

Regular Session, 2011
HOUSE BILL NO. 477
BY REPRESENTATIVE FANNIN

ACT No. 378

1 AN ACT

2 To amend and reenact R.S. 39:100.26(A) and R.S. 47:302.2(C)(1), 322.30(B), and 332.6(B),
3 relative to state funds; to delete and revise certain source documentation
4 requirements relative to the FEMA Reimbursement Fund; to provide for the
5 dedication of certain sales tax revenues in the Shreveport Riverfront and Convention
6 Center and Independence Stadium Fund; to provide for the dedication of certain sales
7 tax revenues in the Shreveport-Bossier City Visitor Enterprise Fund; to provide for
8 the transfer, dedication, use, and appropriations as specified of certain treasury
9 funds; to provide for the deposit of certain funds into the state treasury; to provide
10 for effective dates; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 47:302.2(C)(1), 322.30(B), and 332.6(B) are hereby amended and
13 reenacted to read as follows:

14 §302.2. Disposition of certain collections in the city of Shreveport

15 * * *

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

18 (1) For allocation from all monies in the fund in the following amounts:

19 (a) Three percent to the ~~African-American~~ Theater of the Performing Arts
20 of Shreveport.

21 (b) Three percent for African-American Multi-Cultural Tourism
22 Commission.

1 (c) ~~One Two~~ and ~~one-third~~ two-thirds percent for Sci-Port Discovery Center.

2 (d) ~~One and one-third percent for Ark-La-Tex Antique and Classic~~
3 ~~Vehicle/Shreveport Firefighters Museum.~~

4 (e) One and one-third percent deposited into a special account in the fund for
5 the expenditure and exclusive use of the Louisiana State Exhibit Museum in
6 Shreveport. All unexpended and unencumbered monies in this special account at the
7 close of the fiscal year shall remain in the account.

8 (f) (e) Three percent for the following:

9 (i) One percent for the New ~~Dimensions Choral Society~~ Arts Cultural
10 Society, Inc.

11 (ii) One percent for Pamoja Art Society.

12 (iii) One percent for the Sci-Port Discovery Center for outreach activities to
13 underserved populations.

14 (g) (f) The monies allocated to the entities in ~~Subparagraphs~~ Subparagraph
15 (c) and (d) of this Paragraph shall be used to pay for admission costs for Caddo
16 Parish school system students who meet the definition of "At-Risk Children" as
17 defined by the State Board of Elementary and Secondary Education. The monies
18 allocated to the Louisiana State Exhibit Museum in Shreveport shall be deposited in
19 the general operating budget of that entity.

20 * * *

21 §322.30. Disposition of certain collections in the cities of Shreveport and Bossier
22 City

23 * * *

24 B. The monies deposited pursuant to this Section in the Shreveport-Bossier
25 City Visitor Enterprise Fund shall be subject to an annual appropriation by the
26 legislature. The monies in the fund shall be available exclusively for use by the
27 Shreveport-Bossier Convention and Tourist ~~Commission~~ Bureau for the purpose of
28 promoting and enhancing tourism activities, and for supporting all other activities
29 consistent with the authorized mission of such commission.

30 * * *

1 §332.6. Disposition of certain collections in the city of Shreveport

2 * * *

3 B. The monies in the Shreveport Riverfront and Convention Center and
4 Independence Stadium Fund shall be subject to an annual appropriation by the
5 legislature. The monies in the fund shall be available exclusively for the purposes
6 provided in R.S. 47:302.2(C). However, forty thousand dollars of the monies
7 deposited in the fund shall be allocated annually to Pamoja Art Society for African-
8 American cultural activities in Shreveport and ten thousand dollars of the monies
9 deposited in the fund shall be allocated annually to the ~~Friends of Rho Omega~~ and
10 Friends, Inc. for the Good Time Rho Festival. All unexpended and unencumbered
11 monies in the fund shall remain in the fund. The monies in the fund shall be invested
12 by the treasurer in the same manner as the monies in the state general fund, and all
13 interest earned shall be deposited in the state general fund.

