

ACT No. 420

Regular Session, 2013

HOUSE BILL NO. 452

BY REPRESENTATIVE FANNIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 39:82(A), 87.5(E)(2), 94(C)(4)(b), and 352, R.S.
3 40:600.90(A)(1)(a) and (2)(c), and R.S. 47:302.2(B) and 332.6(B), R.S. 56:1703.(C)(2)(c)
4 and (d), and to enact Subpart H of Part II-A of Chapter 1 of Subtitle I of Title 39 of the
5 Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.11, R.S.
6 47:302.2(C)(1)(g) and (E), and R.S. 56:1703(C)(2)(e), to repeal R.S. 39:87.5(B) and Section
7 4 of Act No. 597 of the 2012 Regular Session, to provide relative to special treasury funds;
8 to provide for 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 establish the
10 Payments Towards the UAL Fund; to provide for the term of the executive director of the
11 Louisiana Housing Corporation; to provide for deposits or appropriations into the Budget
12 Stabilization Fund; to provide for the use of monies in the Shreveport Riverfront and
13 Convention Center and Independence Stadium Fund; to establish the FMAP Stabilization
14 Fund as a special fund in the state treasury; to provide for the use of monies in the Louisiana
15 State Parks Improvement and Repair Fund; to abolish the Incentive Fund and the Budget
16 Stabilization Replenishment Fund; to provide for effective dates; and to provide for related
17 matters.

18 Be it enacted by the Legislature of Louisiana:

19 Section 1.(A) Notwithstanding any provision of law to the contrary, the state
20 hospitals, or its successor state agencies, are hereby authorized and directed to deposit into
21 the state treasury all receipts of lease payments for the lease of state hospital buildings. The
22 state treasurer is hereby authorized and directed to transfer all payments for the lease of state
23 hospital buildings to the Overcollections Fund.

1 (B) After satisfying the requirements of the Bond Security and Redemption Fund
2 as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the requirements
3 of R.S. 46:440.1, the Medical Assistance Programs Fraud Detection Fund, and the
4 requirements of R.S. 49:259, the Department of Justice Legal Support Fund, and after
5 deposit into the state general fund, the treasurer shall transfer into the Overcollections Fund
6 an amount equal to the net settlement, judgment funds, or proceeds recovered by the attorney
7 general on behalf of the state related to any cause of action mentioned or raised in any suit
8 against pharmaceutical companies - including any affiliated, precursor, "formerly known as",
9 and/or successor entities - filed by, or on behalf of, the State of Louisiana. To the extent that
10 in satisfying the requirements of R.S. 49:259, the Department of Justice Legal Support Fund,
11 any monies from these settlement or judgment funds or proceeds are paid into the
12 Department of Justice Legal Support Fund, a like amount shall be transferred from the
13 Department of Justice Legal Support Fund into the Overcollections Fund.

14 (C) Notwithstanding any provision of law to the contrary, the state treasurer is
15 authorized and directed to transfer the proceeds of at least Twelve Million Dollars relating
16 to the assignment, transfer, sale, or lease of the Pointe Clair Farms to the Overcollections
17 Fund.

18 (D) Notwithstanding any provision of law to the contrary, the state treasurer is
19 authorized and directed to transfer to the Overcollections Fund the proceeds of at least Ten
20 Million Two Hundred Fifty Thousand Dollars relating to the assignment, transfer, sale, or
21 lease of the Baton Rouge State Office Building property to the Overcollections Fund.

22 (E) Notwithstanding any provision of law to the contrary, the state treasurer is
23 authorized and directed to transfer to the Overcollections Fund the proceeds of at least
24 Seventeen Million Eight Hundred Forty Thousand Dollars relating to the assignment,
25 transfer, sale, or lease of the Southeast Louisiana Hospital property to the Overcollections
26 Fund.

