

SENATE BILL NO. 98

BY SENATORS SCHEDLER, BAJOIE, CHAISSON, CHEEK, N. GAUTREAUX, JACKSON, MCPHERSON, FIELDS, FONTENOT, B. GAUTREAUX, HEITMEIER, JONES, MOUNT, ULLO, ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CASSIDY, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, HINES, HOLLIS, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MICHOT, MURRAY, NEVERS, ROMERO, SMITH AND THEUNISSEN AND REPRESENTATIVES ALARIO, ALEXANDER, ANDERS, ARNOLD, BALDONE, BARROW, BAUDOIN, BAYLOR, BRUCE, BURNS, BURRELL, K. CARTER, CAZAYOUX, CHANDLER, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GRAY, GREENE, ELCIE GUILLORY, MICKEY GUILLORY, HARRIS, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNARD, KENNEY, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MCDONALD, MCVEA, MORRELL, MORRIS, MORRISH, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TRAHAN, TRICHE, WADDELL, WALKER, WALSWORTH, WHITE AND WINSTON

1 AN ACT

2 To enact Subpart N of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana
3 Revised Statutes of 1950, to be comprised of R.S. 39:100.42, relative to special
4 funds; to create the New Opportunities Waiver Fund as a special fund in the state
5 treasury; to provide for the dedication of certain revenues and for the deposit of and
6 use of monies in the fund; to provide for an effective date; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Subpart N of Part II-A of Chapter 1 of Subtitle I of Title 39 of the
10 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.42, is hereby enacted to read
11 as follows:

12 **SUBPART N. NEW OPPORTUNITIES WAIVER FUND**

13 **§100.42. New Opportunities Waiver Fund**

14 **A. There is hereby created in the state treasury, as a special fund, the**
15 **New Opportunities Waiver Fund, hereinafter referred to as the "fund."**

1 **B. In any fiscal year, the state treasurer is directed to deposit twelve**
 2 **percent of all recurring state general fund revenue, not to exceed fifty million**
 3 **dollars in any fiscal year, as recognized by the Revenue Estimating Conference**
 4 **in excess of the Official Forecast at the beginning of the current fiscal year into**
 5 **the New Opportunities Waiver Fund, and monies in the fund shall be used for**
 6 **appropriation in the ensuing fiscal year. Monies in the fund shall be invested**
 7 **in the same manner as monies in the state general fund. Interest earned on**
 8 **investment of monies in the fund shall be credited to this fund. Unexpended and**
 9 **unencumbered monies in the fund at the end of the fiscal year shall remain in**
 10 **the fund.**

11 **C. Subject to an appropriation by the legislature, monies in the New**
 12 **Opportunities Waiver Fund shall be used solely to fund the New Opportunities**
 13 **Waiver program administered by the Department of Health and Hospitals.**
 14 **Such funding shall be used for the purpose of adding additional waiver slots and**
 15 **shall not be used to supplant appropriations from the general fund for the New**
 16 **Opportunities Waiver program. Nothing contained in this Subpart shall**
 17 **prohibit the legislature from appropriating additional monies for the New**
 18 **Opportunities Waiver slot program.**

19 Section 2. This Act shall become effective on July 1, 2007. If vetoed by the
 20 governor and subsequently approved by the legislature, this Act shall become effective on
 21 July 1, 2007, or on the day following such approval by the legislature, whichever is later.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____