14 * * *

15 Section 2. Notwithstanding any provision of law to the contrary, the treasurer is
16 authorized and directed to transfer the following amounts into the Overcollections Fund from
17 the funds specified below:

18 (1) Twenty-Nine Million Nine Hundred Ninety Thousand Three Hundred Five
19 Dollars from the Self-Insurance Fund.

20 (2) Fifty Million Two Hundred Thousand Eight Hundred Fifty-Eight Dollars from
21 the State General Fund (Direct).

22 Section 3. Notwithstanding any provision of law to the contrary, the treasurer is
23 authorized and directed to transfer the following amounts into the Louisiana Medical
24 Assistance Trust Fund from the funds specified below:

25 (1) One Million Six Hundred Ninety-Three Thousand Nine Hundred Seventy-Eight
26 Dollars from the Louisiana Fire Marshal Fund.

27 (2) Fifty Thousand Dollars from the Incentive Fund.

28 (3) Seventy-Six Thousand Nine Hundred Thirty-One Dollars, or any unexpended
29 and unencumbered monies, from the Insurance Fraud Prevention Fund.

1 (4) Five Hundred Ninety-Two Thousand One Hundred Sixty-Six Dollars, or any
2 unexpended and unencumbered monies, from the Two-Percent Fire Insurance Fund before
3 close of business on June 30, 2011.

4 (5) Eighty-Nine Million Nine Thousand Six Hundred Ninety-Five Dollars from the
5 Self-Insurance Fund.

6 (6) Eighty-Four Million Nine Hundred Forty Thousand Two Hundred Twenty-Nine
7 Dollars from the State General Fund (Direct).

8 Section 4. Notwithstanding any provision of law to the contrary, the treasurer is
9 authorized and directed to transfer the following amounts into the Louisiana Medical
10 Assistance Trust Fund from the funds specified below. The treasurer shall make such
11 transfers from each fund after fully funding the appropriation from the fund.

12 (1) Four Hundred Eighty Dollars from the Agricultural Products Processing
13 Development Fund.

14 (2) Thirty-Seven Thousand Three Hundred Ninety-Three Dollars from the Formosan
15 Termite Initiative Fund.

16 (3) Twenty-Eight Thousand Five Hundred Dollars from the DNA Testing Post-
17 Conviction Relief for Indigents Fund.

18 (4) Six Million Eight Hundred Thousand Dollars from the Legislative Capitol
19 Technology Enhancement Fund.

20 (5) Twenty-Nine Thousand Seven Hundred Sixty-Seven Dollars from the
21 Archaeological Curation Fund.

22 (6) Three Dollars from the School and District Accountability Rewards Fund.

23 (7) Four Hundred One Thousand Eight Hundred Fifty-Two Dollars from the
24 Calcasieu Parish Fund.

25 (8) Eight Hundred Thirty-One Thousand One Hundred Ninety-Five Dollars from the
26 Tobacco Tax Health Care Fund.

27 (9) Nineteen Thousand Dollars from the Bossier Parish Truancy Program Fund.

28 (10) Two Hundred Sixteen Dollars from the Teacher Educational Aid for Children
29 Fund.

1 (11) Twenty-Seven Thousand Two Hundred Sixty-Six Dollars from the Variable
2 Earnings Transaction Fund.

3 (12) Thirty-Seven Million Six Hundred Seventy-Three Thousand Two Hundred
4 Eight Dollars from the Louisiana Economic Development Fund.

5 (13) Three Hundred Sixty-Two Thousand Four Hundred Seventy-Eight Dollars from
6 the UNO Slidell Technology Park Fund.

7 (14) Three Thousand Sixty Dollars from the Casino Gaming Proceeds Fund.

8 (15) Eight Thousand Nine Hundred Dollars from the Greater New Orleans Sports
9 Foundation Fund.

10 (16) Four Thousand Seven Dollars from the Algiers Economic Development
11 Foundation Fund.

12 (17) Three Hundred Six Thousand Two Hundred Fifty-One Dollars from the New
13 Orleans Urban Tourism and Hospitality Training in Economic Development Foundation
14 Fund.

15 (18) Three Hundred Four Thousand Eight Hundred Twenty-Two Dollars from the
16 Beautification Project for New Orleans Neighborhoods Fund.