27 (F) Notwithstanding any provision of law to the contrary, the state treasurer is
28 authorized and directed to transfer the proceeds of at least Three Hundred Fifty Thousand
29 Dollars from the assignment, transfer, sale, or lease of the Wooddale Towers to the
30 Overcollections Fund.

1 (G) Notwithstanding any provision of law to the contrary, the state treasurer is
2 authorized and directed to transfer to the Overcollections Fund the proceeds relating to the
3 assignment, transfer, sale, or lease of the Hart Parking Garage property to the
4 Overcollections Fund.

5 (H) Notwithstanding any provision of law to the contrary, the state treasurer is
6 authorized and directed to transfer to the Overcollections Fund the proceeds relating to the
7 assignment, transfer, sale, or lease of the Greenwell Springs Hospital property to the
8 Overcollections Fund.

9 (I) Notwithstanding any provision of law to the contrary, the state treasurer is
10 authorized and directed to transfer to the Overcollections Fund the proceeds relating to the
11 assignment, transfer, sale, or lease of the Pines Campus property to the Overcollections
12 Fund.

13 (J) Notwithstanding any provision of law to the contrary, the state treasurer is
14 authorized and directed to transfer to the Overcollections Fund the proceeds relating to the
15 assignment, transfer, sale, or lease of the Southern Oaks Addiction Recovery property to the
16 Overcollections Fund.

17 (K) Notwithstanding any provision of law to the contrary, the state treasurer is
18 authorized and directed to transfer to the Overcollections Fund the proceeds relating to the
19 assignment, transfer, sale, or lease of the Bayou Region property to the Overcollections
20 Fund.

21 (L) Notwithstanding any provision of law to the contrary, the state treasurer is
22 authorized and directed to transfer to the Overcollections Fund the proceeds relating to the
23 assignment, transfer, sale, or lease of the MDC Apartment property to the Overcollections
24 Fund.

25 (M) Notwithstanding any provision of law to the contrary, the state treasurer is
26 authorized and directed to transfer to the Overcollections Fund the proceeds of at least Two
27 Million Dollars relating to the assignment, transfer, sale, or lease of properties to the
28 Department of Wildlife and Fisheries.

29 (N) Notwithstanding any provision of law to the contrary, the state treasurer is
30 authorized and directed to transfer Nine Hundred Ninety-Nine Thousand Four Hundred
31 Seventy-Four Dollars from the Louisiana Fire Marshal Fund into the Overcollections Fund.

1 (O) Notwithstanding any provision of law to the contrary, the state treasurer is
 2 authorized and directed to transfer One Million Six Hundred Fifty Eight Thousand Seven
 3 Hundred Fifteen Dollars from the 2% Fire Insurance Fund into the Overcollections Fund.

4 (P) Notwithstanding any laws to the contrary, the treasurer is hereby authorized and
 5 directed to transfer to the Overcollections Fund the amount of state general fund over Three
 6 Million Dollars identified by the Department of Revenue as increased net state tax receipts
 7 realized from the implementation of additional fraud initiatives.

8 (Q) The state treasurer is hereby authorized and directed to transfer One Million
 9 Ninety-Four Thousand Six Hundred Thirty-Three Dollars from the Overcollections Fund
 10 into the Prepaid Wireless 911 Services Fees and Self- Generated Revenues for prior year
 11 collections.

12 (R) Notwithstanding any provision of law to the contrary, the state treasurer is
 13 authorized and directed to transfer One Million One Hundred One Thousand Eight Hundred
 14 and Eighty-One Dollars from the Underwater Obstruction Removal Fund into the Oil and
 15 Gas Regulatory Fund.

16 (S) Notwithstanding any provision of law to the contrary, the state treasurer is
 17 authorized and directed to transfer Nine Hundred Seventy-Five Thousand Four Hundred
 18 Eighty-Three Dollars from the Employment Security Administration Account into the
 19 Overcollections Fund.

