

ACT No. 446

Regular Session, 2004

HOUSE BILL NO. 1628

BY REPRESENTATIVES ALARIO AND TRICHE

1 AN ACT

2 To appropriate funds from certain sources to be allocated to designated agencies and
3 purposes in specific amounts for the making of supplemental appropriations for the
4 funding of said agencies and purposes for the 2003-2004 Fiscal Year; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. The following sums are hereby appropriated from the sources specified
8 and in the amounts specified for the purpose of making supplemental appropriations for the
9 2003-2004 Fiscal Year.

10 **EXECUTIVE DEPARTMENT**

11 01-100 EXECUTIVE OFFICE

12 Payable out of the State General Fund (Direct)
13 for operations of the Governor's Office \$ 160,000

14 Payable out of the State General Fund by
15 Statutory Dedications out of the
16 Disability Affairs Trust Fund for
17 operations \$ 43,892

18 01-114 OFFICE OF WOMEN'S POLICY

19 Payable out of the State General Fund (Direct)
20 for operations \$ 50,000

21 **ELECTED OFFICIALS**

22 04-160 AGRICULTURE AND FORESTRY

23 Payable out of the State General Fund (Direct)
24 for the Management and Finance Program for
25 operations \$ 1,200,000

26 Payable out of the State General Fund (Direct)
27 for the Forestry Program for operations \$ 2,400,000

28 Provided, however, that the commissioner of administration is hereby authorized and
29 directed to adjust the means of finance for the Forestry Program in this agency, as contained
30 in Act 14 of the 2003 Regular Session of the Legislature, by reducing the appropriation out
31 of the State General Fund by Statutory Dedications out of the Louisiana Agricultural Finance
32 Authority Fund by \$2,400,000.

1	Payable out of the State General Fund by	
2	Statutory Dedications from the Louisiana Agricultural	
3	Finance Authority Fund for the Agricultural Environmental	
4	Sciences Program for operations	\$ 2,400,000

5 **DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

6 07-275 PUBLIC WORKS AND INTERMODAL TRANSPORTATION

7	Payable out of the State General Fund by Statutory	
8	Dedications from the Transportation Trust Fund -	
9	Regular (undesignated fund balance) to the Aviation	
10	Program for operations	\$ 694,741

11 Provided, however, that the commissioner of administration is hereby authorized and
 12 directed to adjust the means of finance for the Aviation Program in this Agency, as contained
 13 in Act 14 of the 2003 Regular Session of the Legislature, by reducing the appropriation out
 14 of the State General Fund by Statutory Dedications out of the Transportation Trust Fund -
 15 Regular (Aviation) by the amount of \$694,741.

16 **DEPARTMENT OF HEALTH AND HOSPITALS**

17 09-306 MEDICAL VENDOR PAYMENTS

18	Payable out of Federal Funds to the Payments to	
19	Public Providers Program for expenditures	
20	certified by the Louisiana Special Education	
21	Center	\$ 2,216,372

22	EXPENDITURES:	
23	Payments to Public Providers for	
24	the payment of prior year cost report	
25	settlements to the LSU Health Sciences	
26	Center-Health Care Services Division	<u>\$ 1,646,994</u>

27	TOTAL EXPENDITURES	<u><u>\$ 1,646,994</u></u>
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28	MEANS OF FINANCE:	
29	State General Fund by:	
30	Fees and Self-generated Revenues	\$ 446,994
31	Federal Funds	<u>\$ 1,200,000</u>

32	TOTAL MEANS OF FINANCING	<u><u>\$ 1,646,994</u></u>
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33 09-330 OFFICE OF MENTAL HEALTH (STATE OFFICE)

34	Payable out of the State General Fund by	
35	Interagency Transfers to the Administration	
36	and Support Program for operating expenses	\$ 600,000

37 09-347 PINECREST DEVELOPMENTAL CENTER

38	Payable out of the State General Fund by Interagency	
39	Transfers to the Administrative and General Support	
40	Program for operating services	\$ 3,249,642

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DEPARTMENT OF SOCIAL SERVICES

10-370 OFFICE OF COMMUNITY SERVICES

Payable out of the State General Fund (Direct)
for the Child Welfare Services Program for legal
representation for indigent parents in child
protection proceedings \$ 1,109,797

DEPARTMENT OF ENVIRONMENTAL QUALITY

13-850 OFFICE OF THE SECRETARY

Payable out of State General Fund by
Statutory Dedications from the Environmental Trust
Fund for operations \$ 623,891

Provided, however, that the commissioner of administration is hereby authorized and
directed to adjust the means of finance for this agency, as contained in Act 14 of the 2003
Regular Session of the Legislature, by reducing appropriations out of the State General Fund
(Direct) by \$623,891.

13-851 OFFICE OF ENVIRONMENTAL COMPLIANCE

Payable out of State General Fund by
Statutory Dedications from the Environmental Trust
Fund for operations \$ 1,678,306

Provided, however, that the commissioner of administration is hereby authorized and
directed to adjust the means of finance for this agency, as contained in Act 14 of the 2003
Regular Session of the Legislature, by reducing appropriations out of the State General Fund
(Direct) by \$1,678,306.

13-852 OFFICE OF ENVIRONMENTAL SERVICES

Payable out of State General Fund by
Statutory Dedications from the Environmental Trust
Fund for operations \$ 1,296,058

Provided, however, that the commissioner of administration is hereby authorized and
directed to adjust the means of finance for this agency, as contained in Act 14 of the 2003
Regular Session of the Legislature, by reducing appropriations out of the State General Fund
(Direct) by \$1,296,058.

13-853 OFFICE OF ENVIRONMENTAL ASSESSMENT

Payable out of State General Fund by
Statutory Dedications from the Environmental Trust
Fund for operations \$ 1,437,175

Provided, however, that the commissioner of administration is hereby authorized and
directed to adjust the means of finance for this agency, as contained in Act 14 of the 2003
Regular Session of the Legislature, by reducing appropriations out of the State General Fund
(Direct) by \$1,437,175.

