given, in substantially the form attached to  
32 said resolution, but which final executed credit enhancement device, indenture of  
33 trust, loan agreement, pledge, or other contract or agreement may contain such  
34 changes, additions, and deletions as shall in the sole opinion of the executing officer  
35 be appropriate under the circumstances. Any such resolution shall include a  
36 statement as to the maximum principal amount of any such obligation, the maximum  
37 interest rate to be incurred or borne by said obligation or guaranteed by said  
38 obligation, the maximum redemption premium, if any, and the maximum term in  
39 years for such obligation, guarantee, or pledge.

40 C. Notwithstanding any other provision of law to the contrary, a political  
41 subdivision, public trust, quasi governmental organization, or eligible nonprofit  
42 entity, upon entering into a loan ~~in accordance with the fund as provided in R.S.~~  
43 ~~30:2551~~, may dedicate and pledge a portion of any revenues it has available to it,  
44 including but not limited to revenues from the general revenue fund, sales taxes,  
45 assessments, or property taxes of the political subdivision, for a term not exceeding  
46 twenty years from the date of project completion for repayment of the principal of,  
47 interest on, and any premium, administrative fee, or other fee, or cost imposed by the  
48 department in connection with such loan.

49 \* \* \*

50 Section 10. R.S. 32:202, 402.3(I), and 412(C)(2) are hereby amended and  
51 reenacted to read as follows:

52 §202. Louisiana Bicycle and Pedestrian Safety ~~Fund~~ **Account**

53 A. There is hereby created, as a special ~~fund~~ **account** in the state treasury, the  
54 Louisiana Bicycle and Pedestrian Safety ~~Fund~~ **Account**, hereinafter referred to as the  
55 "~~fund~~" **account**. The source of monies for the ~~fund~~ **account** shall be that portion of  
56 the monies derived from fees imposed and dedicated to the ~~fund~~ **account** pursuant  
57 to the provisions of R.S. 47:463.148, and grants, gifts, and donations and any other

1 monies received by the state for the purposes of bicycle and pedestrian safety and  
2 which are appropriated to the ~~fund~~ **account**.

3 B. After compliance with the requirements of Article VII, Section 9(B) of the  
4 Constitution of Louisiana, relative to the Bond Security and Redemption Fund, an  
5 amount equal to that deposited into the state treasury from the foregoing sources  
6 shall be deposited in and credited to ~~the fund~~ **a special agency account**. The monies  
7 in the ~~fund~~ **account** shall be invested by the treasurer in the same manner as the state  
8 general fund, and interest earnings shall be deposited into the ~~fund~~ **account**. All  
9 unexpended and unencumbered monies remaining in the ~~fund~~ **account** at the end of  
10 each fiscal year shall remain in the ~~fund~~ **account**. Funding deposited into the  
11 account shall be considered fees and self-generated revenues and shall be  
12 available for annual appropriations by the legislature.

13 C. Monies in the ~~fund~~ **account** shall be subject to annual appropriation by the  
14 legislature for use by the Department of Transportation and Development. The  
15 monies in the ~~fund~~ **account** shall be allocated and disbursed by the secretary of the  
16 Department of Transportation and Development and used solely for bicycle and  
17 pedestrian safety.

18 \* \* \*

19 §402.3. Motorcycle Safety, Awareness, and Operator Training Program; ~~fund~~  
20 **account**

21 \* \* \*

22 I. The Motorcycle Safety, Awareness, and Operator Training Program ~~Fund~~  
23 **Account**, provided for in R.S. 32:412(C)(2) shall continue to fund the operator  
24 training, instructor training, and motorcycle safety and awareness programs under  
25 the operation of the Department of Public Safety and Corrections.

26 \* \* \*

27 §412. Amount of fees; credit or refund; duration of license; veteran designation;  
28 disabled veteran designation; university logo; "I'm a Cajun"  
29 designation; needs accommodation designation; disbursement of  
30 funds; renewal by mail or electronic commerce of Class "D" or "E"  
31 drivers' licenses; disposition of certain fees; exception

32 \* \* \*

33 C.

34 \* \* \*

35 (2) Notwithstanding any provisions of law to the contrary and subject to the  
36 exceptions contained in Article VII, Section 9(A) of the Constitution of Louisiana,  
37 the amount of seven dollars and fifty cents from the fee for a motorcycle or motor  
38 scooter endorsement to a basic license, or the amount of three dollars from the fee  
39 if the motorcycle endorsement for any person is to a license that is valid for only less  
40 than six years shall be credited to the Bond Security and Redemption Fund. After a  
41 sufficient amount is allocated from that fund to pay all obligations secured by the full  
42 faith and credit of the state which become due and payable within any fiscal years,  
43 the treasurer shall pay an amount equal to the fees paid into the Bond Security and  
44 Redemption Fund pursuant to this Paragraph into a special ~~fund~~ **agency account**  
45 which is hereby created in the state treasury and designated as the "Motorcycle  
46 Safety, Awareness, and Operator Training Program ~~Fund~~ **Account**", hereinafter  
47 referred to as the "~~fund~~ **account**". The monies credited to the ~~fund~~ **account** shall be  
48 used solely for operator training, instructor training, and motorcycle safety and  
49 awareness programs. Any unexpended and unencumbered monies remaining to the  
50 credit of the ~~fund~~ **account** on June thirtieth of each year, after all appropriations of  
51 the preceding fiscal year have been made, shall revert to the state general fund. The  
52 monies in the ~~fund~~ **account** shall be expended solely from year to year as  
53 appropriated by the legislature for the purposes of motorcycle safety and awareness  
54 and operator training. Any amounts earned through investment of the monies in the  
55 ~~fund~~ **account** shall revert to the state general fund. Funding deposited into the  
56 account shall be considered fees and self-generated revenues and shall be  
57 available for annual appropriations by the legislature.

58 \* \* \*



1 Section 11. R.S. 39:82(A) and 352 are hereby amended and reenacted to read  
2 as follows:

3 §82. Remission of cash balances to the state treasurer; authorized withdrawals of  
4 state monies after the close of the fiscal year; reports

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

24 \* \* \*

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

26 Whenever any specific appropriation is made to meet any item of expenditure  
27 which occurs annually by provision of law or for contingent expense, and any  
28 portion of it remains unexpended at the end of the year for which the specific  
29 appropriation was made, after all legal claims against it for the year have been paid,  
30 the commissioner of administration shall cancel any balance of the appropriation,  
31 and each succeeding year he shall open a new account for the appropriation which  
32 may be made for that particular year, without carrying forward any unexpended  
33 balance of appropriation made for any previous year. This provision shall not apply  
34 to appropriations made to pay the debt of the state, principal and interest. ~~Prior to  
35 placing monies associated with such unexpended appropriations into the state general  
36 fund, the state treasurer shall transfer all cash balances identified and reported by the  
37 commissioner of administration as being from unexpended and unencumbered state  
38 general fund (direct) and Overcollections Fund appropriations for professional,  
39 personal, and consulting service contracts not approved by the Joint Legislative  
40 Committee on the Budget as provided in R.S. 39:1590 remaining at the end of each  
41 fiscal year for deposit in and credit to the Higher Education Financing Fund as is  
42 necessary to satisfy the requirements of R.S. 39:100.146 and then shall make  
43 deposits to the Payments Towards the UAL Fund as are necessary to satisfy the  
44 requirements of R.S. 39:100.11.~~

