

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peterson to Engrossed Senate Bill No. 53 by Senator Alario

AMENDMENT NO. 1

On page 1, line 2, change "(C)(1)" to "(C)(1) and to add Article VII, Section 10.8(C)(2)(d)"

AMENDMENT NO. 2

On page 1, line 9, after "Fund;" and before "and to" insert "to provide for the uses of a portion of the monies in the Health Excellence Fund and the TOPS Fund;"

AMENDMENT NO. 3

On page 1, delete lines 14 and 15 and insert the following:

"Section 10.8(A)(1)(c), (A)(2), (3), (4), and (C)(1) and to add Article VII, Section 10.8(C)(2)(d) of the Constitution of Louisiana, to read as follows:"

AMENDMENT NO. 4

On page 3, delete lines 2 through 6 and insert the following:

"(b) Beginning Fiscal Year 2011-2012, and each fiscal year thereafter, the treasurer shall credit to the Health Excellence Fund fifty percent of the Settlement Agreement proceeds deposited into the Millennium Trust, and one-third of all investment earnings on the investment of the Millennium Trust. The treasurer shall report annually to the legislature as to the amount of Millennium Trust Settlement Agreement proceeds and investment earnings credited to the Health Excellence Fund.

(c) Upon the effective date of this Subsubparagraph, the state treasurer shall deposit, transfer, or otherwise credit funds in an amount equal to fifty percent of such Settlement Agreement proceeds received by the state between April 1, 2011 and the effective date of this Subsubparagraph to the Health Excellence Fund."

AMENDMENT NO. 5

On page 3, line 27, change "**one hundred**" to "**fifty**"

AMENDMENT NO. 6

On page 4, at the end of line 5, after "equal to" and before "such" insert "fifty percent of"

AMENDMENT NO. 7

On page 5, between lines 13 and 14, insert the following:

"(2) Appropriations from the Health Excellence Fund shall be restricted to the following purposes:

* * *

(d)(i) For Fiscal Year 2011-2012, the Settlement Agreement proceeds credited to and deposited into the Health Excellence Fund as provided by Subsubparagraphs (A)(2)(b) and (c) of this Section shall be appropriated for reimbursements to non-state providers of health care services under Louisiana's Medicaid program pursuant to Title XIX of the Social Security Act and Title XXI of the Social Security Act. No amount appropriated as required

herein shall displace, replace, or supplant appropriations from the general fund for the purposes specified. This Subsubparagraph shall mean that no appropriation for any fiscal year from the Health Excellence Fund shall be made for such purpose for which a general fund appropriation was made in the previous year unless the total appropriations for the fiscal year from the state general fund for such purpose exceeds general fund appropriations of the previous year.

(ii) For Fiscal Year 2012-2013 and each fiscal year thereafter, the Settlement Agreements proceeds credited to and deposited into the Health Excellence Fund as provided by Subsubparagraph (A)(2)(b) of this Section shall be appropriated for reimbursements to non-state providers of health care services under Louisiana's Medicaid program pursuant to Title XIX of the Social Security Act and Title XXI of the Social Security Act. No amount appropriated as required herein shall displace, replace, or supplant appropriations from the general fund for the purposes specified. This Subsubparagraph shall mean that no appropriation for any fiscal year from the Health Excellence Fund shall be made for such purpose for which a general fund appropriation was made in the previous year unless the total appropriations for the fiscal year from the state general fund for such purpose exceeds general fund appropriations of the previous year."

AMENDMENT NO. 8

On page 5, delete lines 25 through 29 and insert the following:

"hundred eighty million dollars, fifty percent of the annual Settlement Agreement proceeds shall be allocated to the TOPS Fund to support state programs of financial assistance for students attending Louisiana postsecondary institutions and fifty percent shall be allocated to the Health Excellence Fund for reimbursements to non-state providers of Medicaid health care services and shall not displace, replace, or supplant appropriations from the state general fund for such purposes; to provide for the deposit, transfer, or credit of certain monies in the Millennium Trust to the TOPS Fund and the Health Excellence Fund for such purposes."

AMENDMENT NO. 9

On page 6, at the end of line 1, change "(C)(1))" to "(C)(1) and add Article VII, Section 10.8(C)(2)(d))"