17 (19) Three Hundred Four Thousand Eight Hundred Twenty-Two Dollars from the
18 Friends of NORD Fund.

19 (20) Three Dollars from the General Aviation and Reliever Airport Grant Program
20 Fund.

21 (21) Three Thousand Sixty-Nine Dollars from the Railroad Crossing Safety Fund.

22 (22) One Hundred Eighty-Three Thousand Six Hundred Fifty-Four Dollars from the
23 Municipal Fire and Police Civil Service Operation Fund.

24 (23) One Hundred Eighty-Seven Thousand Three Hundred Ninety-Three Dollars
25 from the Administrative Fund of the Department of Insurance.

26 (24) One Million Four Hundred Fifty-Two Thousand Dollars from the Academic
27 Improvement Fund.

28 (25) Fourteen Thousand Six Hundred Thirty-Nine Dollars from the Automobile
29 Theft and Insurance Fraud Prevention Authority Fund.

1 (26) Three Hundred Thirty-Nine Thousand Five Hundred Forty-Five Dollars from
2 the Department of Justice Debt Collection Fund.

3 (27) One Million Seven Hundred Twenty-Six Thousand Seven Hundred Ninety-Two
4 Dollars from the Mineral and Energy Operation Fund.

5 (28) Three Million Four Hundred Fifty-Six Thousand Six Hundred Thirty-Two
6 Dollars from the Louisiana Fire Marshal Fund.

7 (29) Seventy-Five Thousand Dollars from The Motorcycle Safety, Awareness, and
8 Operator Training Program Fund.

9 (30) One Million Four Hundred Fifty Thousand Dollars from the Concealed
10 Handgun Permit Fund.

11 (31) Two Hundred Twenty Thousand Dollars from the Right-to-Know Fund.

12 (32) Two Hundred Fifty-Six Thousand Eight Hundred Three Dollars from the
13 Underground Damages Prevention Fund.

14 (33) Four Thousand Four Hundred Forty Dollars from the Pet Overpopulation Fund.

15 (34) Nine Hundred Seventy Five Thousand Dollars from the Explosives Trust Fund.

16 (35) One Hundred Thirty-Two Thousand Fifty-One Dollars from the Office of
17 Motor Vehicles Customer Service and Technology Fund.

18 (36) Four Hundred Forty Thousand Dollars from the Department of Public Safety
19 Police Officer Fund.

20 (37) One Hundred Ninety Thousand Dollars from the Louisiana Life Safety and
21 Property Protection Trust Fund.

22 (38) One Thousand Nine Hundred Fifty-Four Dollars from the Louisiana Highway
23 Safety Fund.

24 (39) Fifteen Thousand Dollars from the Industrialized Building Program Fund.

25 (40) Thirty-Six Thousand Five Hundred Forty-Seven Dollars from the Fraud
26 Detection Fund.

27 (41) One Million Eight Hundred Eighty-Nine Dollars from the Rehabilitation for the
28 Blind and Visually Impaired Fund.

29 (42) Three Million Nine Hundred Fifty Thousand Dollars from the Incentive Fund.

30 (43) Fifty-Two Dollars from the Manufactured Home Tax Fairness Fund.

1 (44) One Thousand Two Hundred Sixty-Five Dollars from the Rural Development
2 Fund.

3 (45) Ten Thousand Four Hundred Thirty-Four Dollars from the Louisiana
4 Environmental Education Fund.

5 (46) Forty-One Million Twenty-Two Thousand Nine Hundred Seventy-Seven
6 Dollars from the FEMA Reimbursement Fund.

7 (47) Twenty-Six Million Six Hundred Thirteen Thousand Two Hundred Thirty-Six
8 Dollars from the Artificial Reef Development Fund.

9 (48) One Thousand Nine Hundred Sixty-Two Dollars from the Scenic Rivers Fund.

10 (49) One Thousand Four Hundred Forty-One Dollars from the Reptile and
11 Amphibian Research Fund.

12 (50) Nine Thousand Fifty-Three Dollars from the Utility and Carrier
13 Inspection/Supervision Fund.

14 (51) One Hundred Fifteen Thousand One Hundred Ninety-Two Dollars from the
15 Telephonic Solicitation Relief Fund.