13-855 OFFICE OF MANAGEMENT AND FINANCE

Payable out of State General Fund by
Statutory Dedications from the Environmental Trust
Fund for operations \$ 292,045

1 Provided, however, that the commissioner of administration is hereby authorized and
2 directed to adjust the means of finance for this agency, as contained in Act 14 of the 2003
3 Regular Session of the Legislature, by reducing appropriations out of the State General Fund
4 (Direct) by \$292,045.

5 **DEPARTMENT OF CIVIL SERVICE**

6 17-563 STATE POLICE COMMISSION

7 Payable out of the State General Fund (Direct)
8 for the Administrative Program for contract expenses
9 related to candidate and employee examinations and
10 for acquisition of computer equipment \$ 87,033

11 17-564 DIVISION OF ADMINISTRATIVE LAW

12 Payable out of the State General Fund (Direct)
13 for the Administrative Program for operations \$ 51,000

14 Provided, however, that the commissioner of administration is hereby authorized and
15 directed to adjust the means of finance for this agency, as contained in Act 14 of the 2003
16 Regular Session of the Legislature, by reducing appropriations out of the State General Fund
17 by Interagency Transfers by \$36,000.

18 **HIGHER EDUCATION**

19 19-671 BOARD OF REGENTS

20 Payable out of the State General Fund (Direct) for health
21 care science grants \$ 214,578

22 Provided, however, that the commissioner of administration is hereby authorized and
23 directed to adjust the means of finance for this agency, as contained in Act 14 of the 2003
24 Regular Session of the Legislature, by reducing appropriations out of the State General Fund
25 by Statutory Dedications from the Louisiana Fund by \$214,578.

26 19-649 LOUISIANA COMMUNITY AND TECHNICAL COLLEGES
27 BOARD OF SUPERVISORS

28 Payable out of the State General Fund by Fees
29 and Self-Generated Revenues to River Parishes
30 Community College for projected enrollment
31 increases in Fiscal Year 2003-2004 \$ 150,000

32 **SPECIAL SCHOOLS AND COMMISSIONS**

33 19-655 LOUISIANA SPECIAL EDUCATION CENTER

34 Notwithstanding any other provision of Act 14 of 2003 to the contrary, the Louisiana Special
35 Education Center shall pay, by June 30, 2004, to the Department of Health and Hospitals-
36 Medical Vendor Payments agency, the amount of \$1,287,158; or it shall enter into a
37 cooperative endeavor agreement with the Department of Health and Hospitals which allows
38 the Department of Health and Hospitals-Medical Vendor payments agency to retain a like
39 amount, such amount being deemed the cost of the state's matching share and other costs
40 related to enhanced Medicaid payments received by the Louisiana Special Education Center
41 in Fiscal Year 2003-2004 as a result of revenue maximization activities of the Department
42 of Health and Hospitals.

1	19-657	LOUISIANA SCHOOL FOR MATH, SCIENCE AND THE ARTS		
2		Payable out of the State General Fund (Direct)		
3		for additional costs of group insurance, utilities and		
4		operations for summer school	\$	142,234
5		Payable out of the State Fund by		
6		Interagency Transfers for Summer		
7		School and operating costs	\$	39,651
8		DEPARTMENT OF EDUCATION		
9	19-681	SUBGRANTEE ASSISTANCE		
10		Payable out of the State General Fund (Direct)		
11		for final payment on restoration of funding to local		
12		school districts impacted by reductions in the		
13		Minimum Foundation Program formula for Fiscal		
14		Year 2001-2002	\$	3,748,534
15	19-695	MINIMUM FOUNDATION PROGRAM		
16		Payable out of Federal Funds from the		
17		Federal Funds Flex Grant	\$	478
18		OTHER REQUIREMENTS		
19	20-451	SHERIFFS' HOUSING OF STATE INMATES		
20		Payable out of the State General Fund (Direct)		
21		for additional costs of housing state inmates in parish jails	\$	4,387,892
22	20-901	SALES TAX DEDICATIONS		
23		Payable out of the State General fund by Statutory		
24		Dedications from the Calcasieu Visitors Enterprise Fund for		
25		the Southwest Louisiana Convention and Visitors Bureau	\$	100,000
26		Payable out of the State General Fund by		
27		Statutory Dedications from the Concordia		
28		Parish Economic Development Fund for		
29		Concordia Parish	\$	75,000
30	20-933	GOVERNOR'S CONFERENCES AND INTERSTATE COMPACTS		
31		Payable out of the State General Fund (Direct)		
32		for the Delta Regional Authority dues	\$	98,637
33	20-945	STATE AID TO LOCAL GOVERNMENT ENTITIES		
34		Payable out of the State General Fund by Statutory		
35		Dedications out of the Pari-Mutuel Live Racing Facility		
36		Gaming Control Fund for support of the Orleans Parish		
37		District Attorney's office	\$	50,000
38		Notwithstanding any provision of Act 14 of the 2003 Regular Session of the Legislature to		
39		the contrary, the State General Fund (Direct) appropriation contained in Schedule 20-945 to		
40		the American Power Boat Association is deemed to have been appropriated to the City of		
41		Morgan City Powerboat and Fishing Tournament Commission.		