45 \* \* \*

46 Section 12. R.S. 39:91(B) and 100.136 are hereby amended and reenacted  
47 to read as follows:

48 §91. Deepwater Horizon Economic Damages Collection Fund

49 \* \* \*

50 B. All economic damages proceeds from the DWH litigation in excess of the  
51 first two hundred million dollars deposited in the Fiscal Year 2015-2016 Deficit  
52 Elimination Fund shall be deposited by the treasurer as follows:

53 (1) Forty-five percent of each such receipt of economic damages proceeds to  
54 the Budget Stabilization Fund until that fund reaches the amount statutorily  
55 mandated by R.S. 39:94.

56 (2) ~~Forty-five percent~~ **The balance** of each such receipt of economic  
57 damages proceeds to the ~~Medicaid Trust Fund for the Elderly provided for in R.S.~~

1 ~~46:2691 until an amount not to exceed seven hundred million dollars has been~~  
 2 ~~deposited into such fund **state general fund.**~~

3 ~~(3) Ten percent of each such receipt of economic damages proceeds to the~~  
 4 ~~Health Trust Fund provided for in R.S. 46:2731 until an amount not to exceed thirty~~  
 5 ~~million dollars has been deposited into such fund.~~

6 \* \* \*

7 §100.136. Specialized Educational Institutions Support Fund

8 A. There is hereby established in the state treasury a special fund to be known  
 9 as the "Unfunded Accrued Liability and Specialized Educational Institutions Support  
 10 Fund", hereinafter referred to as "fund". ~~The fund shall be composed of two~~  
 11 ~~accounts: the UAL Account and the Specialized Educational Institutions Account.~~  
 12 The source of monies for the fund shall be those state revenues deposited into the  
 13 fund pursuant to the requirements of R.S. 47:6351. Monies in the fund shall be  
 14 invested in the same manner as those in the state general fund. Monies remaining in  
 15 the fund at the end of the fiscal year shall ~~be deposited into the UAL Account~~  
 16 **remain in the fund.**

17 B. Monies in the fund shall be available for appropriation exclusively for ~~(1)~~  
 18 payments against the unfunded accrued liability of the public retirement systems  
 19 which are in addition to any payments required for the annual amortization of the  
 20 unfunded accrued liability of the public retirement systems, as required by Article  
 21 X, Section 29(E)(2)(c) of the Constitution of Louisiana; however, any such payments  
 22 to the public retirement systems shall not be used, directly or indirectly, to fund  
 23 cost-of-living increases for such systems ~~and (2) the support of operations of the~~  
 24 ~~Louisiana Cancer Research Center of L.S.U. Health Sciences Center in New~~  
 25 ~~Orleans/Tulane Health Sciences Center, the Feist-Weiller Cancer Center of LSU~~  
 26 ~~Health Sciences Center - Shreveport, the Pennington Biomedical Research Center,~~  
 27 ~~the Louisiana State University Agricultural Center, and the Southern University~~  
 28 ~~Agricultural Research and Extension Center. Monies appropriated from the fund~~  
 29 ~~shall not be used in any fiscal year to displace, replace, or supplant state general fund~~  
 30 ~~support for these agencies.~~

31 C. ~~(1) Appropriations from the Specialized Educational Institutions Account~~  
 32 ~~in any fiscal year shall be allocated as provided in this Paragraph; however, in the~~  
 33 ~~event that the amount available for appropriation in any fiscal year is insufficient to~~  
 34 ~~provide for such allocations, the amounts allocated shall be reduced proportionately.~~

35 ~~(a) Five Million Dollars for the Louisiana Cancer Research Center of L.S.U.~~  
 36 ~~Health Sciences Center in New Orleans/Tulane Health Sciences Center.~~

37 ~~(b) Five Million Dollars for the Feist-Weiller Cancer Center of LSU Health~~  
 38 ~~Sciences Center - Shreveport.~~

39 ~~(c) Ten Million Dollars for the Louisiana State University Agricultural~~  
 40 ~~Center.~~

41 ~~(d) Five Million Dollars for the Pennington Biomedical Research Center.~~

42 ~~(e) Five Million Dollars for the Southern University Agricultural Research~~  
 43 ~~and Extension Center.~~

44 ~~(2) Appropriations from the UAL Account shall be exclusively for additional~~  
 45 ~~payments against the unfunded accrued liability of the public retirement systems as~~  
 46 ~~provided in Subsection B of this Section.~~

47 Section 13. R.S. 40:1135.10 is hereby amended to read as follows:

48 §1135.10. Emergency medical technician **fund account**

49 A. There is hereby established a special **fund account** in the state treasury to  
 50 be known as the Emergency Medical Technician **Fund Account**, hereafter referred  
 51 to as "**fund account**", which shall consist of monies generated by the fees collected  
 52 from the purchase of prestige license plates for certified emergency medical  
 53 technicians as provided in R.S. 47:463.47. In addition, the legislature may make  
 54 annual appropriations to the **fund account** for the purposes set forth in this Section.

55 B. All monies collected pursuant to R.S. 47:463.47 shall be deposited in the  
 56 Bond Security and Redemption Fund as required by Article VII, Section 9(B) of the  
 57 Constitution of Louisiana and thereafter shall be credited to ~~the fund~~ **a special**  
 58 **agency account. Funding deposited into the account shall be considered fees**

**and self-generated revenues and shall be available for annual appropriations by the legislature.**

C. The monies in the ~~fund~~ **account** shall be appropriated to the Louisiana Department of Health solely for purchasing equipment for the testing of applicants for certification as an emergency medical technician and to cover other testing-related costs. All unexpended and unencumbered monies remaining in the ~~fund~~ **account** at the close of each fiscal year shall remain in the ~~fund~~ **account**. Monies in the ~~fund~~ **account** shall be invested by the state treasurer in the same manner as monies in the state general fund. All interest earned from the investment of monies in the ~~fund~~ **account** shall be deposited and remain to the credit of the ~~fund~~ **account**.