16 (52) One Million Dollars from the State Lands Fees and Self-Generated Revenues.

17 Section 5. Notwithstanding any provision of law to the contrary, the state treasurer
18 is hereby authorized and directed to transfer the current balance and all future interest earned
19 and credited to the following funds to the Louisiana Medical Assistance Trust Fund:

20 (1) The Agricultural Products Processing Development Fund.

21 (2) The Formosan Termite Initiative Fund.

22 (3) The School and District Accountability Rewards Fund.

23 (4) The General Aviation and Reliever Airport Grant Program Fund.

24 (5) The Railroad Crossing Safety Fund.

25 (6) The Manufactured Home Tax Fairness Fund.

26 (7) The Rural Development Fund.

27 Section 6. Notwithstanding any provision of law to the contrary, the state treasurer
28 is hereby authorized and directed to transfer the fund balance of not less than Ten Million
29 Five Hundred Ninety Thousand Dollars from the Department of Health and Hospitals'
30 Facility Support Fund to the Louisiana Medical Assistance Trust Fund.

1 Section 7. Notwithstanding any provision of law to the contrary, the Louisiana
 2 Housing Finance Agency or its successor is hereby authorized and directed to deposit into
 3 the state treasury the unrestricted or unencumbered fund assets of not less than Twenty-Five
 4 Million One Hundred Thousand Dollars. The state treasurer is hereby authorized and
 5 directed to transfer the funds to the Louisiana Medical Assistance Trust Fund.

6 Section 8. Notwithstanding any provision of law to the contrary, the state treasurer
 7 shall not include unexpended and unencumbered monies in the Rapid Response Fund at the
 8 end of the 2010-2011 Fiscal Year in the determination of the unencumbered balance of the
 9 fund for purposes of determining the amount to be deposited into the fund at the beginning
 10 of the fiscal year pursuant to R.S. 51:2361(A)(2).

11 Section 9. R.S. 39:100.26(A) is hereby amended and reenacted to read as follows:

12 §100.26. FEMA Reimbursement Fund

13 A. The FEMA Reimbursement Fund, hereinafter referred to as the "fund",
 14 is hereby created in the state treasury. Any money donated to the fund or
 15 appropriated to the fund by the legislature shall be deposited in the fund. Monies in
 16 the fund shall be invested in the same manner as monies in the state general fund.
 17 Interest earned on the investment of monies in the fund shall be deposited in and
 18 credited to the fund. Unexpended and unencumbered monies in the fund at the end
 19 of the fiscal year shall remain in the fund. Monies in the fund shall be appropriated
 20 for the purpose of providing funds to pay the state's portion of any amount due the
 21 United States under the Robert T. Stafford Disaster Relief and Emergency Assistance
 22 Act. ~~Disbursement of any such appropriations shall not be made until after the~~
 23 ~~legislative auditor has audited source documentation presented by the Federal~~
 24 ~~Emergency Management Agency and the legislative auditor has determined that the~~
 25 ~~documentation supports the amount required to be paid, or until a court of competent~~
 26 ~~jurisdiction has rendered a final non-appealable judgment or order that~~
 27 ~~disbursements be made.~~ Monies in the fund may also be transferred to the State
 28 Emergency Response Fund by the commissioner of administration with the approval
 29 of the Joint Legislative Committee on the Budget.

30 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 Section 10. Notwithstanding any provision of law to the contrary, the state treasurer
 2 is hereby authorized and directed to transfer Twenty-Six Million Nine Hundred Nineteen
 3 Thousand Nine Hundred Thirty-Eight Dollars from the Overcollections Fund to the State
 4 General Fund (Direct).

5 Section 11. Sections 1, 4 through 8, and 9 of this Act shall become effective on July
 6 1, 2011.

7 Section 12. Sections 2, 3, 10, 11, and 12 of this Act shall become effective upon
 8 signature of this Act by the governor, or, if not signed by the governor, upon expiration of
 9 the time for bills to become law without signature by the governor, as provided by Article
 10 III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and
 11 subsequently approved by the legislature, Sections 2, 3, 10, 11, and 12 of this Act shall
 12 become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____