
COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Schroder in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Fannin

1 AMENDMENT NO. 1

2 On page 9, line 13, after "public" delete the remainder of the line

3
4 AMENDMENT NO. 2

5 On page 9, after line 30, insert the following:

6 "(2) The transfer of monies appropriated in this Act to an entity which is not
7 a budget unit of the state or any of its political subdivisions shall be made in
8 compliance with the provisions of this Paragraph. The provisions of this
9 Paragraph shall not apply to transfers of appropriations which are authorized by
10 specific provision of the Louisiana Revised Statutes of 1950 and the Constitution
11 of Louisiana.

12 (a) The transfer of state monies appropriated to an entity subject to the
13 provisions of this Paragraph upon the execution of a cooperative endeavor
14 agreement between the transferring agency and the recipient entity. The
15 agreement shall, at a minimum contain:

16 (i) The legal name and mailing address of the recipient entity and a
17 description of its legal status.

18 (ii) The names and addresses of all officers and directors of the recipient
19 entity.

20 (iii) A comprehensive budget of the anticipated uses of the appropriation; if
21 such budget contains provisions for grants to be made to other entities, then the
22 agreement shall contain a listing of all sub-recipients, or, at a minimum, a
23 detailed description of the grant application and approval process, ensuring that
24 funds are not provided for any use inconsistent with the provisions of the
25 agreement.

26 (iv) The estimated duration of the project;

27 (v) A plan including specific measures of performance and goals and
28 objectives for the use of the monies; and

29 (vi) In the event the appropriation provides for the acquisition of real
30 property, the agreement shall contain the address and legal description of the
31 property, the current title owner of the property, and proof of a title search within
32 the last six months. The agreement shall contain a prohibition on the sale or
33 donation of the property for a period of ten years and a stipulation that if the
34 entity ceases to exist or for any reason must forego its ownership of the property,
35 the title to the property shall revert to the state of Louisiana.

36 (b) Of the total monies being transferred pursuant to an appropriation, the
37 amount of monies to be expended on salaries shall not exceed thirty-five percent
38 of the total state monies, unless the appropriation provides specifically for
39 salaries in a specific amount.

40 (c) Unless the appropriation specifies as its purpose the acquisition of real
41 property, no monies transferred shall be used for the purchase of real property.

42 (d) The recipient entity shall provide to the transferring agency a written
43 report every six months. The report shall detail the use of the appropriations and
44 progress toward achieving the goals and objectives established in the agreement.
45 If the subject appropriation is in an amount which requires audit pursuant to R.S.
46 24:513, a copy of each report shall also be provided to the Legislative Auditor.

47 (e) In the event that the transferring agency determines that the recipient
48 entity has failed to use the monies set forth in its budget within the estimated
49 duration of the project, or has failed to reasonably achieve its specific goals and

objectives for the use of the monies, the transferring agency shall demand that any unexpended monies be returned to the state treasury unless approval to retain the monies is obtained from the Division of Administration or the Joint Legislative Committee on the Budget.

(f) Each recipient entity shall be audited in accordance with R.S. 24:513. If the amount of the public funds received by the entity is below the amount for which an audit is required under R.S. 24:513, the transferring agency shall monitor and evaluate the use of the funds to ensure effective achievement of the goals and objectives.

(g) Notwithstanding any provision of this Act to the contrary, no monies appropriated by this Act shall be released or provided to any recipient of an appropriation, if, when, and for as long as, the recipient fails or refuses to submit any written report that may have been required by Act 18 of the 2007 Regular Session regarding receipt of an appropriation.

(h) The transferring agency shall account for the reports received from each recipient, and shall confirm the receipt of a report by February 28, 2009 for each entity receiving an appropriation contained in this Act. The transferring agency shall provide a written report to the House Committee on Appropriations and the Senate Committee on Finance on the status of each recipient entity's compliance with the six month reporting requirement."

AMENDMENT NO. 3

On page 10, at the beginning of line 1, change "(2)" to "(3)"

AMENDMENT NO. 4

On page 10, at the beginning of line 6, change "(3)" to "(4)"