1	20-XXX FUNDS	
2	Payable out of the State General Fund (Direct) for	
3	deposit into the Youthful Offender Management Fund	\$ 2,100,000
4	Payable out of the State General Fund (Direct) for	
5	deposit into the Criminal Identification Trust Fund	\$ 3,297,254
6	Payable out of the State General Fund (Direct) for	
7	deposit into the Medical Assistance Trust Fund	\$ 194,228,865
8	Payable out of the State General Fund (Direct)	
9	for deposit into the Medical Assistance Trust	
10	Fund	\$ 14,474,692
11	Payable out of the State General Fund by Statutory	
12	Dedications out of the Pari-Mutuel Live Racing Facility	
13	Gaming Control Fund for deposit into the Beautification	
14	and Improvement of New Orleans City Park Fund	\$ 200,000
15	Payable out of the State General Fund by Statutory	
16	Dedications out of the Pari-Mutuel Live Racing Facility	
17	Gaming Control Fund for deposit into the St. Landry	
18	Parish Excellence Fund	\$ 261,860
19	Payable out of the State General Fund (Direct)	
20	for deposit into the Higher Education	
21	Initiatives Fund	\$ 3,200,000
22	Payable out of the State General Fund (Direct) for	
23	deposit into the Higher Education Initiatives Fund	\$ 5,000,000
24	Payable out of the State General Fund (Direct) for	
25	deposit into the Academic Improvement Fund	\$ 254,233

26 Provided, however, the treasurer is hereby authorized and directed to deposit \$50,000 in the
 27 Higher Education Initiatives Fund for the Southern University Urban Tourism and Marketing
 28 Program out of the Pari-mutuel Live Racing Facility Gaming Control Fund

29 Section 2.A. Notwithstanding the provisions of R.S. 49:112, there is hereby
 30 appropriated the sum of Seven Million Eight Hundred Thousand and No/100 (\$7,800,000.00)
 31 Dollars, be it more or less estimated, out of the State General Fund for Fiscal Year 2003-
 32 2004 to be allocated to pay the consent judgments, stipulated judgments, and other judgments
 33 against the state, including recommendations to pay rendered by the Board of Tax Appeals,
 34 if such judgments are final, and if such judgments are delineated in the following House Bills
 35 introduced in the 2004 Regular Session:

- 36 House Bill No. 4 by Representative Morrell
- 37 House Bill No. 10 by Representative Pierre
- 38 House Bill No. 21 by Representative Odinet
- 39 House Bill No. 29 by Representative Pinac
- 40 House Bill No. 31 by Representative Flavin
- 41 House Bill No. 72 by Representative Bruneau
- 42 House Bill No. 76 by Representative Kenny
- 43 House Bill No. 80 by Representative Heaton

- 1 House Bill No. 81 by Representative Triche
- 2 House Bill No. 82 by Representative Ritchie
- 3 House Bill No. 83 by Representative Morrell
- 4 House Bill No. 86 by Representative Baldone
- 5 House Bill No. 158 by Representative Thompson
- 6 House Bill No. 224 by Representative Farrar
- 7 House Bill No. 227 by Representative Lancaster
- 8 House Bill No. 238 by Representative Schneider
- 9 House Bill No. 239 by Representative Walker
- 10 House Bill No. 240 by Representative Daniel
- 11 House Bill No. 248 by Representative Daniel
- 12 House Bill No. 293 by Representative Jack Smith
- 13 House Bill No. 298 by Representative Durand
- 14 House Bill No. 304 by Representative Jack Smith
- 15 House Bill No. 305 by Representative Pierre
- 16 House Bill No. 306 by Representative Winston
- 17 House Bill No. 307 by Representative Martiny
- 18 House Bill No. 313 by Representative Alexander
- 19 House Bill No. 461 by Representative Daniel
- 20 House Bill No. 462 by Representative Daniel
- 21 House Bill No. 504 by Representative Walsworth
- 22 House Bill No. 545 by Representative K. Carter
- 23 House Bill No. 867 by Representative Farrar
- 24 House Bill No. 1045 by Representative Frith
- 25 House Bill No. 1091 by Representative Arnold
- 26 House Bill No. 1113 by Representative Cazayoux, Sections 1, 2, and 4 only
- 27 House Bill No. 1158 by Representative Futrell
- 28 House Bill No. 1274 by Representative Hutter, Sections 1 through 8 only
- 29 House Bill No. 1280 by Representative Murray
- 30 House Bill No. 1300 by Representative Glover
- 31 House Bill No. 1301 by Representative Shepard
- 32 House Bill No. 1326 by Representative Alario
- 33 House Bill No. 1393 by Representative Townsend
- 34 House Bill No. 1405 by Representative Romero
- 35 House Bill No. 1530 by Representative M. Guillory
- 36 House Bill No. 1653 by Representative Lambert
- 37 House Bill No. 1663 by Representative St. Germain

38 B. The sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00)
 39 Dollars, plus court costs in the amount of Two Thousand Three Hundred Two and
 40 88/100 (\$2,302.88) Dollars, is hereby appropriated out of the General Fund of the
 41 state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment
 42 in the suit entitled "Lerline S. Babineaux, et al v. Department of Transportation and
 43 Development", bearing Number 95-3579 on the docket of the Fourteenth Judicial
 44 District Court, parish of Calcasieu, state of Louisiana.

45 C. The sum of Thirty-five Thousand and No/100 (\$35,000.00) Dollars, plus
 46 court costs in the amount of Three Thousand Two Hundred Forty-three and 31/100
 47 (\$3,243.31) Dollars, is hereby appropriated out of the General Fund of the state of
 48 Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the
 49 suit entitled "Paula M. Brown v. Louisiana Department of Transportation and
 50 Development and American Honda Motor Company, Inc.", bearing Number 85,665
 51 on the docket of the Sixteenth Judicial District Court, parish of Iberia, state of
 52 Louisiana.

53 D. The sum of Three Hundred Twenty-eight Thousand One Hundred
 54 Ninety-two and No/100 (\$328,192.00) Dollars is hereby appropriated out of the
 55 General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay
 56 the recommendations for payment in the claims against the state entitled "CF
 57 Industries, Inc. v. Secretary, Department of Revenue, State of Louisiana, and State

1 of Louisiana", bearing Numbers 4992 and 4993 on the docket of the Board of Tax
2 Appeals for the state of Louisiana.

