

Regular Session, 2011

SENATE BILL NO. 90

BY SENATOR THOMPSON

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

FUNDS/FUNDING. Transfers certain monies from the Boll Weevil Eradication Fund to the Louisiana Agricultural Finance Authority. (gov sig)

AN ACT

To amend and reenact R.S. 3:1615(A)(3) and (B)(1) and to enact R.S. 3:1615(A)(4), relative to the Boll Weevil Eradication Fund; to provide relative to monies received from assessments; to transfer unexpended monies received from assessments to the Louisiana Agricultural Finance Authority; to provide relative to expenses of the program; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:1615(A)(3) and (B)(1) are hereby amended and reenacted and R.S. 3:1615(A)(4) is hereby enacted to read as follows:

§1615. Boll Weevil Eradication Fund; disposition of funds

A. All assessments, fees, penalties, and other funds received under the provisions of this Part shall be disposed of in accordance with the following provisions:

\* \* \*

(3) All unexpended and unencumbered monies **received from fees and penalties** in the fund at the end of each fiscal year shall remain in the Boll Weevil Eradication Fund. The monies in the fund shall be invested by the treasurer in the

1 same manner as monies in the state general fund. All interest earned on monies from  
2 the fund invested by the state treasurer shall be deposited in the fund.

3 **(4) All unexpended and unencumbered monies received from**  
4 **assessments in the fund at the end of each fiscal year shall be transferred to the**  
5 **Louisiana Agricultural Finance Authority to provide for the expenses of the**  
6 **program established by this Part.**

7 B. Subject to appropriation, the monies in the fund shall be used for the  
8 following purposes:

9 (1) To provide for the expenses of the program established by this Part, as  
10 determined by the ~~commission~~ **commissioner**.

11 \* \* \*

12 Section 2. This Act shall become effective upon signature by the governor or, if not  
13 signed by the governor, upon expiration of the time for bills to become law without signature  
14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
15 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
16 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Curry Johnson.

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#### DIGEST

Present law creates the Boll Weevil Eradication Fund and provides for the disposition of funds.

Proposed law retains present law.

Present law requires that all unexpended and unencumbered monies in the fund at the end of each fiscal year remain in the Boll Weevil Eradication Fund.

Proposed law specifies that only unexpended and unencumbered monies received from fees and penalties at the end of each fiscal year remain in the Boll Weevil Eradication Fund.

Proposed law transfers all unexpended and unencumbered monies received from assessments at the end of each fiscal year to the Louisiana Agricultural Finance Authority for boll weevil eradication program expenses.

Present law authorizes the Boll Weevil Eradication Commission to determine the use of monies for boll weevil eradication program expenses.

Proposed law authorizes the commissioner of agriculture to determine the use of monies for boll weevil eradication program expenses.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 3:1615(A)(3) and (B)(1); adds R.S. 3:1615(A)(4))