Section 14. R.S. 46:1301(A)(1) is hereby amended and reenacted to read as follows:

§1301. Services to autistic persons; center of excellence for autism spectrum disorder; responsibility

A. The Louisiana Department of Health shall be responsible for providing services to autistic persons, with the exception of those delineated by Part I of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950 and provided for by the Department of Education or the local school board or otherwise mandated by law to be provided by the Department of Education or the local school board. The Louisiana Department of Health shall be responsible for:

(1) The establishment of a center of excellence for autism spectrum disorder within the office for citizens with developmental disabilities. This center may be operated by the office through formal agreements with the Department of Education and other appropriate public and private agencies including but not limited to Louisiana State University Health Sciences Center-New Orleans, Louisiana State University Health Sciences Center-Shreveport, and St. Mary's Residential Training School in Alexandria, or others. ~~Upon the creation of a special fund by the legislature, the center is empowered to receive by gift, grant, donation, or otherwise any sum of money, property, aid, or assistance from any person, firm, or corporation.~~ This center should be the core of activities providing services to autistic citizens including but not limited to early diagnosis and intervention and individualized programs involving school, home, and community throughout the life span of autistic citizens. The center shall give assistance to private and public agencies providing services to autistic citizens and their families. The center shall become a resource and training facility for educators and others charged with educating autistic citizens. The center, as well as any facilities constructed as a part of the center upon the appropriation of funds, shall be located in Caddo Parish.

\* \* \*

Section 15. R.S. 47:318(D), 463.48(D), 463.60(F), 463.104(C), 463.148(E), 463.167(E), 6351(G), and 7019.2(B)(1) are hereby amended and reenacted to read as follows:

§318. Disposition of collections

\* \* \*

~~D. After satisfying the requirements of Subsection B of this Section, the~~ **The** remaining portion of the amount determined pursuant to Subsection A of this Section shall be deposited in the Louisiana Economic Development Fund created by R.S. 51:2315 **dedicated exclusively to the Louisiana FastStart Program.**

\* \* \*

§463.48. Special prestige license plates; emergency medical technicians

\* \* \*

D. The department shall collect the fee for the special license plates and forward twenty-four dollars to the state treasurer for deposit into the Emergency Medical Technician ~~Fund~~ **Account** created by the provisions of R.S. 40:1236.5. The remaining portion of the fee shall be retained by the department to offset administrative costs.

\* \* \*

1 §463.60. Special prestige license plates; "Animal Friendly" prestige license plate;  
 2 animal population control; ~~Pet Overpopulation Fund~~

3 \* \* \*

4 F. Any veterinarian licensed in this state, veterinary hospital, or organization  
 5 qualified as a tax-exempt organization under Section 501(c)(3) of the Internal  
 6 Revenue Code of 1954, as amended, may apply for grants from the **state general**  
 7 fund, on an application approved by the Pet Overpopulation Advisory Council.  
 8 Grants shall be distributed solely for purposes of providing low-cost pet sterilizations  
 9 by licensed veterinarians.

10 \* \* \*

11 §463.104. Special prestige license plates; Seniors-Our Heritage

12 \* \* \*

13 C. An annual fee of fifty dollars shall be collected from the applicant and  
 14 forwarded to the ~~Medicaid Trust Fund for the Elderly, created by R.S. 46:2691,~~ **state**  
 15 **general fund** for each license plate issued as provided in this Section. The  
 16 department shall also collect the standard registration license fee provided for in R.S.  
 17 47:463 and a handling fee of three dollars and fifty cents. The handling fee shall be  
 18 retained by the department to offset a portion of administrative costs.

19 \* \* \*

20 §463.148. Special prestige license plate; "Share the Road"

21 \* \* \*

22 E. The monies received from the additional twenty-five-dollar fee shall be  
 23 deposited into the Louisiana Bicycle and Pedestrian Safety ~~Fund~~ **Account**, R.S.  
 24 32:202, for use by the Department of Transportation and Development for the sole  
 25 purpose of promoting bicycle and pedestrian safety.

26 \* \* \*

27 §463.167. Special prestige license plates; "Hunters for the Hungry Louisiana"

28 \* \* \*

29 E. The annual royalty fee collected by the department shall be forwarded to  
 30 the Wildlife and Fisheries Conservation Fund special account known as the "Hunters  
 31 for the Hungry **Escrow** Account". No more than ten percent of the monies in the  
 32 **escrow** account shall be used for administrative costs. The balance shall be used  
 33 solely by Hunters for the Hungry Louisiana to pay for the processing and distribution  
 34 of meats, when such meats shall be used by a nonprofit entity or charitable  
 35 organization in food or meal distribution at no cost to an individual pursuant to R.S.  
 36 56:644.

37 \* \* \*

38 §6351. Rebates; contracts for certain state sales and use tax rebates

39 \* \* \*

40 G. Disposition of collections resulting from new taxable sales.

41 The state sales tax revenues generated as a result of the activities of  
 42 purchasing companies pursuant to this Section which are deposited into the state  
 43 general fund shall thereafter be disbursed during each fiscal year in the following  
 44 order of priority:

45 (1) The payment of rebates to procurement processing companies by the  
 46 secretary of the Department of Revenue in accordance with the provisions of a  
 47 contract, which payments shall be made from current sales tax collections pursuant  
 48 to Paragraph (D)(1) of this Section.

49 (2) Retention by the department of amounts necessary to provide for the  
 50 expenses of the department pursuant to the provisions of Subsection F of this  
 51 Section.

52 ~~(3) Of the monies remaining after satisfaction of the requirements of~~  
 53 ~~Paragraphs (1) and (2) of this Subsection as determined by the secretary pursuant to~~  
 54 ~~Subsection H of this Section, the state treasurer is hereby authorized and directed to~~  
 55 ~~transfer the amount of thirty million dollars, or as much thereof as is available, from~~  
 56 ~~the state general fund to the Unfunded Accrued Liability and Specialized~~  
 57 ~~Educational Institutions Support Fund-Specialized Educational Institutions Account,~~  
 58 ~~which is established pursuant to R.S. 39:100.136. Each fiscal year, the transfer shall~~

1 occur as soon as is practicable, upon notification by the secretary of the Department  
2 of Revenue that revenues sufficient to provide for this distribution have been  
3 deposited into the treasury.

4 (4) Of the monies remaining after satisfaction of the requirements of  
5 Paragraphs (1) through (3) and (2) of this Subsection as determined by the secretary  
6 pursuant to Subsection H of this Section, the state treasurer is hereby authorized and  
7 directed to transfer from the state general fund to the Unfunded Accrued Liability  
8 and Specialized Educational Institutions Support Fund-UAL Account an amount  
9 equal to ten percent of the total remaining state sales tax revenues collected in and  
10 attributable to that fiscal year as a result of the activities of purchasing companies.  
11 The transfer shall occur no later than August tenth of each year.