20 Section 2. Notwithstanding any provision of law to the contrary, the state treasurer
 21 shall not include unexpended and unencumbered monies in the Rapid Response Fund at the
 22 end of the 2012-2013 Fiscal Year in the determination of the unencumbered balance of the
 23 fund for purposes of determining the amount to be deposited into the fund at the beginning
 24 of the fiscal year pursuant to R.S. 51:2361(A)(2).

25 Section 3.(A) Notwithstanding any provision of the law to the contrary, the state
 26 treasurer is hereby authorized and directed to transfer Thirteen Million One Hundred Thirty-
 27 Two Thousand Eight Hundred Eighty-One Dollars of Fees and Self-Generated Revenues
 28 collected by the Department of Revenue to the Overcollections Fund.

29 (B) After satisfying the requirements of the Bond Security and Redemption Fund
 30 as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the state treasurer
 31 is hereby authorized and directed to transfer all loan payments received from political

1 subdivisions, under Section 7 of Act 41 of the 2006 First Extraordinary Session, of at least
2 Twenty-Eight Million Two Hundred Eighty-Four Thousand Five Hundred Dollars to the
3 Overcollections Fund.

4 (C) Notwithstanding any provision of the law to the contrary, the state treasurer is
5 hereby authorized and directed to transfer excess collections from Interagency Transfers and
6 Fees and Self-Generated Revenues of at least Ten Million Dollars into the Overcollections
7 Fund.

8 (D) Notwithstanding any provision of law to the contrary, the Louisiana Housing
9 Finance Agency or its successor is hereby authorized and directed to deposit into the state
10 treasury the unrestricted or unencumbered fund assets of Two Million Dollars. The state
11 treasurer is hereby authorized and directed to transfer the funds to the Overcollections Fund.

12 (E) Notwithstanding any provision of the law to the contrary, the state treasurer is
13 hereby authorized and directed to transfer Sixteen Million Dollars from the Self-Insurance
14 Fund to the Overcollections Fund.

15 (F) Notwithstanding any provision of law to the contrary, the Louisiana Property
16 Assistance Agency or its successor is hereby authorized and directed to deposit into the state
17 treasury the unrestricted or encumbered balance of Five Million Dollars. The state treasurer
18 is hereby authorized and directed to transfer the funds to the Overcollections Fund.

19 (G) Notwithstanding any provision of the law to the contrary, the state treasurer is
20 hereby authorized and directed to transfer the following amounts into the Overcollections
21 Fund from the funds specified below. The treasurer shall make such transfers from each
22 fund after fully funding the appropriation from the fund:

23 (1) Forty-Eight Thousand Two Hundred Ninety-Eight Dollars from the
24 Beautification and Improvement of the New Orleans City Park Fund.

25 (2) Fifty-Seven Thousand Seventy-One Dollars from the Compulsive and Problem
26 Gaming Fund.

27 (3) Five Hundred Eighty-Five Thousand Five Hundred Ninety-Eight Dollars from
28 the Department of Justice Legal Support Fund.

29 (4) Four Million Dollars from the Incentive Fund.

30 (5) Nine Hundred Eighty-Eight Thousand Six Hundred Thirty-Two Dollars from the
31 Louisiana Fire Marshal Fund.

1 (6) One Million Dollars from the Marketing Fund.

2 (7) Eleven Million Three Hundred Thousand Dollars from the Louisiana Mega-
3 Project Development Fund.

4 (8) Twenty-Five Thousand Nineteen Dollars from the New Orleans Urban Tourism
5 and Hospitality Training in Economic Development Foundation Fund.

6 (9) One Million Five Hundred Forty-One Thousand Four Hundred Forty Dollars
7 from the Penalty and Interest Account.

8 (10) Eight Million Six Hundred Five Thousand Three Hundred Ninety-Two Dollars
9 from the Riverboat Gaming Enforcement Fund.

10 (11) Seven Hundred Thousand Dollars from the Two Percent Fire Insurance Fund.

