

**CONFERENCE COMMITTEE REPORT**  
**House Bill No. 802 By Representative Fannin**

June 25, 2009

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 802 by Representative Fannin, recommend the following concerning the Engrossed bill:

1. That Senate Committee Amendments Nos. 1 and 2 proposed by the Senate Committee on Finance and adopted by the Senate on June 16, 2009, be adopted.
2. That Senate Committee Amendments Nos. 3 and 4 proposed by the Senate Committee on Finance and adopted by the Senate on June 16, 2009, be rejected.
3. That Senate Floor Amendments Nos. 1 through 17 proposed by Senator Michot and adopted by the Senate on June 17, 2009, be rejected.
4. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Finance and adopted by the Senate on June 16, 2009, on page 1, at the beginning of line 5, change "Section 8." to "Section 12."

AMENDMENT NO. 2

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Finance and adopted by the Senate on June 16, 2009, on page 1, at the beginning of line 9, change "Section 9.A." to "Section 13.A"

AMENDMENT NO. 3

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Finance and adopted by the Senate on June 16, 2009, on page 3, at the beginning of line 35, change "Section 10." to "Section 14."

AMENDMENT NO. 4

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

AMENDMENT NO. 5

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Finance and adopted by the Senate on June 16, 2009, on page 3, line 46, delete "State Emergency Response Fund" and insert "FEMA Reimbursement Fund"

AMENDMENT NO. 6

On page 1, line 2, after "To" and before "repeal" insert "amend and reenact R.S. 39: 94(C)(4) and R.S. 47:302.23(B)(1) and to enact Subpart Q, to be comprised of R.S. 39:100.121, Subpart Q-1, to be comprised of R.S. 39:100.122, Q-2, to be comprised of R.S. 39:100.123, and Subpart Q-3, to be comprised of R.S. 39:100.124, Subpart Q-4, to be comprised of R.S. 39:100.125 of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950; and to"

AMENDMENT NO. 7

On page 1, line 4, after "relative to certain treasury funds;" insert "to provide for the uses of monies in the Vermilion Parish Visitor Enterprise Fund; to establish the Hurricane Recovery Health Insurance Premium Fund; to establish the Center of Excellence for Autism Spectrum Disorder Fund; to create the Walking the Walk for Our Kids Fund; to create the Technology Commercialization Fund; to create the Statewide Education Facilities Fund;"

AMENDMENT NO. 8

On page 1, between lines 6 and 7, insert the following:

"Section 1. R.S. 39:94:(C)(4) is hereby amended and reenacted and Subpart Q, comprised of R.S. 39:100.121, Subpart Q-1, comprised of R.S. 39:100.122, Subpart Q-2, comprised of R.S. 39:100.123, Subpart Q-3, comprised of R.S. 39:100.124, and Subpart Q-4, comprised of R.S. 39:100.125 are hereby enacted to read as follows:

§94. Budget Stabilization Fund

\* \* \*

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

\* \* \*

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

(b) Notwithstanding any provision of this Section to the contrary, except pursuant to a specific appropriation by the legislature, no appropriation or deposit to the 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 (direct) revenue for Fiscal Year 2008.

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SUBPART Q. HURRICANE RECOVERY HEALTH INSURANCE PREMIUM FUND

§100.121. Hurricane Recovery Health Insurance Premium Fund

A. There is hereby created, as a special fund in the state treasury, the Hurricane Recovery Health Insurance Premium Fund, hereafter referred to as "the fund".

B. The source of monies deposited into the fund shall be any monies appropriated annually by the legislature including donations, gifts, grants, or any other monies which may be provided by law. Monies credited to the fund shall be distributed as provided in Subsection C of this Section.

C. Subject to an annual appropriation by the legislature, monies in the fund shall be distributed as follows:

(1) Sixty-three and three-tenths percent shall be distributed to the Orleans Parish School Board and shall be used to reduce the employee portions of health insurance premiums for certain system retirees.

(2) Monies distributed to the Cameron Parish School Board, the Plaquemines Parish School Board, and the St. Bernard Parish School Board shall be used for subsidy of health insurance premiums. Distributions to the school boards shall be as follows:

(a) Four and nine-tenths percent to the Cameron Parish School Board.

(b) Ten and four-tenths percent to the Plaquemines Parish School Board.

(c) Twenty-one and four-tenths percent to the St. Bernard Parish School Board.

D. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund 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.

#### SUBPART Q-1. CENTER OF EXCELLENCE FOR AUTISM SPECTRUM DISORDER FUND

##### §100.122. Center of Excellence for Autism Spectrum Disorder Fund

A. There is hereby established in the state treasury, as a special fund, the Center of Excellence for Autism Spectrum Disorder Fund, hereinafter referred to as the "fund".

B. The source of monies deposited into the fund shall be any monies appropriated annually by the legislature including donations, gifts, grants, or any other monies which may be provided by law. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund 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 monies shall be credited to the fund.

C. The monies in the fund shall be appropriated and used solely to pay costs and expenses associated with the establishment and operation of a center of excellence for autism spectrum disorder by the office for citizens with developmental disabilities within the Department of Health and Hospitals.

#### SUBPART Q-2. WALKING THE WALK FOR OUR KIDS FUND

##### §100.123. Walking the Walk for Our Kids Fund

A. There is hereby established in the state treasury, as a special fund, the Walking the Walk for Our Kids Fund, hereinafter referred to as the "fund".

B. The source of monies deposited into the fund shall be any monies appropriated annually by the legislature including donations, gifts, grants, or any other monies which may be provided by law. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund 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 monies shall be credited to the fund.

C. The monies in the fund shall be appropriated and used solely for the diagnosis, prevention, and treatment of childhood obesity.