3 E. The sum of Two Thousand Two Hundred Five and 61/100 (\$2,205.61)
4 Dollars is hereby appropriated out of the General Fund of the state of Louisiana for
5 Fiscal Year 2003-2004 to be used to pay the recommendation for payment in the
6 claim against the state entitled "Victor Camille Chairmonte, Dorothy Ann
7 Chairmonte, and Myra Delaune v. Secretary, Department of Revenue, State of
8 Louisiana, and State of Louisiana", bearing Number 6140 on the docket of the Board
9 of Tax Appeals for the state of Louisiana.

10 F. The sum of Seven Thousand Five Hundred and No/100 (\$7,500.00)
11 Dollars is hereby appropriated out of the General Fund of the state of Louisiana for
12 Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit against the
13 Department of Transportation and Development entitled "Herman Corner v. Travis
14 McCoy, Jr., et al", bearing Number 36333 on the docket of the Seventh Judicial
15 District Court, parish of Concordia, state of Louisiana.

16 G. The sum of Five Thousand and No/100 (\$5,000.00) Dollars is hereby
17 appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-
18 2004 to be used to pay the consent judgment in the suit entitled "Elsie P. Cornwall
19 and Michael Cornwall v. Permanent General Assurance Corporation, State of
20 Louisiana, Department of Transportation and Development and St. Bernard Parish",
21 bearing Number 92-249 on the docket of the Thirty-fourth Judicial District Court,
22 parish of St. Bernard, state of Louisiana.

23 H. The sum of Six Thousand Two Hundred Fifty and No/100 (\$6,250.00)
24 Dollars is hereby appropriated out of the General Fund of the state of Louisiana for
25 Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled
26 "Clifford Derouen v. State of Louisiana, Department of Transportation and
27 Development", bearing Number 95,853 on the docket of the Thirty-fourth Judicial
28 District Court, parish of St. Bernard, state of Louisiana.

29 I. The sum of Twenty-five Thousand and No/100 (\$25,000.00) Dollars is
30 hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year
31 2003-2004 to be used to pay the consent judgment in the suit against the Department
32 of Transportation and Development entitled "James Harold Doolittle, individually
33 and as tutor of Sara Nichole Doolittle v. Farmers Insurance Exchange, and Jason D.
34 Kirkland", bearing Number 73,721 on the docket of the Tenth Judicial District Court,
35 parish of Natchitoches, state of Louisiana.

36 J. The sum of Thirteen Thousand Five Hundred Ninety-eight and 66/100
37 (\$13,598.66) Dollars is hereby appropriated out of the General Fund of the state of
38 Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment in the suit
39 against the Department of Transportation and Development entitled "Esther Flyte v.
40 Patterson Insurance Company, et al" consolidated with "Angela M. Mire v. Monique
41 C. Leger, et al", bearing Numbers 94-4668-3B and 94-5123-2A, respectively, on the
42 docket of the Fifteenth Judicial District Court, parish of Lafayette, state of Louisiana.

43 K. Notwithstanding the provisions of R.S. 49:112, the sum of Two Hundred
44 Seventy-nine Thousand Eight Hundred Thirty-four and No/100 (\$279,834.00), plus
45 interest from January 27, 1992 until paid, plus costs in the amount of Eight Thousand
46 Four Hundred Thirty-one and 97/100 (\$8,431.97) Dollars, is hereby appropriated out
47 of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used
48 to pay the judgment in the suit against the Department of Transportation and
49 Development entitled "Ned Font v. the Estate of Erman Marler, Jr., Allstate
50 Insurance Company, and the City of New Orleans", bearing Number 65,421 on the
51 docket of the Twenty-first Judicial District Court, parish of Livingston, state of
52 Louisiana.

1 L. The sum of Seventy-five Thousand and No/100 (\$75,000.00) Dollars is
2 hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year
3 2003-2004 to be used to pay the consent judgment in the suit entitled "Michael L.
4 Fontenot v. the State of Louisiana, DOTD", bearing Number 98-C-1061-B on the
5 docket of the Twenty-seventh Judicial District Court, parish of St. Landry, state of
6 Louisiana.

7 M. The sum of Thirty-five Thousand and No/100 (\$35,000.00) Dollars is
8 hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year
9 2003-2004 to be used to pay the consent judgment in the suit entitled "Sandra
10 Franklin, Tommy M. Franklin, and Tina Franklin, on behalf of her minor child, Kody
11 Franklin v. Wayne Ebarb and the State of Louisiana, through the Department of
12 Transportation and Development", bearing Number 50,216 on the docket of the
13 Eleventh Judicial District Court, parish of Sabine, state of Louisiana.

14 N. The sum of Five Thousand and No/100 (\$5,000.00) Dollars is hereby
15 appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-
16 2004 to be used to pay the consent judgment in the suit entitled "Glen L. Guidry, et
17 ux v. State of Louisiana through Department of Transportation and Development, et
18 al", bearing Number 95,917-E on the docket of the Sixteenth Judicial District Court,
19 parish of Iberia, state of Louisiana.

20 O. The sum of Fifty Thousand and No/100 (\$50,000.00) Dollars is hereby
21 appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-
22 2004 to be used to pay the consent judgment in the suit against the Department of
23 Transportation and Development entitled "Bobby L. Harvey, et ux v. State of
24 Louisiana, et al", bearing Number 26,683 on the docket of the Second Judicial
25 District Court, parish of Jackson, state of Louisiana.

26 P. The sum of Fifteen Thousand and No/100 (\$15,000.00) Dollars is hereby
27 appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-
28 2004 to be used to pay the consent judgment in favor of Alvin A. Martin in the suit
29 entitled "Denise S. Hebert v. Horace Mann Insurance Company, State of Louisiana,
30 through the Department of Transportation and Development, et al", bearing Number
31 61,387 on the docket of the Twenty-third Judicial District Court, parish of Ascension,
32 state of Louisiana.