12 \* \* \*

13 §7019.2. Collection of tolls, fees, and charges on Crescent City Connection Bridge;  
14 amnesty program; refunds

15 \* \* \*

16 B.(1) The state treasurer, as administrator of the Uniform Unclaimed Property  
17 Act, shall establish a program to refund monies collected during the amnesty period  
18 for a toll violation from any person who satisfies one of the circumstances provided  
19 in Subsection A of this Section and who contacts the state treasurer for a refund and  
20 provides the state treasurer with sufficient proof of the payment made that satisfied  
21 the circumstances of Subsection A of this Section. ~~Any refund payment shall be  
22 made by the treasurer from the Crescent City Amnesty Refund Fund as provided in  
23 R.S. 9:154.3.~~

24 \* \* \*"

25 AMENDMENT NO. 6

26 On page 2, line 2, change "Section 2. R.S. 49:308.5(B)(3) and (4)" to

27 "Section 16. R.S. 49:259(D), 308.3(B)(7) and (D), and 308.5(B)(3) and (4)"

28 AMENDMENT NO. 7

29 On page 2, between lines 3 and 4, insert the following:

30 "§259. Department of Justice Legal Support Fund

31 \* \* \*

32 D. Notwithstanding the provisions of Subsection A of this Section, no  
33 proceeds shall be deposited into the fund from court-awarded judgments and  
34 settlements involving the Department of Natural Resources as specified in R.S.  
35 30:136.3(B)(1), nor any judgments, settlements, or recoveries which are designated  
36 for credit to the Hazardous Waste Site Cleanup Fund, the Environmental Trust Fund  
37 **Account**, or any other funds administered by the Department of Environmental  
38 Quality under the Environmental Quality Act. Notwithstanding the provisions of  
39 Subsection A of this Section, no proceeds shall be deposited into the fund from  
40 court-awarded judgments and settlements involving the Department of  
41 Transportation and Development. Notwithstanding the provisions of Subsection A  
42 of this Section, no proceeds shall be deposited into the fund from judgments,  
43 settlements, or recoveries arising from the DWH litigation, including but not limited  
44 to litigation expenses, assessment costs, court costs or attorney fees.

45 \* \* \*

46 §308.3. Special funds and dedication of money

47 \* \* \*

48 B. This Section shall not apply to or affect the laws which dedicate or  
49 otherwise provide for the use of the following money or the laws which provide for  
50 the following special funds in the state treasury:

51 \* \* \*

1 (7) The Hazardous Waste Site Cleanup Fund created and maintained pursuant  
2 to R.S. 30:2205 and the Environmental Trust ~~Fund~~ Account created and maintained  
3 pursuant to R.S. 30:2015.

4 \* \* \*

5 D. This Section shall not apply to the Motorcycle Safety, Awareness, and  
6 Operator Training Program ~~Fund~~ Account as provided in R.S. 32:412(C)(2), the  
7 Proprietary School Student Protection Fund as provided for in R.S. 17:3141.16.

8 \* \* \*"

9 AMENDMENT NO. 8

10 On page 2, between lines 27 and 28, insert the following;

11 "Section 17. R.S. 51:1927.1(A) and (C), 2315, and 2341(F) are hereby  
12 amended and reenacted to read as follows:

13 §1927.1. Annual audit; annual rate of return; appreciation excess; remittance to  
14 Louisiana Economic Development Fund

15 A. Following a decertification of a pool that was certified on or after January  
16 1, 1999, and for which insurance premium tax credits were granted, an independent  
17 certified public accountant shall perform a review of all distributions other than tax  
18 distributions and management fees from such pool to the equity holders of the pool  
19 to determine if such distributions produce an annual internal rate of return to the  
20 equity holders of the pool of at least fifteen percent calculated on the original amount  
21 of certified capital contributed to such pool as well as any additional capital  
22 contributed to such pool. Within thirty days following the issuance of the  
23 accountant's report, the certified capital company shall remit to the Louisiana  
24 Economic Development Fund **to be used exclusively for the Louisiana FastStart**  
25 **Program** twenty-five percent of all distributions in excess of the amount required  
26 to produce an annual internal rate of return of fifteen percent until the Louisiana  
27 Economic Development Fund shall have received an amount equal to the amount of  
28 tax credits granted for the pool. Thereafter, the certified capital company shall remit  
29 to the Louisiana Economic Development Fund five percent of such excess  
30 distributions **to be used exclusively for the Louisiana FastStart Program.**

31 \* \* \*

32 C. The calculation of internal rate of return shall include all cash distributions  
33 to equity investors out of the certified capital company's investment pool, except for  
34 tax distributions and management fees. Management fees shall not exceed two and  
35 one-half percent per annum of the total certified capital of the pool without the prior  
36 approval of the secretary. Notwithstanding any other provisions in this Chapter to the  
37 contrary, for all certified capital pools formed after December 31, 2001, if a certified  
38 Louisiana capital company does not place (1) forty percent of the investment pool  
39 in qualified investments within three years after the investment date, (2) sixty percent  
40 of the investment pool in qualified investments within five years of the investment  
41 date, and (3) upon the certified Louisiana capital company's option either (a) one  
42 hundred percent of the investment pool in qualified investments within seven years  
43 of the investment date or (b) one hundred and ten percent of the investment pool in  
44 qualified investments within eight years of the investment date, then following a  
45 decertification pursuant to R.S. 51:1928(B)(3), such company shall remit to the  
46 Louisiana Economic Development Fund twenty-five percent of all distributions,  
47 other than tax distributions and management fees, until the Louisiana Economic  
48 Development Fund shall have received one hundred percent of the tax credits granted  
49 for such pool and thereafter the company shall remit ten percent of all distributions,  
50 other than tax distributions and management fees to the Louisiana Economic  
51 Development Fund **to be used exclusively for the Louisiana FastStart Program.**  
52 If a certified Louisiana capital company has not decertified an investment pool  
53 formed after December 31, 2001, pursuant to R.S. 51:1928(B)(3) within ten years  
54 from the investment date, such company shall remit to the Louisiana Economic  
55 Development Fund fifty percent of all distributions until the Louisiana Economic  
56 Development Fund shall have received one hundred percent of the tax credits granted

1 for such pool, and thereafter the company shall remit twenty percent of all  
2 distributions to the Louisiana Economic Development Fund **to be used exclusively**  
3 **for the Louisiana FastStart Program.**

4 \* \* \*

5 §2315. Louisiana Economic Development Fund

6 A. There is hereby established within the state treasury a fund to be known  
7 as the "Louisiana Economic Development Fund". All monies received by the  
8 corporation shall be deposited to the account of the Louisiana Economic  
9 Development Fund **to be used solely for the Louisiana FastStart Program.**

10 B.(1) ~~The legislature may appropriate monies for the benefit of the programs~~  
11 ~~administered by the corporation to the Louisiana Economic Development Fund. The~~  
12 ~~monies in such fund shall be used to accomplish the purposes of this Chapter.~~

13 (2) All monies received or appropriated to such fund shall remain in the fund  
14 and shall not be returned to the state general fund at the end of any fiscal year.

15 C.(1) The monies in the Louisiana Economic Development Fund shall be  
16 invested by the treasurer in the same manner as monies in the state general fund.

17 (2) All interest earned on monies from such fund so invested by the state  
18 treasurer shall be deposited in the Louisiana Economic Development Fund.

