

**HOUSE SUMMARY OF SENATE AMENDMENTS**

House Bill No. 802 by Representative Fannin

FUNDS/FUNDING: Provides for the transfer and deposit of monies among state funds

**Synopsis of Senate Amendments**

1. Establishes the Higher Education Restoration Fund for deposit of revenue from HB No. 689 of the 2009 R.S. (excess itemized deductions).
2. Transfers \$118,000,000 from FY 2008-2009 state general fund receipts to the Higher Education Restoration Fund.
3. Deletes repeal of Insure Louisiana Incentive Program Fund and specifies that the fund shall not be abolished by passage of SB No. 193 or any other Act of the 2009 R.S.
4. Provides that no deposits shall be made into the Budget Stabilization Fund in the same year an appropriation, use or withdrawal is made from the fund or the official forecast exceeds the actual collections of state general fund for FY 2008.
5. Creates the Rainy Day Fund as a special treasury fund and transfers any money authorized for appropriation from the Budget Stabilization Fund but not appropriated in FY 2009-2010 into the fund.
6. Deletes transfer of \$344.5 million from the state general fund for FY 2008-2009 to be deposited in and credited to the Louisiana Medical Assistance Trust Fund.
7. Transfers \$47.6 million from various funds into the Overcollections Fund.
8. Extends the date bridge loan funding from the State Emergency Response Fund is due from the Department of Education.
9. Transfers funds from the Conservation Fund into the Louisiana Duck License Stamp and Print Fund, the Wildlife and Natural Heritage Fund, and the Louisiana Wild Turkey Stamp Fund.
10. Increases funding transferred out of the Incentive Fund by \$900,000.

**Digest of Bill as Finally Passed by Senate**

Creates the Rainy Day Fund as a special treasury fund. Provides that, upon consent of 2/3 of the elected members of each house authorizing the Revenue Estimating Conference to incorporate up to 1/3 of the balance of the Budget Stabilization Fund, into the official forecast, the treasurer shall transfer into the fund the difference between the amount authorized to be appropriated, used, or withdrawn from the Budget Stabilization Fund and the amount actually appropriated from the Budget Stabilization Fund for FY 2009-2010. The monies transferred to the fund shall be available for appropriation in a subsequent fiscal year.

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

Proposed law provides that no appropriation or deposit into the Budget Stabilization Fund shall be made in the same fiscal year as an appropriation, use or withdrawal is made from the fund or until such time as the official forecast exceeds the actual collections of state general fund for FY 2008.

Authorizes and directs the state treasurer to deposit \$3,900,000 into the state general fund from the Incentive Fund.

Transfers monies to the state general fund from various fund appropriations reduced in the Deficit Reduction Plan approved by the governor by executive order and by action of the Joint Legislative Committee on the Budget on Jan. 9, 2009. Authorizes the transfer of \$24,378,056 to the state general fund in the following amounts from the following funds:

<b>Amount</b>	<b>Fund</b>
\$ 1,500	DNA Testing Post-Conviction Relief for Indigents
\$ 332,673	State Parks Improvement and Repaid Fund
\$ 47,500	Poverty Point Reservoir Development Fund
\$ 2,500	Audubon Golf Trail and Development Fund
\$ 15,625	Higher Education Initiatives Fund
\$ 33,861	Louisiana Charter School Startup Loan Fund
\$ 30,633	Louisiana Technology Innovations Fund
\$ 32,750	St. Landry Parish Excellence Fund
\$ 30,000	Calcasieu Parish Fund
\$ 528,245	Tobacco Tax Health Care Fund
\$ 38,500	Bossier Parish Truancy Fund
\$ 149,682	Louisiana Economic Development Fund
\$ 297,869	Small Business Surety Bonding Fund
\$ 8,223	Entertainment Promotion and Marketing Fund
\$ 118,273	Marketing Fund
\$ 2,354,994	Rapid Response Fund
\$ 2,341,787	Video Draw Poker Device Fund
\$ 176,329	Video Draw Poker Purse Supplemental Fund
\$ 127,437	Pari-mutuel Live Racing Facility Gaming Control Fund
\$ 10,000	Beautification/Improvement New Orleans City Park Fund
\$ 5,000	Algiers Economic Development Foundation Fund
\$ 27,800	Two Percent Fire Insurance Fund
\$ 32,663	Administrative Fund-Department of Insurance
\$ 60,319	Department of Justice Legal Support Fund
\$ 41,235	Department of Justice Debt Collection Fund
\$ 1,800	Greater New Orleans Expressway Commission
\$ 671,732	Office of Workers' Compensation Administration
\$ 2,387,671	Labor-Incumbent Worker Training Account
\$ 271,138	Employment Security Administration Account
\$ 134,889	Labor-Penalty and Interest Account
\$ 277,388	Oilfield Site Restoration Fund
\$ 561,095	Mineral Resource Operation Fund
\$ 487,957	Oil and Gas Regulatory Fund
\$ 454,356	Louisiana Fire Marshal Fund
\$ 6,544	Motorcycle Safety and Training Fund