33 Q. The sum of Two Thousand and No/100 (\$2,000.00) Dollars is hereby
34 appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-
35 2004 to be used to pay the consent judgment in favor of Denise Hebert in the suit
36 entitled "Denise S. Hebert v. Horace Mann Insurance Company, State of Louisiana,
37 through the Department of Transportation and Development, et al", bearing Number
38 61,387 on the docket of the Twenty-third Judicial District Court, parish of Ascension,
39 state of Louisiana.

40 R. The sum of Fifty-three Thousand Nine Hundred Seventy-eight and
41 No/100 (\$53,978.00) Dollars, plus interest from February 11, 1999 until paid, plus
42 court costs in the amount of Three Hundred Eighty-four and 30/100 (\$384.30)
43 Dollars, is hereby appropriated out of the General Fund of the state of Louisiana for
44 Fiscal Year 2003-2004 to be used to pay the judgment in favor of Jude Bailey and
45 Arthur Bailey in the suit entitled "Vickie Hernandez v. State of Louisiana, through
46 the Department of Transportation and Development" consolidated with "Jude Bailey
47 and Arthur Bailey v. State of Louisiana, through the Department of Transportation
48 and Development", bearing Numbers 84-673 and 87-024, respectively, on the docket
49 of the Thirty-fourth Judicial District Court, parish of St. Bernard, state of Louisiana.

50 S. The sum of Three Hundred Sixty-seven Thousand One Hundred Thirty-
51 two and No/100 (\$367,132.00) Dollars is hereby appropriated out of the General
52 Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the
53 recommendations for payment in the claims against the state entitled "Home Depot
54 U.S.A., Inc. d/b/a The Home Depot v. Secretary, Department of Revenue, State of

1 Louisiana, and State of Louisiana", bearing Numbers 4842 and 5029 on the docket
2 of the Board of Tax Appeals for the state of Louisiana.

3 T. The sum of Five Thousand and No/100 (\$5,000.00) Dollars is hereby
4 appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-
5 2004 to be used to pay the consent judgment in the suit against the Department of
6 Transportation and Development entitled "Donald Lain and Jacqueline M. Lain v.
7 Union Pacific Railroad Company, James R. Cowart (or, alternatively, the unopened
8 succession of James R. Cowart), and BDL Management, Inc.", bearing Number
9 2002-352 on the docket of the Fourth Judicial District Court, parish of Morehouse,
10 state of Louisiana.

11 U. The sum of Seven Thousand Five Hundred and No/100 (\$7,500.00)
12 Dollars is hereby appropriated out of the General Fund of the state of Louisiana for
13 Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled
14 "Ronald P. LeBoeuf v. Parish of Jefferson and State of Louisiana, Department of
15 Transportation and Development", bearing Number 514-594 on the docket of the
16 Twenty-fourth Judicial District Court, parish of Jefferson, state of Louisiana.

17 V. The sum of Eighty-one Thousand Six Hundred Forty-seven and 50/100
18 (\$81,647.50) Dollars is hereby appropriated out of the General Fund of the state of
19 Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the
20 suit against the Department of Transportation and Development entitled "Martin R.
21 Leger v. Trinity Universal Insurance Company, et al", bearing Number 431,039 on
22 the docket of the Nineteenth Judicial District Court, parish of East Baton Rouge, state
23 of Louisiana.

24 W. The sum of Six Thousand Five Hundred and No/100 (\$6,500.00)
25 Dollars is hereby appropriated out of the General Fund of the state of Louisiana for
26 Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled
27 "Brandon Lett v. State of Louisiana, DOTD, et al", bearing Number 460,394-B on
28 the docket of the First Judicial District Court, parish of Caddo, state of Louisiana.

29 X. The sum of Six Hundred Seventy-two Thousand Eight Hundred Thirteen
30 and 44/100 (\$672,813.44) Dollars, plus legal interest from July 8, 1999 until paid,
31 plus court costs in the amount of Twenty-two Thousand Six Hundred Seventy and
32 21/100 (\$22,670.21) is hereby appropriated out of the General Fund of the state of
33 Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment in the suit
34 entitled "Nancy Lockett and Ronny Lockett, Husband and Wife v. the State of
35 Louisiana Department of Transportation and Development", bearing Number
36 462,218 on the docket of the Nineteenth Judicial District, parish of East Baton
37 Rouge, state of Louisiana.

38 Y. The sum of One Hundred Twenty-eight Thousand Seven Hundred Fifty
39 and No/100 (\$128,750.00) Dollars, plus interest from September 19, 1994 until paid,
40 plus costs as provided in the judgment, is hereby appropriated out of the General
41 Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the
42 judgment in the suit against the Department of Transportation and Development
43 entitled "Felton McBride and Janice McBride, individually and on behalf of the
44 minors, Jason McBride and Paul McBride; Charlette Davis, individually and as
45 natural tutrix of the minor, Eric Mazique; Presly K. Taylor, Jr. and Ruth Taylor,
46 individually and on behalf of the minor, Ponce J. Taylor; and George C. Grimsley
47 and Leona O. Grimsley, individually and on behalf of the minor, Justin J. Grimsley
48 v. State Farm Mutual Automobile Insurance Company and Scott T. Falgout", bearing
49 Number 01-CA-954 on the docket of the Fifth Circuit Court of Appeal, state of
50 Louisiana, on appeal from Number 32-818 on the docket of the Fortieth Judicial
51 District Court, parish of St. John, state of Louisiana.

52 Z. The sum of Five Thousand and No/100 (\$5,000.00) Dollars, plus court
53 costs in the amount of One Thousand Six Hundred Thirty-three and 42/100
54 (\$1,633.42) Dollars, is hereby appropriated out of the General Fund of the state of

1 Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the
2 suit entitled "Rodney McCarty, et ux v. State of Louisiana, Department of
3 Transportation and Development", bearing Number 27,140 on the docket of the
4 Second Judicial District Court, parish of Jackson, state of Louisiana.