19 \* \* \*

20 §2341. Economic Development Award Program

21 \* \* \*

22 F. The legislature shall make an annual appropriation to ~~EDAP for deposit~~  
23 ~~in the Louisiana Economic Development Fund under the terms and conditions as~~  
24 ~~provided for in R.S. 51:2315 **to be used solely for the Louisiana FastStart**~~  
25 ~~**Program.** Project awards shall be disbursed by the corporation's board.~~

26 \* \* \*

27 Section 18. The introductory paragraph of R.S. 56:10(B)(1) and (b), 70.3,  
28 70.4(A), 253(C)(2)(a), 278(A), 279(A), (C), (D)(1) and (3), 302.3(B)(5)(c),  
29 494(E)(5) and (F), 644(B), the introductory paragraph of (C), (D), and (E) are hereby  
30 amended and reenacted to read as follows:

31 \* \* \*

32 §10. Annual report to governor; estimate of proposed expenditures; particular funds;  
33 limitations on purposes for use of monies in particular funds;  
34 warrants; vouchers; surplus funds

35 \* \* \*

36 B.(1) Subject to the exception contained in Article VII, Section 9(A) of the  
37 Constitution of Louisiana, all funds collected by the commission from every source  
38 shall be paid into the state treasury and shall be credited to the Bond Security and  
39 Redemption Fund. Out of the funds remaining in the Bond Security and Redemption  
40 Fund after a sufficient amount is allocated from that fund to pay all obligations  
41 secured by the full faith and credit of the state which become due and payable within  
42 any fiscal year, the treasurer shall, prior to placing such remaining funds in the state  
43 general fund, conform to the following:

44 \* \* \*

45 (b)(i) Pay annually into a special fund created in the state treasury and  
46 designated as the "Shrimp Marketing and Promotion Fund", an amount equal to the  
47 fees collected pursuant to R.S. 56:305(G) and paid into the treasury by the  
48 commission. All expenditures and allocation of monies from this fund shall be  
49 administered by the Louisiana Shrimp Task Force to be used for the development of  
50 markets for shrimp and creation of marketing strategies for the development and  
51 market expansion for shrimp harvested from Louisiana waters. The task force may  
52 contract with the Louisiana Seafood Promotion and Marketing Board to promote the  
53 Louisiana shrimp industry.

54 (ii) ~~Pay annually into the Conservation Fund, into a special account entitled~~  
55 ~~the "Shrimp Trade Petition Account", an amount equal to the fees collected pursuant~~  
56 ~~to R.S. 56:305(H). Subject to annual appropriation by the legislature, the monies in~~  
57 ~~the fund shall be used exclusively for the purposes of promotion and protection of~~

1 domestic wild-caught shrimp. For purposes of this Item, promotion and protection  
 2 of domestic wild-caught shrimp shall include expenses related to the petition filed  
 3 by the Southern Shrimp Alliance in December 2003 for the imposition of  
 4 antidumping duties pursuant to Section 731 of the Tariff Act of 1930, as amended.  
 5 All expenditures and allocation of funds from this account shall be administered by  
 6 the Louisiana Shrimp Task Force. The monies in this account shall be invested by  
 7 the state treasurer in the same manner as monies in the state general fund and all  
 8 returns on such investment shall be deposited to the account. All unexpended and  
 9 unencumbered monies remaining in this account at the end of the fiscal year shall  
 10 remain in the account.

11 \* \* \*

12 §70.3. Louisiana Help Our Wildlife Fund; ~~creation; composition of fund; uses of~~  
 13 ~~fund~~

14 ~~A. The Louisiana Help Our Wildlife Fund, hereinafter referred to as "the~~  
 15 ~~fund", is hereby created within the Louisiana Wildlife and Fisheries Conservation~~  
 16 ~~Fund is hereby abolished~~ in the state treasury. **Any monies in the fund shall be**  
 17 **transferred to the Conservation Fund.**

18 ~~B. The fund shall be composed of:~~

19 ~~(1) Monies from appropriations by the legislature.~~

20 ~~(2) All monies paid as a cost levied on class violations as provided in~~  
 21 ~~Subsection C of this Section.~~

22 ~~(3) Any federal monies made available to the state for enforcement of anti-~~  
 23 ~~poaching laws.~~

24 ~~C.(1) In addition to any other costs otherwise imposed by law, and not~~  
 25 ~~withstanding any provision of law to the contrary, a cost of five dollars for any class~~  
 26 ~~violation as provided in R.S. 56:31 through 37.1 is hereby levied in each criminal~~  
 27 ~~action which results in conviction or guilty plea. The recipient of such costs shall~~  
 28 ~~remit them upon collection to the state treasurer.~~

29 ~~(2) Notwithstanding any other provision of law to the contrary, in addition~~  
 30 ~~to any fine imposed under R.S. 30:2531 and 2531.1 or fine imposed pursuant to any~~  
 31 ~~parish or municipal ordinance prohibiting littering, an additional fine of five dollars~~  
 32 ~~is hereby imposed for each violation of said statutes or ordinances which results in~~  
 33 ~~a conviction, guilty plea, or plea of nolo contendere. The recipient of such fines shall,~~  
 34 ~~notwithstanding any other law to the contrary, remit them to the state treasurer upon~~  
 35 ~~collection.~~

36 ~~D.(1) After complying with the requirements of Article VII, Section 9 (B)~~  
 37 ~~of the Constitution of Louisiana relative to the Bond Security and Redemption Fund,~~  
 38 ~~the treasurer each fiscal year, prior to placing the remaining funds in the state general~~  
 39 ~~fund, shall pay the same amount of funds as was paid into the state treasury pursuant~~  
 40 ~~to Subsections B and C of this Section into a special fund hereby created within the~~  
 41 ~~Louisiana Wildlife and Fisheries Conservation Fund in the state treasury and known~~  
 42 ~~as the Louisiana Help Our Wildlife Fund.~~

43 ~~(2) The monies in the Louisiana Help Our Wildlife Fund shall be used solely~~  
 44 ~~for the purposes set forth in this Subpart and only in the amounts appropriated each~~  
 45 ~~year by the legislature.~~

46 ~~(3) All unexpended and unencumbered monies in the fund at the end of the~~  
 47 ~~fiscal year shall remain in the fund.~~

48 ~~(4) The monies in the fund shall be invested by the treasurer in the same~~  
 49 ~~manner as monies in the Louisiana Wildlife and Fisheries Conservation Fund. All~~  
 50 ~~interest earned on monies invested by the treasurer shall be deposited in the~~  
 51 ~~Louisiana Help Our Wildlife Fund.~~

52 ~~E. The Louisiana Help Our Wildlife Fund may be used solely for the~~  
 53 ~~following purposes:~~

54 ~~(1) Rewards for information leading to the arrest and conviction of poachers~~  
 55 ~~and litterers.~~

56 ~~(2) A promotional and educational campaign to inform the general public on:~~

57 ~~(a) The harm and danger of poaching and littering.~~

58 ~~(b) The reward for information which leads to the arrest and conviction of~~  
 59 ~~poachers and litterers.~~

60 ~~(3) Toll free telephone numbers.~~



1 ~~(4) All expenses necessary to implement the provisions of this Subpart as~~  
 2 ~~determined by the secretary of the Department of Wildlife and Fisheries.~~

3  
 4 §70.4. Rewards; payments

5 A.(1) The secretary of the Department of Wildlife and Fisheries, or his  
 6 designee, shall determine which informers are to be granted rewards, specify the  
 7 amount of each reward, and direct the payment of the rewards from the ~~Louisiana~~  
 8 ~~Help Our Wildlife~~ **Conservation** Fund.