11 (H) Notwithstanding any provision of the law to the contrary, the state treasurer is
12 hereby authorized and directed to transfer the following amounts into the state general fund
13 from the funds specified below. The treasurer shall make such transfers from each fund after
14 fully funding the appropriation from the fund:

15 (1) Two Million Dollars from the Adult Probation and Parole Officer Retirement
16 Fund.

17 (2) Four Million One Hundred Fifty-Eight Thousand Five Hundred Sixty Dollars
18 from the Penalty and Interest Account.

19 (3) Twenty-Two Thousand Two Hundred Twenty-Seven Dollars from the
20 Community and Family Support System Fund.

21 (4) Two Hundred Twelve Thousand Eight Hundred Thirty-Eight Dollars from the
22 Department of Justice Debt Collection Fund.

23 (5) Four Hundred Seventy-One Thousand Five Hundred Sixty-Four Dollars from the
24 Energy Performance Contract Fund.

25 (6) One Hundred Fifty-Two Thousand Nine Hundred Fifty-One Dollars from the
26 Entertainment Promotion and Marketing Fund.

27 (7) Two Million Four Hundred Eighty-Seven Thousand One Hundred Forty-Six
28 Dollars from the Environmental Trust Fund.

29 (8) Eight Hundred Forty-Seven Thousand Six Hundred Forty-One Dollars from the
30 Health Care Facility Fund.

1 (9) Two Hundred Twenty-Five Thousand Six Hundred Thirty-Eight Dollars from
2 the Louisiana Filmmakers Grant Fund.

3 (10) One Hundred Forty-Four Thousand Four Hundred Thirty-Five Dollars from the
4 Louisiana Life Safety and Property Protection Trust Fund.

5 (11) One Hundred Six Thousand Nine Hundred Twenty Dollars from the Medical
6 and Allied Health Professional Education Scholarship and Loan Fund.

7 (12) One Hundred Seventy-Five Thousand Five Hundred Dollars from the Right to
8 Know Fund.

9 (13) One Million Nine Hundred Thousand Dollars from the Small Business Surety
10 Bonding Fund.

11 (14) Forty-Eight Thousand Nine Hundred Seventy-Eight Dollars from the Tax
12 Commission Expense Fund.

13 (15) Two Hundred Thirty-Three Thousand Three Hundred Thirty-Four Dollars from
14 the Tobacco Tax Health Care Fund.

15 (16) Eighteen Thousand Four Hundred Five Dollars from the Variable Earnings
16 Transaction Fund.

17 (17) Four Thousand Two Hundred Forty-Three Dollars from the Vital Records
18 Conversion Fund.

19 (I) Notwithstanding any provision of law to the contrary, the state treasurer is
20 authorized and directed to transfer Five Million Eight Hundred Thousand Dollars from the
21 Riverboat Gaming Enforcement Fund into the state general fund.

22 (J) Notwithstanding any provision of law to the contrary, the state treasurer is hereby
23 authorized and directed to transfer Five Million Dollars from the Overcollections Fund to
24 the state general fund.

25 (K) Notwithstanding any provision of the law to the contrary, the state treasurer is
26 hereby authorized and directed to transfer Seven Million Twenty-One Thousand Two
27 Hundred Seventy-One Dollars from the Medical Assistance Program Fraud Detection Fund
28 into the state general fund.

29 (L) Notwithstanding any provision of the law to the contrary, the state treasurer is
30 hereby authorized and directed to transfer Two Hundred Sixty-Seven Dollars from the
31 Higher Education Initiatives Fund into the state general fund. The state treasurer is further

1 authorized and directed to transfer all additional interest and proceeds to the state general
2 fund.

3 (M) Notwithstanding any provision of the law to the contrary, the state treasurer is
4 hereby authorized and directed to transfer Seventy-Six Dollars from the Louisiana State
5 Board of Private Investigator Examiners Fund into the state general fund. The state treasurer
6 is further authorized and directed to transfer all additional interest and proceeds exceeding
7 to the state general fund.