5 AA. The sum of Three Thousand Five Hundred and No/100 (\$3,500.00)
6 Dollars is hereby appropriated out of the General Fund of the state of Louisiana for
7 Fiscal Year 2003-2004 to be used to pay the consent judgment in favor of Webb J.
8 Polite, Jr. and Peggy Linda Brooks Polite in the suit entitled "Webb J. Polite, Jr., et
9 al v. the State of Louisiana, through the Department of Transportation and
10 Development, et al" consolidated with "Earl Joseph Hebert, Jr., et al v. the State of
11 Louisiana, through the Department of Transportation and Development, et al",
12 bearing Numbers 392,718 and 393,062 on the docket of the Nineteenth Judicial
13 District Court, parish of East Baton Rouge, state of Louisiana.

14 BB. The sum of Three Thousand Five Hundred and No/100 (\$3,500.00)
15 Dollars is hereby appropriated out of the General Fund of the state of Louisiana for
16 Fiscal Year 2003-2004 to be used to pay the consent judgment in favor of Jeni-Su
17 Kelley Hebert in the suit entitled "Webb J. Polite, Jr., et al v. the State of Louisiana,
18 through the Department of Transportation and Development, et al" consolidated with
19 "Earl Joseph Hebert, Jr., et al v. the State of Louisiana, through the Department of
20 Transportation and Development, et al", bearing Numbers 392,718 and 393,062 on
21 the docket of the Nineteenth Judicial District Court, parish of East Baton Rouge, state
22 of Louisiana.

23 CC. The sum of Twelve Thousand Fifty-two and 05/100 (\$12,052.05)
24 Dollars is hereby appropriated out of the General Fund of the state of Louisiana for
25 Fiscal Year 2003-2004 to be used to pay the recommendation for payment in the
26 claim against the state entitled "Lynda M. Southwick and Gail M. Hinkel v.
27 Secretary, Department of Revenue, State of Louisiana", bearing Number 6078 on the
28 docket of the Board of Tax Appeals for the state of Louisiana.

29 DD. The sum of Three Thousand and No/100 (\$3,000.00) Dollars is hereby
30 appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-
31 2004 to be used to pay the consent judgment in the suit entitled "Jennifer Stockstill
32 v. William A. Bernard, Unknown Insurance Company and State of Louisiana,
33 Department of Transportation and Development", bearing Number 62,665 on the
34 docket of the Sixteenth Judicial District Court, parish of St. Martin, state of
35 Louisiana.

36 EE. The sum of Two Thousand and No/100 (\$2,000.00) Dollars is hereby
37 appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-
38 2004 to be used to pay the consent judgment in the suit against the Department of
39 Transportation and Development entitled "Huey L. Stuckey v. Plaquemines Parish
40 Council, et al", bearing Number 47-439 on the docket of the Twenty-fifth Judicial
41 District Court, parish of Plaquemines, state of Louisiana.

42 FF. The sum of One Million Five Thousand and No/100 (\$1,005,000.00)
43 Dollars, plus legal interest from May 18, 1995 until paid, plus costs in the amount of
44 Two Thousand Two Hundred Forty-six and 79/100 (\$2,246.79) Dollars, is hereby
45 appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-
46 2004 to be used to pay the judgment in the suit entitled "Vorsha Tadlock,
47 individually, and on behalf of his minor daughter, Vorchall Daman v. William
48 Taylor, Southern United Insurance Company and Louisiana Department of
49 Transportation and Development", bearing Number 76-601 on the docket of the
50 Thirty-fourth Judicial District Court, parish of St. Bernard, state of Louisiana.

51 GG. The sum of Thirty One Thousand and No/100 (\$31,000.00) Dollars,
52 plus legal interest from July 1, 2003 until paid, is hereby appropriated out of the
53 General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay
54 the consent judgment in the suit entitled "Brian Vellier and Rona Vellier, individually

1 and on behalf of their minor child, Tristen Vellier v. Louisiana State Department of
 2 Transportation, State Farm Mutual Automobile Insurance Company and National
 3 Automotive Insurance Company", bearing Number 2000-2127 on the docket of the
 4 Civil District Court for the Parish of Orleans, state of Louisiana.

5 HH. The sum of Twenty-seven Thousand Five Hundred and No/100
 6 (\$27,500.00) Dollars is hereby appropriated out of the General Fund of the state of
 7 Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the
 8 suit entitled "Tilly Washington-Jones and Kenneth Jones v. Midland Risk Insurance
 9 Company and the State of Louisiana through the Department of Transportation and
 10 Development", bearing Number 50-547 on the docket of the Twenty-ninth Judicial
 11 District Court, parish of St. Charles, state of Louisiana.

12 II. The sum of One Hundred Twenty-five Thousand and No/100
 13 (\$125,000.00) Dollars is hereby appropriated out of the General Fund of the state of
 14 Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the
 15 suit entitled "Roland Whitney v. Toyota Motor Sales, USA, Inc., and State of
 16 Louisiana, Department of Transportation and Development", bearing Number 400-
 17 730 on the docket of the Twenty-fourth Judicial District Court, parish of Jefferson,
 18 state of Louisiana.

19 JJ. The sum of Twelve Thousand and No/100 (\$12,000.00) Dollars is
 20 hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year
 21 2003-2004 to be used to pay the consent judgment in the suit entitled "Christina
 22 Wilson v. the State of Louisiana, through the Department of Transportation and
 23 Development", bearing Number 67,203 on the docket of the Twenty-third Judicial
 24 District Court, parish of Ascension, state of Louisiana.