9 (2) No reward may be less than two hundred dollars or more than one  
 10 thousand dollars. No amount in excess of that available in the ~~Louisiana Help Our~~  
 11 ~~Wildlife~~ **Conservation** Fund shall be payable as a reward under this Subpart.

12 \* \* \*

13 §253. Shipping raw furs, alligators, alligator skins, and alligator parts out of state;  
 14 tags

15 \* \* \*

16 C.

17 \* \* \*

18 (2)(a) Every resident fur dealer, alligator hunter, alligator farmer, taxidermist,  
 19 nonresident fur dealer, or nonresident alligator hunter, before shipping alligators or  
 20 raw alligator skins out of state, or before tanning or using for taxidermy of raw  
 21 alligator skins within the state, shall pay to the department an alligator shipping label  
 22 fee for each alligator so shipped and shall pay an alligator hide tag fee for each raw  
 23 alligator skin to be so shipped, used for taxidermy, or tanned. The alligator shipping  
 24 label fee and the alligator hide tag fee shall be collected by the department from the  
 25 fur dealer, taxidermist, alligator hunter, alligator farmer, nonresident fur dealer, or  
 26 nonresident alligator hunter who is shipping alligators or raw alligator skins, or who  
 27 intends to tan, or use for taxidermy, the raw alligator skins. The department shall  
 28 collect such fees at the time of shipment, using for taxidermy, or tanning, and no  
 29 alligator shipping label or out-of-state shipping tag shall be issued by the department  
 30 for a shipment before payment of the appropriate fee is received by the department.  
 31 The alligator shipping label fee for each alligator to be shipped and the alligator hide  
 32 tag fee for each raw alligator skin to be shipped, used for taxidermy, or tanned shall  
 33 be no more than four dollars per alligator or raw alligator skin; however, the alligator  
 34 shipping label fee and the alligator hide tag fee shall each be reduced in any fiscal  
 35 year by rule or regulation of the commission in an equal amount equivalent to any  
 36 amount of additional revenues received into the Louisiana Alligator Resource ~~Fund~~  
 37 **Account** from the state general fund or sources other than alligator-related fees  
 38 established pursuant to this Title. Revenues received by the state pursuant to this  
 39 Paragraph shall be distributed as provided in R.S. 56:266 and 279.

40 \* \* \*

41 §278. Louisiana Alligator Advisory Council

42 A. The Louisiana Alligator Advisory Council is hereby created in the  
 43 Department of Wildlife and Fisheries. The Louisiana Alligator Advisory Council  
 44 shall be responsible for reviewing and approving recommended marketing, research,  
 45 and educational programs to be funded from the Louisiana Alligator Resource ~~Fund~~  
 46 **Account** to ensure that any monies from the ~~funds account~~ are expended for the  
 47 specific goals of the council.

48 \* \* \*

49 §279. Louisiana Alligator Resource ~~Fund~~ **Account**

50 A. Recognizing that the Louisiana alligator industry is a vital aspect of  
 51 Louisiana's economic base and that in recent years worldwide markets and prices  
 52 have expanded at a tremendous rate; and recognizing the rapid expansion of  
 53 Louisiana alligator farming industry statewide; and recognizing the uniqueness of  
 54 the state's alligator farming industry, one state agency, the Department of Wildlife  
 55 and Fisheries, has provided the impetus for inception and development of the total  
 56 alligator conservation program; and recognizing the many beneficial influences that  
 57 Louisiana's alligator program has had on crocodylian conservation worldwide; and  
 58 recognizing world trends questioning the consumptive utilization of wildlife species,

1 and recognizing that those trends, by adversely affecting economic conditions, could  
2 have a severe impact on the alligator industry; and recognizing that raw and finished  
3 alligator skins and products are largely consumed outside the United States; and  
4 recognizing the need to educate the public concerning alligator hunting as a sound  
5 wildlife management practice; and recognizing the urgent need to support the  
6 alligator industry with a comprehensive research and development program; and  
7 recognizing the need to staff and fund the Department of Wildlife and Fisheries with  
8 adequate personnel in order to service this industry's needs, the Legislature of  
9 Louisiana does hereby establish the Louisiana Alligator Resource **Fund Account**  
10 within the Louisiana Wildlife and Fisheries Conservation Fund. The Alligator  
11 Resource **Fund Account** is intended to help defray the cost of alligator programs  
12 within the office of wildlife of the Department of Wildlife and Fisheries.

13 \* \* \*

14 C.(1) Except as otherwise provided by law, all revenues received by the state  
15 from the sale of licenses as provided in R.S. 56:251(A)(2), from tag fees imposed on  
16 alligator hunters, alligator farmers, alligator shipping label fees on the sale of  
17 alligators, all revenues derived from the sale of alligators, alligator skins, or alligator  
18 eggs harvested from department-administered lands, all fees derived from alligator  
19 lottery harvest programs on department-administered lands and public waters, and  
20 all revenues derived from any other alligator-related fees and from the severance tax  
21 on alligator skins provided for in R.S. 56:256 shall be credited by the state treasurer  
22 to a special **fund account** designated as the "Louisiana Alligator Resource **Fund**  
23 **Account**" after those revenues have been deposited in the Bond Security and  
24 Redemption Fund. Out of the funds remaining in the Bond Security and Redemption  
25 Fund after a sufficient amount is allocated from that fund to pay all obligations  
26 secured by the full faith and credit of the state that become due and payable within  
27 each fiscal year, the treasurer **shall classify and consider as fees and self-generated**  
28 **revenues available for appropriation as recognized by the Revenue Estimating**  
29 **Conference, and**, prior to placing such funds in the state general fund, shall pay into  
30 the Louisiana Alligator Resource **Fund Account, a special agency account to be**  
31 **retained for future appropriation as provided in this Subpart**, an amount equal  
32 to the revenues generated from collection from those sources provided for in this  
33 Section and other sources as provided by law.

34 (2) The state treasurer shall invest the monies in this **fund account** in the  
35 same manner as monies in the state general fund. Any surplus monies remaining to  
36 the credit of the **fund account**, after all appropriations of the preceding fiscal year  
37 have been made, shall remain to the credit of the **fund account**. The state treasurer  
38 shall prepare and submit to the department on a quarterly basis a printed report  
39 showing the amount of money contained in the **fund account** from all sources.

40 (3) Any amounts earned through investment of the monies in the **fund**  
41 **account** shall remain to the credit of the **fund account** and shall not revert to the  
42 state general fund.