#### SUBPART Q-3. TECHNOLOGY COMMERCIALIZATION FUND

##### §100.124. Technology Commercialization Fund

A. The Technology Commercialization Fund, hereinafter referred to as the "fund", is hereby established as a special fund in the state treasury for purposes of supporting a competitive grants program for commercialization of technologies developed at accredited Louisiana institutions of higher education and academic research centers as provided in Subsection C of this Section. Monies shall be transferred, subject to an annual appropriation by the legislature, into the Technology Commercialization Fund.

B. Monies in the fund shall be invested by the state treasurer in the same manner as those in the state general fund and interest earnings on the investment of monies in the fund shall be credited to the fund. Any unencumbered or unexpended monies in the fund at the end of the fiscal year shall remain in the fund.

C. Subject to an annual appropriation by the legislature, monies in the fund shall be used by the Louisiana Economic Development Corporation, hereinafter referred to as the "corporation", to provide for a competitive grants program for the advancement of commercialization of technologies developed at accredited Louisiana institutions of higher education and academic research centers. The corporation shall establish a committee to assist in the review and consideration of proposals for grants. The committee shall be comprised of representatives of the public and private sectors, of which a majority of members shall be from the private sector. The corporation shall develop the rules of the grants program, to include the methods and form of grant application and award thresholds.

SUBPART Q-4. STATEWIDE EDUCATION FACILITIES FUND

§100.125. Statewide Education Facilities Fund

A. There is hereby created in the state treasury, as a special fund, the Statewide Education Facilities Fund, hereinafter referred to as the "fund". Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be deposited in and credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

B. The source of monies deposited into the fund shall be any monies appropriated or transferred to the fund by the legislature, including federal monies, donations, gifts, grants, or any other monies which may be provided by law.

C. Monies in the fund shall be used solely for the purposes of the Statewide Education Facilities Authority.

Section 2. R.S. 47:302.23(B)(1) is hereby amended and reenacted to read as follows:

§302.23. Disposition of certain collections in Vermilion Parish

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B.(1) The monies in the Vermilion Parish Visitor Enterprise Fund shall be subject to annual appropriation by the legislature and shall be allocated to the Acadian Heritage and Cultural Foundation, Inc., city of Kaplan for the Kaplan Museum, the Gueydan Museum, Le Bayou Legendire Cultural Center, Les Chrétien's, Inc., Acadian Centre Acadien, Inc., the Abbeville Cultural and Historical Alliance, the city of Abbeville for the Sam Guarino & Son Blacksmith Shop Museum, and the Louisiana Military Hall of Fame and Museum, and to the village of Maurice for the Maurice Historical Preservation Society such that each entity receives an equal share of the monies. Monies shall be allocated only to a public or quasi-public entity of the state of Louisiana. For the purposes of this Section, "quasi-public entity" shall mean an entity that is recognized as a tax-exempt organization under the provisions of the Internal Revenue Code. In addition, quasi-public entities shall demonstrate that the entity is in good standing with the Louisiana secretary of state; public entities shall demonstrate compliance with audit requirements provided by law. In the event that any entity above ceases to exist, any unexpended and unencumbered monies allocated to that entity shall be distributed equally among the remaining entities.

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AMENDMENT NO. 9

On page 1, at the beginning of line 7, change "Section 1." to "Section 3."

AMENDMENT NO. 10

On page 1, at the beginning of line 8, change "Section 2." to "Section 4."

AMENDMENT NO. 11

On page 1, at the beginning of line 13, change "Section 3." to "Section 5."

AMENDMENT NO. 12

On page 1, at the beginning of line 16, change "Section 4." to "Section 6."

AMENDMENT NO. 13

On page 6, at the beginning of line 24, change "Section 5." to "Section 7."

AMENDMENT NO. 14

On page 6, at the beginning of line 27, change "Section 6." to "Section 8."

AMENDMENT NO. 15

On page 6, line 28, change "Three Hundred Forty-Four Million" to "Three Hundred Fifteen Million"

AMENDMENT NO. 16

On page 6, after line 30, add the following:

"Section 9. The state treasurer is hereby authorized and directed to transfer from the state general fund for Fiscal Year 2008-2009 receipts of Twenty-Nine Million Dollars to be deposited in and credited to the Overcollections Fund.

Section 10. Notwithstanding any other provision of law to the contrary, the state treasurer is authorized and directed to transfer Ninety Million Dollars from the Coastal Protection and Restoration Fund to the State Emergency Response Fund."

AMENDMENT NO. 17

On page 7, at the beginning of line 1, change "Section 7.A." to "Section 11.A."

AMENDMENT NO. 18

On page 7, at the beginning of line 9, delete "Section 8. Sections 4, 5, and 6" and insert "Section 16. Sections 6, 7, 8, 9, 12, 13, 14, 15, 16, and 17"

AMENDMENT NO. 19

On page 7, line 13, delete "Sections 4, 5, and 6" and insert "Sections 6, 7, 8, 9, 12, 13, 14, 15, 16, and 17"

AMENDMENT NO. 20

On page 7, line 15, delete "Section 9. Sections 1, 2, 3, and 7" and insert "Section 17. Sections 1, 2, 3, 4, 5, 10, and 11"

AMENDMENT NO. 21

On page 7, line 16, delete " Sections 1, 2, 3, and" and insert "Sections 1, 2, 3, 4, 5, 10, and 11"

AMENDMENT NO. 22

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

Respectfully submitted,

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Representative James R. Fannin

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Senator Michael J. "Mike" Michot

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Representative James Morris

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Senator Lydia P. Jackson

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Representative Jim Tucker

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Senator John A. Alario, Jr.