<b>Amount</b>	<b>Fund</b>
\$ 30,247	Public Safety DWI Testing, Maintenance and Training Fund
\$ 17,655	Concealed Handgun Permit Fund
\$ 4,559	Right to Know Fund
\$ 39,714	Liquified Petroleum Gas Commission Rainy Day Fund
\$ 5,790	Explosives Trust Fund
\$ 564,993	Office of Motor Vehicles Customer Service and Technology Fund
\$ 27,335	Louisiana Life Safety and Property Protection Fund
\$ 2,525	Oyster Sanitation Fund
\$ 100	Keep Louisiana Beautiful Fund
\$ 38,200	Indigent Parent Representation Program Fund
\$ 50,000	Incentive Fund
\$ 12,500	Evangeline Parish Recreational District Fund
\$ 5,810	Shreveport Riverfront and Convention Center and Independence Fund
\$ 209,752	Oil Spill Contingency Fund
\$ 38,760	Drug Abuse Education and Treatment Fund
\$ 45,987	Louisiana Environmental Education Fund
\$ 30,966	Louisiana Manufactured Housing Commission
\$ 5,330,832	Overcollections Fund
\$ 1,443,029	Louisiana Public Defender Fund
\$ 500,000	Community Water Enrichment Fund
\$ 3,169,639	Conservation Fund
\$ 18,399	Seafood Promotion and Marketing Fund
\$ 5,000	Fur and Alligator Education-Marketing Fund
\$ 65,014	Wildlife Habitat and Natural Heritage Fund
\$ 21,825	Louisiana Duck License Stamp and Print Fund
\$ 100,821	Louisiana Alligator Resource Fund
\$ 1,800	Natural Heritage Account
\$ 380	Louisiana Reptile/Amphibian Research Fund
\$ 3,743	Louisiana Wild Turkey Stamp Fund
\$ 9,185	Oyster Development Fund
\$ 9,256	Shrimp Marketing and Promotion Account
\$ 2,180	Conservation of the Black Bear Account
\$ 26,000	Public Oyster Seed Ground Development Account
\$ 13,400	Shrimp Trade Petition Account
\$ 250	Crab Promotion and Marketing Account
\$ 1,981	Derelict Crab Trap Removal Program Account
\$ 41,592	Motor Carrier Regulation Fund
\$ 364,080	Utility and Carrier Inspection/Supervision Fund
\$ 16,319	Telephonic Solicitation Relief Fund
\$ 8,470	Education Excellence Fund

Authorizes and directs the state treasurer to deposit \$ 404,308 into the Overcollections Fund from the La. Technology Innovations Fund, notwithstanding any provision of law to the contrary.