25 KK. The sum of Fifty-four Thousand Five Hundred Thirty and 80/100
 26 (\$54,530.80) Dollars is hereby appropriated out of the General Fund of the state of
 27 Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the
 28 suit entitled "Thomas Karrel Ardoin. v. the State of Louisiana, through the
 29 Department of Transportation", bearing Number 61,887-B on the Docket of the
 30 Thirteenth Judicial District, parish of Evangeline, state of Louisiana.

31 LL. The sum of Two Hundred Thirty-one Thousand One Hundred Fifty and
 32 No/100 (\$231,150.00) Dollars is hereby appropriated out of the General Fund of the
 33 state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment
 34 in the suit entitled "Rebecca Elliot and Syd Dyer, Jr. v. the state of Louisiana, through
 35 the Department of Transportation and Development, Ray Charles Samuels and
 36 Clarendon National Ins. Co.", bearing Number 2003 CA 0428 on the Docket of the
 37 Eighteenth Judicial District, parish of West Baton Rouge, state of Louisiana.

38 MM. The sum of Three Thousand Five Hundred and No/100 (\$3,500.00)
 39 Dollars is hereby appropriated out of the General Fund of the state of Louisiana for
 40 Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled
 41 "Christine Normand v. the Avoyelles Parish Police Jury, Coregis Insurance Company
 42 and Central Louisiana Electric, the state of Louisiana, through the Department of
 43 Transportation and Development and the Louisiana State Police", bearing Number
 44 2002-4191- Division "A" on the Docket of the Twelfth Judicial District, parish of
 45 Avoyelles, state of Louisiana.

46 NN. The sum of Five Hundred and No/100 (\$500.00) Dollars is hereby
 47 appropriated out of the General Fund of the state of Louisiana for Fiscal Year
 48 2003-2004 to be used to pay the consent judgment in the suit entitled "Charles Etta
 49 Taylor v. the City of Bossier City, Southern Maid Donut #6, the state of Louisiana,
 50 through the Department of Transportation and Development and Traveler's
 51 Insurance", bearing Number 104902 on the Docket of the Twenty-sixth Judicial
 52 District, parish of Bossier, state of Louisiana.

1 OO. The sum of Eighty Thousand and No/100 (\$80,000.00) Dollars is
 2 hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year
 3 2003-2004 to be used to pay the consent judgment in the suit entitled "Henrietta
 4 Claiborne, and Vernon Martin on behalf of their minor children v. the state of
 5 Louisiana, through the Department of Transportation and Development", bearing
 6 Number 501-731 on the Docket of the Twenty-fourth Judicial District, parish of
 7 Jefferson, state of Louisiana.

8 PP. The sum of Eighty Thousand and No/100 (\$80,000.00) Dollars is
 9 hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year
 10 2003-2004 to be used to pay the consent judgment in the suit entitled "David
 11 Champagne, Sr., et al. v. Wayne Conway, et al. and the State of Louisiana, through
 12 the Department of Transportation and Development", bearing Number 91413-D on
 13 the Docket of the Sixteenth Judicial District, parish of Iberia, state of Louisiana.

14 QQ. The sum of Twenty Thousand and No/100 (\$20,000.00) Dollars is
 15 hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year
 16 2003-2004 to be used to pay the consent judgment in the suit entitled "Karen
 17 Wallace, wife of and William E. Wallace v. the State of Louisiana, through the
 18 Department of Transportation and Development", bearing Number 95-66042-"F" on
 19 the Docket of the Fifteenth Judicial District, parish of Vermilion, state of
 20 Louisiana.

21 RR. The sum of Thirty Thousand and No/100 (\$30,000.00) Dollars is
 22 hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year
 23 2003-2004 to be used to pay the consent judgment in the suit entitled "Preston
 24 Nunez, Jeanette Boudin, Hubert J. Mier, His wife Shirley Mier, Cordell Theriot and
 25 Sandra McCammant v. the State of Louisiana, through the Department of
 26 Transportation and Development", bearing Number 95-66042-"F" on the Docket of
 27 the Fifteenth Judicial District, parish of Vermilion, state of Louisiana.

28 SS. The sum of One Thousand Eight Hundred Seventy-five and No/100
 29 (\$1,875.00) Dollars is hereby appropriated out of the General Fund of the state of
 30 Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment together with
 31 judicial interest thereon from the date of judicial demand until paid and all costs of
 32 such proceedings in the suit entitled "Ronnie J. Fuller v. Town of Mansfield, et al.",
 33 bearing Number 596314 on the Docket of the Eleventh Judicial District, parish of
 34 DeSoto, state of Louisiana.

35 Provided, however, that all judgments provided for in this Section shall be paid as to
 36 principal, interest, court costs, and expert witness fees as provided in said judgments, it being
 37 the intent herein that when the provisions of any judgment conflict with the provisions of the
 38 respective House Bill or this Act, the provisions of the judgment shall be controlling. Any
 39 other provision of any such House Bill or this Act, not in conflict with the provisions of such
 40 judgment, shall control. Payment shall be made as to any such judgment only after
 41 presentation to the state treasurer of a receipt and release and any other documentation
 42 required by the state treasurer. Further, all judgments provided for in this Section shall be
 43 deemed to have been paid on the effective date of the Act, and legal interest shall cease to
 44 run as of that date.

45 Section 3. The sum of Four Thousand Three Hundred and No/100 (\$4,300.00)
 46 Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal
 47 Year 2003-2004 to Terry Haire, to provide for reimbursement of his legal expenses, as
 48 recommended by the Attorney Fee Review Board.

1 Section 4.A. The commissioner of administration is authorized and directed to
2 reduce the State General Fund (Direct) appropriations contained in Act 14 of the 2003
3 Regular Session of the Legislature for the following agencies in the following amounts:

4 (1) 08-403 Department of Public Safety and Corrections - Corrections
5 Services - Office of Youth Development - Administration Program by \$2,100,000.