8 (N) Notwithstanding any provision of the law to the contrary, the state treasurer is
9 hereby authorized and directed to transfer Seven Hundred Ninety-One Thousand Seven
10 Hundred Forty-Five Dollars from the Louisiana Fire Marshal Fund into the state general
11 fund.

12 (O) Notwithstanding any provision of the law to the contrary, the state treasurer is
13 hereby authorized and directed to transfer One Million Eight Hundred Seventy-Eight
14 Thousand One Hundred Seventeen Dollars from the Two Percent Fire Insurance Fund into
15 the state general fund.

16 Section 4. R.S. 39:82(A), 87.5(E)(2), 94(C)(4)(b), and 352 are amended and
17 reenacted and Subpart H of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana
18 Revised Statutes of 1950, comprised of R.S. 39:100.11, is enacted to read as follows:

19 §82. Remission of cash balances to the state treasurer; authorized withdrawals of
20 state monies after the close of the fiscal year

21 A. All cash balances occurring from appropriations made by legislative act
22 or by the Interim Emergency Board regardless of date of passage to any state agency
23 for which no bona fide liability exists on the last day of each fiscal year shall be
24 remitted to the state treasurer by the fifteenth day following the last day of the fiscal
25 year. Any appropriations including those made by the Interim Emergency Board of
26 the preceding fiscal year remaining at the end of the fiscal year against which bona
27 fide liabilities existed as of the last day of the fiscal year may be withdrawn from the
28 state treasury during the forty-five day period after the last day of the fiscal year only
29 as such liabilities come due for payment. Prior to placing monies associated with
30 such unexpended appropriations into the state general fund, the state treasurer shall

1 make deposits to the ~~Incentive~~ Payments Towards the UAL Fund as are necessary
2 to satisfy the requirements of R.S. ~~39:87.5~~ 39:100.11.

3 * * *

4 §87.5. Exceptional Performance and Efficiency Incentive Program; ~~Incentive Fund~~

5 * * *

6 E. Rewards.

7 * * *

8 (2) The payment of such rewards shall be effectuated through presentation
9 of a warrant by the respective agency to the state treasurer, accompanied by a copy
10 of the committee resolution indicating the granting of the reward and the amount to
11 be paid from funds appropriated ~~from the Incentive Fund~~ in that fiscal year.
12 Notwithstanding any other provision of this Title to the contrary, the commissioner
13 of administration shall implement any internal budgetary adjustments necessary to
14 incorporate reward monies into the budget of the recipient agency for expenditure
15 pursuant to the respective resolution.

16 * * *

17 §94. Budget Stabilization Fund

18 * * *

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

21 * * *

22 (4)

23 * * *

24 (b) Notwithstanding any provision of this Section to the contrary, except
25 pursuant to a specific appropriation by the legislature, no appropriation or deposit to
26 the fund shall be made in the same fiscal year as an appropriation, use or withdrawal
27 is made from the fund or until such time as the official forecast exceeds the actual

1 collections of state general fund (direct) revenue for Fiscal Year 2008. The
2 provisions of this Subparagraph shall be null, void, and of no effect on July 1, 2015."

3 * * *

4 SUBPART H. PAYMENTS TOWARDS THE UAL FUND

5 §100.11. Payments Towards the UAL Fund

6 A. For Fiscal Year 2013-2014, the Payments Towards the UAL Fund,
7 hereinafter referred to as the "fund", is hereby created in the state treasury. The
8 source of monies deposited into the fund shall be a portion of the unexpended monies
9 returned to the state general fund at the end of Fiscal Year 2012-2013 and any
10 monies appropriated to the fund. The state treasurer shall transfer to the fund all cash
11 balances from unexpended and unencumbered state general fund appropriations
12 which are subject to remission to the state treasury under the provisions of R.S. 39:82
13 and R.S. 39:352. All unexpended and unencumbered monies in the fund at the end
14 of the fiscal year shall remain in the fund. Monies in the fund shall be invested by
15 the treasurer in the same manner as monies in the state general fund, and any interest
16 earned on the investment of monies in the fund shall be credited to the fund.