Authorizes and directs the state treasurer to deposit the following amounts from the specified funds into the Overcollections Fund, notwithstanding any provision of law to the contrary:

<b>Amount</b>	<b>Fund</b>
\$ 4,929,610	State General Fund
\$ 259,850	Municipal Fire and Police Civil Service Operating Fund
\$ 1,763,055	Rural Development Fund
\$ 131,870	Casino Gaming Proceeds Fund
\$ 123,291	Underground Damages Prevention Fund
\$ 2,912,880	Louisiana Fire Marshal Fund
\$ 623,144	Louisiana Fire Safety and Property Protection Trust Fund
\$ 400,062	Right to Know Fund
\$ 1,672	Pet Overpopulation Fund
\$ 319,303	Louisiana Manufactured Housing Commission Fund
\$ 1,568,613	Insurance Fraud Investigation Fund
\$ 253,362	Louisiana Environmental Education Fund
\$18,000,000	Mineral Resources Operation Fund
\$ 1,000,000	Oil and Gas Regulatory Fund
\$ 37,951	Tobacco Regulation Enforcement Fund
\$ 191,317	Lead Hazard Reduction Fund
\$ 50,000	Manufactured Home Tax Fairness Fund
\$ 3,362,936	Utility and Carrier Inspection and Supervision Fund
\$ 215,610	Telephonic Solicitation Relief Fund
\$ 143,538	Dept of Insurance Admin Fund
\$ 26,815	Agricultural Products Processing Development Fund
\$ 507,369	Department of Justice Debt Collection Fund
\$ 5,472	General Aviation and Reliever Airport Maintenance Grant Program Fund
\$ 2,871	Railroad Crossing Safety Fund
\$ 4,373	School and District Accountability Rewards Fund
\$ 29,240	Teacher Educational Aid for Children Fund
\$ 228,101	Variable Earnings Transaction Fund
\$ 202,861	Fraud Detection Fund
\$ 100,026	Vital Records Conversion Fund
\$ 5,039,138	Louisiana Health Care Redesign Fund
\$ 709,266	Compulsive and Problem Gaming Fund
\$ 338,694	Director of Workers' Compensation Revolving Fund
\$ 3,193,412	Employment Security Administration Account
\$ 950,000	Incentive Fund

Authorizes and directs the state treasurer to deposit \$21,825 into the Louisiana Duck License Stamp and Print Fund from the Conservation Fund.

Authorizes and directs the state treasurer to deposit \$65,014 into the Wildlife Habitat and Natural Heritage Fund from the Conservation Fund.

Authorizes and directs the state treasurer to deposit \$3,743 into the Louisiana Wild Turkey Stamp Fund from the Conservation Fund.

Provides that all bridge loan funding extended to the Dept. of Education from the State Emergency Response Fund due no later than the end of FY 2008-09 pursuant to Act No. 196 of the 2007 R.S. is extended to the end of FY 2009-2010.

Establishes the Higher Education Restoration Fund as a special treasury fund. Provides that all additional revenue received by the state through the proceeds generated as a result of HB No. 689 of the 2009 R.S. shall be deposited into the fund. Provides that monies in the fund shall be appropriated by the legislature solely for the purpose of providing funding for higher education. Unexpended and unencumbered monies in the fund shall remain in the fund and be available for appropriation in the next fiscal year, and all interest earned on investments

in the fund shall be deposited into the state general fund.

Authorizes and directs the state treasurer to deposit \$118 million into the Higher Education Restoration Fund out of the state general fund for Fiscal Year 2008-2009.

Provides that monies in the Rapid Response Fund at the end of FY 2008-2009 shall not be included in the determination of the fund balance, requiring the state treasurer to deposit \$10 million into the fund on July 1, 2009.

Provides that, notwithstanding the provisions of SB No. 193 of the 2009 R.S., the Insure Louisiana Incentive Fund shall not be abolished by any Act of the 2009 R.S. and the unencumbered balance shall remain in the fund. Provides that this shall supercede the provisions of any Act enacted in the 2009 Regular Session.

Authorizes and directs the state treasurer to deposit \$13.5 million into the state general fund from the Rapid Response Fund, notwithstanding any provision of law to the contrary.

All provisions of this Act shall become effective upon signature of the governor or lapse of time for gubernatorial action, except that provisions related to the Rapid Response Fund shall be effective on July 1, 2009.

(Amends R.S. 39:94(C(4)))