
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tom Wade.

Dardenne (SB 213)

DIGEST

Proposed constitutional amendment establishes the Coastal Restoration Fund in the state treasury. Provides if, after July 1, 2003, the state securitizes any remaining portion of the revenues received from the Master Tobacco Settlement Agreement, the treasurer shall transfer to the Louisiana Coastal Restoration Fund from the Millennium Trust Fund up to twenty percent in the aggregate of the revenues received as a result of the securitization of the Master Tobacco Settlement Agreement based on the following criteria:

- (1) The treasurer shall have written certification from the U.S. OMB that a valid federal appropriation for coastal restoration exists from which Louisiana is entitled to receive funds.
- (2) The treasurer shall transfer only the amount necessary to match the maximum amount of federal funds available to Louisiana, but in no case shall transfers exceed twenty percent in the aggregate of the revenues received as a result of the securitization.
- (3) Transfers shall be taken in the following proportions out of securitization revenues: one-third from the Health Excellence Fund, one-third from the Education Excellence Fund, and one-third from the TOPS Fund.

Provides that monies in the fund shall be invested by the state treasurer in the same manner as monies in the Millennium Trust.

Provides that monies in the fund shall be appropriated by the legislature to the Department of Natural Resources and used solely for programs to reduce coastal erosion and to restore the areas of the state directly affected by coastal erosion. Provides that each appropriation from the fund shall include performance expectations to ensure accountability in the expenditure of such monies.

Specifies submission of the amendment to the voters at the gubernatorial primary election in 2003.

Effective Jan. 1, 2004.

(Adds Const. Art. VII, Sec. 10.11)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill.

1. Deletes the one-time deposit of ten percent of the corpus of the Millennium Trust and the Louisiana Education Quality Trust Fund into the La. Coastal Restoration Fund.
2. Deletes the limitation of spending only the interest in the La. Coastal Restoration Fund.

3. Provides for depositing up to 20% of any future Tobacco Settlement securitization based on the following conditions:
 - a. Written certification of federal funding.
 - b. Limiting the transfer of monies into the fund to the amount of monies needed to match the federal funds, not exceeding 20% of the securitization.
 - c. Transfers of securitization monies shall be taken one-third each from the Health Excellence, Education Excellence, and TOPS funds.

Senate Floor Amendments to engrossed bill.

1. Clarifies that provisions apply only to funds realized by securitization of tobacco settlement occurring after July 1, 2003.
2. Provides that investment authority will be the same as that provided for the Millennium Trust.