17 B. Monies in the fund shall be subject to appropriation exclusively to the
18 Louisiana State Employees' Retirement System and the Teachers' Retirement System
19 of Louisiana, hereinafter referred as the "systems," to defray the increased cost of
20 payments by postsecondary education institutions and their governing boards toward
21 the unfunded accrued liability. The "increased cost" shall be based on the increase
22 in the UAL portion of the projected employer contribution rate for Fiscal Year 2012-
23 2013 compared to the UAL portion of the projected employer contribution rate for
24 Fiscal Year 2013-2014. The systems shall certify to the state treasurer the "increased
25 cost" based on the projected Fiscal Year 2013-2014 payroll attributable to the
26 employees participating in each respective system. If the appropriation is
27 insufficient to defray the full amount of the increased cost, then an amount shall be
28 applied to the unfunded accrued liability on behalf of each postsecondary education
29 institution and their governing boards proportional to the projected Fiscal Year 2013-
30 2014 payroll attributable to the employees participating in the Louisiana State
31 Employees' Retirement System and the Teachers' Retirement System of Louisiana.

Any excess amount shall be used for application to the balance of the Original Amortization Bases of such systems, in proportion to the balance of each system's base. Any such payments to the public retirement systems shall not be used to fund cost-of-living increases for such systems.

* * *

§352. Cancellation of unexpended portions of appropriations; exceptions

Whenever any specific appropriation is made to meet any item of expenditure which occurs annually by provision of law or for contingent expense, and any portion of it remains unexpended at the end of the year for which the specific appropriation was made, after all legal claims against it for the year have been paid, the commissioner of administration shall cancel any balance of the appropriation, and each succeeding year he shall open a new account for the appropriation which may be made for that particular year, without carrying forward any unexpended balance of appropriation made for any previous year. This provision shall not apply to appropriations made to pay the debt of the state, principal and interest. Prior to placing monies associated with such unexpended appropriations into the state general fund, the state treasurer shall make deposits to the ~~Incentive~~ Payments Towards the UAL Fund as are necessary to satisfy the requirements of R.S. ~~39:87.5~~ 39:100.11.

Section 5. R.S. 40:600.90(A)(1)(a) and (2)(c) are hereby amended and reenacted to read as follows:

§600.90. Officers of the corporation; duties; liability

A. Executive director.

(1) Appointment.

(a) The board of directors of the corporation shall appoint an executive director of the corporation subject to confirmation by the Senate for a term not to exceed three years. Any person appointed shall meet all the requirements for being a member of the board of directors except for the requirement of R.S. 40:600.89(A)(2)(a).

* * *

(2) Duties; requirements.

* * *

1 (c) The executive director of the corporation shall ~~serve at the pleasure of the board~~
2 ~~of directors~~ be terminated only for cause.

3 * * *

4 Section 6. R.S. 47:302.2(B) and 332.6(B) are hereby amended and reenacted and R.S.
5 47:302.2(C)(1)(g) and (E) are hereby enacted to read as follows:

6 §302.2. Disposition of certain collections in the city of Shreveport

7 * * *

8 B. The monies in the Shreveport Riverfront and Convention Center and
9 Independence Stadium Fund shall be subject to annual appropriation by the
10 legislature. Except as provided in Subsections ~~(D)~~ D and E of this Section, the
11 monies in the fund shall be available exclusively for the purposes provided in
12 Subsection C of this Section. All unexpended and unencumbered monies in the fund
13 shall remain in the fund. The monies in the fund shall be invested by the treasurer in
14 the same manner as the monies in the state general fund, and all interest earned shall
15 be deposited into the state general fund.