43 D.(1) The monies made available by the legislature from the **fund account**  
44 as provided in this Section or from any other source shall be used solely for the  
45 programs, purposes, and specific goals enumerated in this Section.

46 \* \* \*

47 (3) The Department of Wildlife and Fisheries in utilizing monies from the  
48 **fund account** shall contract, only with the approval of the Louisiana Alligator  
49 Advisory Council, for any services relating to specific goals enumerated in this  
50 Section. The secretary is hereby authorized and empowered to carry out any and all  
51 contracts entered into in order to achieve these goals.

52 \* \* \*

53 §302.3. Recreational gear license

54 \* \* \*

55 B. Residents sixteen years of age or older shall pay a gear fee as follows:

56 \* \* \*

57 (5) Trawls:

58 \* \* \*

59 (c) From July 1, 2005 through June 30, 2006, in addition to any other fees  
60 provided for in this Paragraph, any recreational fisherman who purchases a trawl

1 gear license shall be required to pay an annual fee of ten dollars for residents and  
2 fifteen dollars for nonresidents for deposit into the ~~Shrimp Trade Petition Account~~  
3 ~~as provided for in R.S. 56:10(B)(1)(b)(ii)~~ **state general fund**. The licensee shall pay  
4 the fee required by this Subparagraph only once in any single license year.

5 \* \* \*

6 §494. Louisiana Shrimp Task Force

7 \* \* \*

8 E. The task force is hereby charged with responsibility to do the following:

9 \* \* \*

10 (5) Administer the funds in the Shrimp Marketing and Promotion Fund ~~and~~  
11 ~~the "Shrimp Trade Petition Account"~~, which funds **fund** shall be used to create new  
12 markets for shrimp and promote the sale of shrimp harvested from Louisiana waters.

13 \* \* \*

14 F. The activities of the Shrimp Task Force shall be funded through the  
15 Shrimp Marketing and Promotion Fund (R.S. 56:10(B)(1)(b)(i)) ~~and the "Shrimp~~  
16 ~~Trade Petition Account" (R.S. 56:10(B)(1)(b)(ii))~~.

17 \* \* \*

18 §644. Fishing and hunting license checkoff; donation for Hunters for the Hungry

19 \* \* \*

20 B. There is hereby created within the Conservation Fund a special account  
21 known as the "Hunters for the Hungry **Escrow** Account". The **escrow** account is  
22 created to receive deposits of donations for the benefit of Hunters for the Hungry  
23 made when an individual purchases a fishing and hunting license. Subject to the  
24 exception contained in Article VII, Section 9(A) of the Constitution of Louisiana, all  
25 funds collected from the donations made under the provisions of this Section shall  
26 be paid into the state treasury and shall be credited to the Bond Security and  
27 Redemption Fund. Out of the funds remaining in the Bond Security and Redemption  
28 Fund after a sufficient amount is allocated from that fund to pay all obligations  
29 secured by the full faith and credit of the state which become due and payable within  
30 any fiscal year, the treasurer shall, prior to placing such remaining funds in the state  
31 general fund, pay into the Hunters for the Hungry **Escrow** Account an amount equal  
32 to the amount of funds collected under the provisions of this Section. The account  
33 shall be administered by the treasurer who shall every three months remit the balance  
34 of the monies in the **escrow** account to Hunters for the Hungry. The monies in the  
35 **escrow** account shall be used solely as provided by Subsection C of this Section. All  
36 unexpended and unencumbered monies in this **escrow** account at the end of the fiscal  
37 year shall remain in the ~~fund~~ **escrow account**. The monies in the ~~fund~~ **escrow**  
38 **account** shall be invested by the state treasurer in the same manner as monies in the  
39 state general fund.

40 C. No more than twenty-five percent of the monies in the **escrow** account  
41 shall be used for administrative costs. The balance shall be used solely by Hunters  
42 for the Hungry to pay for the following:

43 \* \* \*

44 D. All monies used pursuant to the Hunters for the Hungry **Escrow** Account  
45 shall be subject to audit by the legislative auditor.

46 E. At the end of each calendar year, Hunters for the Hungry shall submit to  
47 the House Natural Resources and Environment Committee and the Senate  
48 Committee on Natural Resources a report that at a minimum contains a detailed  
49 explanation of the revenues and expenditures of the **escrow** account, as well as a  
50 description of the organization's activities related to the **escrow** account. The  
51 committee may summon any person employed by or associated with Hunters for the  
52 Hungry to provide testimony with respect to the report.

53 \* \* \*

54 Section 19. The introductory paragraph of Code of Criminal Procedure  
55 Article 895.1(F)(2), the introductory paragraph of (3), (b), and (e), are hereby  
56 amended and reenacted to read as follows:

1 Art. 895.1. Probation; restitution; judgment for restitution; fees

2 \* \* \*

3 F. When the court places the defendant on supervised probation, it shall order  
4 as a condition of probation the payment of a monthly fee of eleven dollars. The  
5 monthly fee established in this Paragraph shall be in addition to the fee established  
6 in Paragraph C of this Article and shall be collected by the Department of Public  
7 Safety and Corrections and shall be transmitted, deposited, appropriated, and used  
8 in accordance with the following provisions:

9 \* \* \*

10 (2) After compliance with the requirements of Article VII, Section 9(B) of  
11 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,  
12 and prior to monies being placed in the state general fund, **the treasurer shall**  
13 **classify and consider as fees and self-generated revenues available for**  
14 **appropriation as recognized by the Revenue Estimating Conference**, an amount  
15 equal to that deposited as required by Subparagraph (1) of this Paragraph shall be  
16 credited to a special ~~fund~~ **agency account to be retained for future appropriation**  
17 **as provided in this Article** which is hereby created in the state treasury to be known  
18 as the "Sex Offender Registry Technology ~~Fund~~ **Account**". The monies in this ~~fund~~  
19 **account** shall be used solely as provided in Subparagraph (3) of this Paragraph and  
20 only in the amounts appropriated by the legislature.

21 (3) The monies in the Sex Offender Registry Technology ~~Fund~~ **Account** shall  
22 be appropriated as follows:

23 \* \* \*

24 (b) For Fiscal Year 2010-2011 and each year thereafter, an amount equal to  
25 fifteen percent of the total residual monies available for appropriation from the ~~fund~~  
26 **account** shall be appropriated to the Department of Public Safety and Corrections,  
27 office of adult services, division of probation and parole.

28 \* \* \*

29 (e) After providing for the allocations in Subsubparagraphs (a), (b), (c), and  
30 (d) of this Subparagraph, the remainder of the residual monies in the Sex Offender  
31 Registry Technology ~~Fund~~ **Account** shall, pursuant to an appropriation to the office  
32 of the attorney general, be distributed to the sheriff of each parish, based on the  
33 population of convicted sex offenders, sexually violent predators, and child predators  
34 who are residing in the parish and who are active sex offender registrants or active  
35 child predator registrants in the respective parishes according to the State Sex  
36 Offender and Child Predator Registry. These funds shall be used to cover the costs  
37 associated with sex offender registration and compliance. Population data necessary  
38 to implement the provisions of this Subparagraph shall be as compiled and certified  
39 by the undersecretary of the Department of Public Safety and Corrections on the first  
40 day of June of each year. No later than thirty days after the Revenue Estimating  
41 Conference recognizes the prior year ~~fund~~ **account** balance, the office of the attorney  
42 general shall make these distributions, which are based on the data certified by the  
43 undersecretary of the Department of Public Safety and Corrections, to the recipient  
44 sheriffs who are actively registering offenders pursuant to this Paragraph.