6 (2) 08-408 Department of Public Safety and Corrections - Corrections
7 Services - Allen Correctional Center - Purchase of Correctional Services Program by
8 \$600,000.

9 (3) 08-419 Department of Public Safety and Corrections - Public Safety
10 Services - Office of State Police by \$3,297,254.

11 (4) 08-450 Department of Public Safety and Corrections-Corrections
12 Services-Adult Community-Based Rehabilitation Programs by \$375,000.

13 B. The commissioner of administration is hereby authorized and directed to reduce
14 appropriations from the State General Fund (Direct) for Schedule 19-681 Subgrantee
15 Assistance, School Accountability and Improvement Program, contained in Act 14 of the
16 2003 Regular Session of the Legislature by \$1,448,224.

17 Section 5. Notwithstanding any provision of Act 14 of the 2003 Regular Session of
18 the Legislature, the appropriation of \$1,088,628 payable out of the State General Fund
19 (Direct) to 01-107 Executive Department - Division of Administration - Executive
20 Administration Program for the upgrade of the LAGNIAPPE production server shall be
21 deemed and construed to have been made and shall be used for the enhancement and upgrade
22 of the Employee and Manager Self Service Portal upgrades within the Executive
23 Administration Program.

24 Section 6.

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

07/277 AVIATION IMPROVEMENTS

Payable from Transportation Trust Fund - Regular

for Aviation Improvements \$ 6,300,000

29 Provided, however, that the commissioner of administration is hereby authorized and
30 directed to adjust the means of finance for Aviation Improvements in this agency as

1 contained in Act 24 of the 2003 Regular Session of the Legislature, by reducing the
 2 appropriation out of the Transportation Trust Fund by \$6,700,000.

3 Section 7A. Notwithstanding any provisions of law to the contrary, including
 4 provisions of any Capital Outlay Act, the following appropriations are hereby made out of
 5 the interest earning from the investment of general obligation bond or note proceeds in the
 6 Comprehensive Capital Outlay Escrow Account:

- 7 A. Supplemental Funding
 8 Office of State Parks
 9 Fontainebleau State Park
 10 Project No. 06-264-98B-04 \$ 900,000

- 11 B. Supplemental Funding
 12 Office of Addictive Disorders
 13 Renovation and/or Replacement of Patient Dormitory
 14 Pines Treatment Center
 15 Project No. 09-351-99B-01 \$ 200,000

- 16 C. Supplemental Funding
 17 Southern University Baton Rouge
 18 Naval ROTC Building Renovation
 19 Project No. 19-616-96S-02 \$ 350,000

- 20 D. Supplemental Funding
 21 McNeese State University
 22 Replace HVAC System at Farrar Hall
 23 Emergency Generator Hook Up
 24 Project No. 19-627-01B-01 \$ 10,000

- 25 E. Supplemental Funding
 26 Division of Administration
 27 Statewide Roofing and Waterproofing and
 28 Related Repairs and Equipment Replacement
 29 Project No. 01-107-97S-03 \$ 800,000

30 The appropriation of monies in this Section shall be deemed to be and shall constitute
 31 approval by the Joint Legislative Committee on the Budget.

32 Section 7B. Notwithstanding any provisions of law to the contrary, including
 33 provisions of any Capital Outlay Act, the following appropriations are hereby made out of
 34 Federal Funds (FEMA):

- 35 A. Supplemental Funding
 36 Louisiana State University - Alexandria
 37 Central Utilities System Repair and Upgrade
 38 Project No. 19-602-99B-01 \$ 61,000

39 The appropriation of monies in this Section shall be deemed to be and shall constitute
 40 approval by the Joint Legislative Committee on the Budget.

1 Section 7C. Notwithstanding any provisions of law to the contrary, including
2 provisions of any Capital Outlay Act, the following appropriation is hereby made out of State
3 General Fund by Fees and Self Generated Revenues.

- 4 A. Supplemental Funding
- 5 Secretary’s Emergency Fund for Bridge
- 6 Damages, Other Reimbursements, Local Matching Dollars,
- 7 Federal Funds, and Opportunity
- 8 Grants Subject to the Provisions of R.S. 48:232 \$ 8,000,000

9 The appropriation of monies in this Section shall be deemed to be and shall constitute
10 approval by the Joint Legislative Committee on the Budget.

11 Section 7D. Notwithstanding any provisions of law to the contrary, including the
12 provisions of R.S. 39:126, the following capital outlay change orders are hereby approved:

- 13 A. University of New Orleans
- 14 Business Administration Building
- 15 Project No. 19-603-94B-01
- 16 Change order over \$50,000 \$ 106,923.41

- 17 B. Schepis Foundation, Inc.
- 18 Schepis Building Renovation
- 19 Project No. 50-M87-00-02
- 20 Credit Change Order over \$50,000 \$ 110,007.00

- 21 C. Louisiana State University
- 22 Nicholson Hall Renovations
- 23 Baton Rouge, Louisiana
- 24 Project No 19-601-91B-06
- 25 Change Order over \$50,000 \$ 475,455.18

26 Provided, further, that the approval of the change orders in this Section shall be deemed to
27 be and shall constitute approval by the Joint Legislative Committee on the Budget.

28 Section 8. The State General Fund (Direct) appropriation contained in Act 14 of the
29 2003 Regular Session of the Legislature in the Department of Transportation and
30 Development, Schedule 07-273 ADMINISTRATION in the amount of \$200,000 for
31 expenses related to the relocation of a DOTD building in Livingston Parish is hereby null and
32 void.

33 Section 9. The appropriation from the Vernon Parish Community Improvement Fund
34 in the amount of \$100,000, contained in Schedule 20-901 SALES TAX DEDICATIONS of
35 Act 14 of 2003 Regular Session of the Legislature is hereby null and void.

36 Section 10. This Act shall become effective upon signature by the governor or, if not
37 signed by the governor, upon expiration of the time for bills to become law without signature
38 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____