
SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed House Bill No. 802 by Representative Fannin

1 AMENDMENT NO. 1

2 In Senate Committee Amendment No. 2, proposed by the Senate Committee on Finance and
3 adopted by the Senate on June 16, 2009, on page 1, line 5, change "Section 8." to "Section
4 7."

5 AMENDMENT NO. 2

6 In Senate Committee Amendment No. 2, proposed by the Senate Committee on Finance and
7 adopted by the Senate on June 16, 2009, on page 1, line 9, change "Section 9." to "Section
8 8."

9 AMENDMENT NO. 3

10 In Senate Committee Amendment No. 2, proposed by the Senate Committee on Finance and
11 adopted by the Senate on June 16, 2009, on page 3, line 35, change "Section 10." to "Section
12 9."

13 AMENDMENT NO. 4

14 In Senate Committee Amendment No. 2, proposed by the Senate Committee on Finance and
15 adopted by the Senate on June 16, 2009, on page 3, line 45, change "Section 11." to "Section
16 10."

17 AMENDMENT NO. 5

18 In Senate Committee Amendment No. 2, proposed by the Senate Committee on Finance and
19 adopted by the Senate on June 16, 2009, on page 3, after line 48, insert the following:

20 "Section 11.A. There is hereby established in the state treasury a special fund
21 to be known as the "Higher Education Restoration Fund", hereinafter referred to as
22 the "fund".

23 B. Out of the monies remaining in the Bond Security and Redemption Fund
24 after a sufficient amount is allocated from that fund to pay all obligations secured by
25 the full faith and credit of the state that become due and payable, the treasurer in
26 each fiscal year shall pay into the fund an amount equal to the total amount of
27 additional revenue received by the state through the proceeds generated as a result
28 of the passage of the Act which originated as House Bill No. 689 of the 2009 Regular
29 Session of the Legislature.

30 C. The monies in the fund shall be appropriated by the legislature solely for
31 the purpose of providing funding for higher education.

32 D. All unexpended and unencumbered monies in the fund at the end of a
33 fiscal year shall remain in the fund and be available for appropriation in the next
34 fiscal year in the same manner as allocated herein. Monies in the fund shall be
35 invested in the same manner as the monies in the state general fund, and all interest
36 earned on the investment of the monies in the fund shall be deposited into the state
37 general fund.

38 Section 12. Notwithstanding the provisions of the Act which originated as
39 Senate Bill No. 193 of the 2009 Regular Session of the Legislature, R.S. 22:2364,
40 or R.S. 22:2371, the Insure Louisiana Incentive Program Fund shall not be abolished
41 by the passage of the Act which originated as Senate Bill No. 193 or any other Act
42 of the 2009 Regular Session of the Legislature and the unexpended and
43 unencumbered balance in the Insure Louisiana Incentive Program Fund shall remain
44 in the fund. The provisions of this Act shall supersede the provisions of that Act

1 which originated as Senate Bill No. 193 of the 2009 Regular Session or any other
2 Act enacted at the 2009 Regular Session concerning the Insure Louisiana Incentive
3 Program.

4 Section 13. The state treasurer is hereby authorized and directed to transfer
5 from the state general fund for fiscal year 2008-2009 receipts of One Hundred
6 Eighteen Million Dollars to be deposited in and credited to the Higher Education
7 Restoration Fund."

8 AMENDMENT NO. 6

9 Delete Senate Committee Amendments No. 3 and 4, proposed by the Senate Committee on
10 Finance and adopted by the Senate on June 16, 2009

11 AMENDMENT NO. 7

12 On page 1, line 2, delete "repeal R.S. 22:2371," and insert "amend and reenact R.S.
13 39:94(C)(4),"

14 AMENDMENT NO. 8

15 On page 1, line 2, and change "abolish the Insure Louisiana Incentive" to "create the Rainy
16 Day Fund;"

17 AMENDMENT NO. 9

18 On page 1, line 3, change "Program Fund;" to "to create the Higher Education Restoration
19 Fund; to provide for the deposit, use, and investment of monies in the funds;"

20 AMENDMENT NO. 10

21 On page 1, delete lines 7 through 12, and insert the following:

22 "Section 1. A. There is hereby established in the state treasury a special fund
23 to be known as the "Rainy Day Fund", hereinafter referred to as the "fund".

24 B. Upon consent by two-thirds of the elected members of each house of the
25 legislature authorizing the Revenue Estimating Conference to incorporate a portion,
26 not to exceed one-third of the balance of the Budget Stabilization Fund, into the
27 official forecast, the treasurer shall transfer into the fund the difference between the
28 amount authorized to be appropriated, used, or withdrawn from the Budget
29 Stabilization Fund and the amount actually appropriated from the Budget
30 Stabilization Fund for fiscal year 2009-2010. The monies transferred to the fund
31 shall be available for appropriation in a subsequent fiscal year.

32 C. All unexpended and unencumbered monies in the fund at the end of a
33 fiscal year shall remain in the fund and be available for appropriation in a subsequent
34 fiscal year. Monies in the fund shall be invested in the same manner as the monies
35 in the state general fund, and all interest earned on the investment of the monies in
36 the fund shall be deposited into the state general fund.

37 Section 2. R.S. 39:94(C)(4) is hereby amended and reenacted as follows:

38 §94. Budget Stabilization Fund
39 * * *

40 C. The money in the fund shall not be available for appropriation except
41 under the following conditions:

42 * * *

43 (4)(a) No appropriation or deposit to the fund shall be made if such
44 appropriation or deposit would cause the balance in the fund to exceed four percent
45 of total state revenue receipts for the previous fiscal year. For the purposes of this
46 Section, total state revenue receipts shall not include any monies received by the
47 state from the Federal Emergency Management Administration or other federal
48 sources providing disaster relief assistance.

49 (b) Notwithstanding any provision of this Section to the contrary, no
50 appropriation or deposit to the fund shall be made in the same fiscal year as an

1 appropriation, use or withdrawal is made from the fund or until such time as the
2 official forecast exceeds the actual collections of state general fund (direct) revenue
3 for fiscal year 2008."

4 AMENDMENT NO. 11

5 On page 6, delete lines 27 through 30

6 AMENDMENT NO. 12

7 On page 7, line 1, change "Section 7." to "Section 6."

8 AMENDMENT NO. 13

9 On page 7, line 9, change "Section 8. Sections 4, 5, and 6" to "Section 14. Sections 1, 2, 4,
10 5, 7, 8, 9, 10, 11, 12, 13, 14, and 15"

11 AMENDMENT NO. 14

12 On page 7, line 13, change "Sections 4, 5, and 6" to "Sections 1, 2, 4, 5, 7, 8, 9, 10, 11, 12,
13 13, 14, and 15"

14 AMENDMENT NO. 15

15 On page 7, line 15, change "Section 9. Sections 1, 2, 3, and 7" to "Section 15. Sections 3 and
16 6"

17 AMENDMENT NO. 16

18 On page 7, line 16, change "Sections 1, 2, 3, and" to "Sections 3 and 6"

19 AMENDMENT NO. 17

20 On page 7, at the beginning of line 17, delete "7"