45 Section 20. Section 4(B) of Act No. 421 of the 2013 Regular Session of the  
46 Legislature, as amended by Section 4(B) of Act No. 822 of the 2014 Regular Session  
47 of the Legislature is hereby amended and reenacted to read as follows:

48 Section 4.(A)

49 \* \* \*

50 (B)(1) After satisfaction of the requirements of Subsection A of this Section,  
51 all remaining monies collected pursuant to this Act shall be paid into the state  
52 treasury. After compliance with the requirements of Article VII, Section 9(B) of the  
53 Constitution of Louisiana relative to the Bond Security and Redemption Fund ~~and~~  
54 ~~prior to any monies being placed into the state general fund or any other fund~~, an  
55 amount equal to the remaining collections shall be credited by the state treasurer as  
56 follows:

57 (a) ~~For Fiscal Year 2013-2014, the monies shall be credited to a special fund~~  
58 ~~hereby created in the state treasury to be known as the 2013 Amnesty Collections~~

1 Fund, hereinafter referred to as "fund". The monies in the fund shall be available for  
2 appropriation for any public purpose:

3 (b) For Fiscal Year 2014-2015:

4 (i) One hundred million dollars of such monies shall be credited to the fund  
5 and shall be available for appropriation for any public purpose:

6 (ii) Of the monies in excess of one hundred million dollars, four million  
7 dollars shall be appropriated to the Department of Economic Development to be  
8 allocated to the Louisiana Regional Leadership Council to be used for purposes of  
9 regional economic development and workforce development.

10 (iii) Any remaining monies after the allocations in Items (i) and (ii) of this  
11 Subparagraph shall be credited to the fund and shall be available for appropriation  
12 for any public purpose: to the state general fund.

13 Section 21. The introductory paragraph of Section 7(A) and (B) of Act 41  
14 of the 2006 First Extraordinary Session of the Legislature is hereby amended and  
15 reenacted to read as follows:

16 \* \* \*

17 Section 7. Local Debt Service Assistance Program

18 (A) Monies ~~in the fund~~ shall be distributed through a loan program to or on  
19 behalf of those affected political subdivisions designated by and in such amounts as  
20 determined by OCD and approved by the commissioner of administration using  
21 criteria to be developed by OCD, without the necessity for compliance with the  
22 Administrative Procedure Act. Such criteria shall be submitted to the Joint  
23 Legislative Committee on the Budget for its review and approval prior to  
24 implementation of the program. Such criteria may include:

25 \* \* \*

26 (B) The distribution of monies ~~in the fund~~ for the payment of debt service  
27 due and payable on qualified bonds, notes, certificates of indebtedness, or other  
28 written obligations for the repayment of borrowed money of an affected political  
29 subdivision shall be approved by the State Bond Commission and the Joint  
30 Legislative Committee on the Budget and shall be made with the expectation of  
31 payment thereof to the state pursuant to (1) loans evidenced by notes issued by the  
32 affected public entities pursuant to R.S. 39:1430; (2) any other evidence of  
33 indebtedness pursuant to statutory authority; or (3) cooperative endeavor agreements.

34 \* \* \*

35  
36 Section 22. R.S. 11:544, R.S. 15:185.5, 572.8(N) and (S), R.S. 17:354,  
37 3129.6, 3138.2, and 3138.3, and Subpart A-2 of Part IX-A of Chapter 26 of Title 17  
38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3397.11, R.S.  
39 27:392(C)(4), R.S. 30:2000.12 and 2551, R.S. 33:2740.18, R.S. 39:87.5, Subpart H  
40 of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes  
41 of 1950, comprised of R.S. 39:100.11, Subpart N of Part II-A of Chapter 1 of  
42 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
43 39:100.51, Subpart Q-1 of Part II-A of Chapter 1 of Subtitle I of Title 39 of the  
44 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.122, Subpart Q-2 of  
45 Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of  
46 1950, comprised of R.S. 39:100.123, Subpart S of Part II-A of Chapter 1 of Subtitle  
47 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
48 39:100.146, R.S. 39:1357, R.S. 40:16.2 and 1402, R.S. 46:290.1, 977.13, and 1816,  
49 Chapter 54 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
50 46:2691 and 2692, 2731, 2742(D), and 2901, R.S. 47:120.39, 463.104(D), and 841.2,  
51 R.S. 49:214.6.7(D) and (E), R.S. 56:14, 305(H) and 633, Section 9 of Act No. 138  
52 of the 2005 Regular Session of the Legislature as amended by Section 7 of Act No.  
53 642 of the 2006 Regular Session of the Legislature, Sections (3)(D) and (6) of Act  
54 No. 41 of the 2006 First Extraordinary Session of the Legislature, Section 7 of Act  
55 No. 420 of the 2013 Regular Session of the Legislature, Section (4)(B)(1) of Act No.  
56 421 of the 2013 Regular Session of the Legislature, as amended by Section (4)(B)(1)  
57 of Act No. 822 of the 2014 Regular Session of the Legislature, and Section (4)(B)(2)  
58 of Act No. 421 of the 2013 Regular Session of the Legislature are hereby repealed  
59 in their entirety.

1           Section 23. R.S. 51:2211 through R.S. 51:2216 are hereby repealed in their  
2           entirety.

3           Section 24. The state treasurer is hereby authorized and directed to transfer  
4           any unencumbered balances remaining in the funds repealed and abolished in  
5           Sections 1 through 14 of this Act to the state general fund after satisfying the  
6           appropriations for Fiscal Year 2019-2020."

7           AMENDMENT NO. 9

8           On page 2, delete lines 28 and 29, and on page 3, delete lines 1 through 3, and insert the  
9           following:

10           "Section 25. The provisions of Section 11 of this Act shall become effective  
11           on July 1, 2018; if vetoed by the governor and subsequently approved by the  
12           legislature, Section 11 of this Act shall become effective on July 1, 2018. The  
13           provisions of Section 23 of this Act shall become effective on January 1, 2019; if  
14           vetoed by the governor and subsequently approved by the legislature, Section 23 of  
15           this Act shall become effective on July 1, 2018. Sections 1 through 10, 12 through  
16           22, 24, and 25 of this Act shall become effective on July 1, 2020; if vetoed by the  
17           governor and subsequently approved by the legislature, Sections 1 through 10, 12  
18           through 22, 24, and 25 of this Act shall become effective on July 1, 2020, or on the  
19           day following such approval by the legislature, whichever is later."