

2015 Regular Session

HOUSE BILL NO. 386

BY REPRESENTATIVE LEGER

FUNDS/FUNDING: Dedicates interest earnings of the Deepwater Horizon Economic Damages Collection Fund to higher education

1 AN ACT

2 To amend and reenact R.S. 39:91(C) and to enact R.S. 39:91(D), relative to the Deepwater
3 Horizon Economic Damages Collection Fund; to dedicate interest earnings from the
4 fund to higher education; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 39:91(C) is hereby amended and reenacted and R.S. 39:91(D) is
7 hereby enacted to read as follows:

8 §91. Deepwater Horizon Economic Damages Collection Fund

9 * * *

10 C.(1) All unexpended and unencumbered monies in the Deepwater Horizon
11 Economic Damages Collection Fund at the end of the fiscal year shall remain in the
12 fund. The monies in the fund shall be invested by the state treasurer in the same
13 manner as monies in the state general fund, and interest earned on the investment of
14 monies shall be credited to the fund.

15 (2)(a) Appropriations from the Deepwater Horizon Economic Damages
16 Collection Fund shall be limited to an annual amount not to exceed the estimated
17 aggregate annual earnings from interest earned on the investment of monies in the
18 fund and shall be made to the Board of Regents to be equitably allocated to public
19 postsecondary education institutions in the state in accordance with Article VIII,

1 Section 5(D)(4) of the Constitution of Louisiana. The board may also distribute such
2 appropriations to independent institutions for higher learning in accordance with R.S.
3 17:2053.

4 (b) The monies appropriated by the legislature and disbursed from the
5 Deepwater Horizon Economic Damages Collection Fund shall not displace, replace,
6 or supplant funding for higher education. This Subparagraph shall mean that no
7 appropriation for any fiscal year from the Deepwater Horizon Economic Damages
8 Collection Fund shall be made for any purpose for which a general fund
9 appropriation was made in the previous year unless the total appropriations for that
10 fiscal year from the state general fund for such purpose exceed general fund
11 appropriations for the previous year. This Subparagraph shall in no way limit
12 general fund appropriations in excess of the minimum amounts herein established.

13 D. This Subpart shall be null, void, and of no effect at the later of the
14 conclusion of the DWH litigation or July 1, 2024.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 386 Original

2015 Regular Session

Leger

Abstract: Dedicates interest from the Deepwater Horizon Economic Damages Collection Fund to institutions of higher education according to the formula adopted by the Board of Regents.

Present law establishes the Deepwater Horizon Economic Damages Collection Fund, herein after "fund", as a special permanent trust fund in the state treasury. Requires the proceeds of the state's economic damages claims asserted in the state's lawsuit against BP Exploration & Production as a result of the Deepwater Horizon explosion and oil spill after deposits are made to the Budget Stabilization Fund, the Medicaid Trust Fund for the Elderly, and the Health Trust Fund.

Proposed law retains present law and further provides that interest earned on the investment of monies in the fund shall be credited to the fund. Appropriations from the fund are limited to annual interest earnings and shall be made to the Board of Regents to be distributed to state public postsecondary education institutions in accordance with the formula for the equitable distribution of funds required by present constitution. Additionally allows appropriations to be distributed to independent institutions of higher learning in accordance with present law (R.S. 17:2053) which requires the Board of Regents to reimburse independent institutions of higher learning in the state for educating La. residents.

Proposed law requires that appropriations to the Board of Regents shall not displace, replace, or supplant funding for higher education.

(Amends R.S. 39:91(C); Adds R.S. 39:91(D))