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 * * *

20 (g)(i) The Redbud Festival in Vivian, Five Thousand Dollars.

21 (ii) The Sunflower Festival in Gilliam, Five Thousand Dollars.

22 (iii) The Poke Salad Festival in Shreveport, Five Thousand Dollars.

23 (iv) The Oil City Gusher Days in Oil City, Five Thousand Dollars.

24 * * *

25 E. Notwithstanding any other provision of this Section to the contrary, for
26 the 2013-2014 Fiscal Year, the amount of Seventy-five Thousand Dollars shall be
27 allocated to the Secretary of State for the restoration of the Shreveport Water Works
28 Museum.

29 * * *

30 §332.6. Disposition of certain collections in the city of Shreveport

31 * * *

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

14 Section 7.A. In order to help mitigate the budget shortfall resulting from
15 Congressional actions, which occurred shortly after the end of the 2012 Regular Session, that
16 caused a decrease in the state's Federal Medical Assistance Percentage (FMAP) rate to the
17 lowest point in over twenty years, the FMAP Stabilization Fund, hereafter referred to as "the
18 fund", is hereby created in the state treasury.

19 B. Notwithstanding any provision of law to the contrary, including Act 597 of 2012,
20 after complying with the provisions of Article VII, Section 9(B) of the Constitution of
21 Louisiana relative to the allocation of monies to the Bond Security and Redemption Fund,
22 the treasurer shall make the deposits required by this Act. The treasurer shall deposit into
23 the fund the difference between the official forecast of revenue available for expenditures
24 for Fiscal Year 2011-2012 adopted by the Revenue Estimating Conference on April 24,
25 2012, and actual collections of revenue available for expenditures in Fiscal Year 2011-2012
26 promulgated by the Joint Legislative Committee on the Budget, not to exceed the amount
27 of One Hundred Thirteen Million Two Hundred Twenty Thousand Eight Hundred and Seven
28 Dollars.

29 C. Monies in the fund shall be invested in the same manner as monies in the state
30 general fund. Interest earned on investment of monies in the fund shall be deposited in and
31 credited to the fund. Monies in the fund shall be used or expended as further provided by

1 law.

2 Section 8. R.S. 56:1703(C)(2)(c) and (d) are amended and reenacted and R.S.
3 56:1703(C)(2)(e) is hereby enacted to read as follows:

4 §1703. The Louisiana State Parks Improvement and Repair Fund

5 * * *

6 C. Except as provided in Paragraph(B)(2) of this Section, the monies in the
7 fund shall be used solely for the purpose of financing improvements and repairs at
8 state parks in the state and shall be allocated, subject to appropriation by the
9 legislature, as follows:

10 * * *

11 (2) Fifty percent of the monies in the fund shall be allocated for use
12 throughout the state park system on the following priority need basis, as
13 recommended by the assistant secretary of the office of state parks:

14 * * *

15 (c) Third, for addition of new facilities on existing park areas; ~~and~~

16 (d) Fourth, for acquisition of property to expand existing park areas;

17 (e) Fifth, for maintenance and operations of existing park areas.

18 * * *

19 Section 9. R.S. 39:87.5(B) and Section 4 of Act No. 597 of the 2012 Regular Session
20 are hereby repealed.

21 Section 10. This Act shall take effect and become operative only if House Bill No.
22 437 of this 2013 Regular Session of the Legislature is enacted into law.

23 Section 11. Subject to the provisions of Section 10 of this Act, Sections 1, 4, 5, and
24 7 through 12 of this Act shall become effective upon signature of the governor, or if not
25 signed by the governor, upon expiration of the time for bills to become law without signature
26 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana.

1 Section 12. Subject to the provisions of Section 10 of this Act, Sections 2, 3, and 6
2 of this Act shall become effective on July 1, 2013.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____