

Regular Session, 2012

HOUSE BILL NO. 183

BY REPRESENTATIVE LEGER

VETOED
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Veto Message

AN ACT

To amend and reenact R.S. 27:247 and 270(A)(3)(a), relative to the casino support services contract; to provide for the funding of such contract; to establish the Casino Support Services Fund as a special treasury fund; to provide for uses of monies in the fund; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 27:247 and 270(A)(3)(a) are hereby amended and reenacted to read as follows:

§247. Casino support services contract; Casino Support Services Fund

A. Subject to and in accordance with the provisions of this Chapter, the gaming control board shall enter into a casino support services contract with the governing authority of the parish where the official gaming establishment is located in order to compensate the parish ~~on a quarterly basis~~ for the cost to the parish for providing support services resulting from the operation of the official gaming establishment and the activities therein. Support services as used in this Section shall include but not be limited to fire, police, sanitation, health, transportation, and traffic services. The amount of the contract shall be determined by negotiation and agreement between the gaming control board and the parish, subject to approval by the Joint Legislative Committee on the Budget. In the event that a new contract is not agreed upon by the gaming control board and the parish by March thirty-first of any year, the contract currently in effect shall be submitted to the Joint Legislative Committee on the Budget for approval of the amount of the contract at the next meeting of the committee. If the committee approves the amount of the contract, the contract shall remain in full force and effect. If the committee disapproves or does not act upon the amount of the contract, the contract shall be null, void, and of no

1 effect. If the committee disapproves or does not act upon the amount of the contract
2 and the contract is null, void, and of no effect, the treasurer shall not deposit any
3 monies into the fund.

4 B.(1) There is hereby created in the state treasury, as a special fund, the
5 Casino Support Services Fund, hereinafter referred to as the "fund", to provide
6 compensation to the parish governing authority pursuant to a casino support services
7 contract executed pursuant to Subsection A of this Section.

8 (2) Monies in the fund shall be invested in the same manner as monies in the
9 general fund. Interest earned on investment of monies in the fund shall be credited
10 to the fund. Unexpended and unencumbered monies in the fund at the end of the
11 fiscal year shall remain in the fund.

12 C. Monies in the fund shall be appropriated to the parish governing authority
13 and used to compensate the parish for the cost to the parish of providing support
14 services resulting from the operation of the official gaming establishment and the
15 activities therein.

16 * * *

17 §270. Deposit of revenues; expenditures and investments authorized; transfer of
18 revenues to state treasury; corporation operating account; audit of
19 corporation books and records; audits

20 A.

21 * * *

22 (3)(a) Daily, the corporation shall transfer to the state treasury for deposit
23 into certain funds in the treasury, as provided in this Paragraph, the amount of net
24 revenues which the corporation determines are surplus to its needs. After first being
25 credited to the Bond Security and Redemption Fund in accordance with Article VII,
26 Section 9(B) of the Constitution of Louisiana, and after satisfying any other
27 requirements of the Constitution and laws of Louisiana, such net revenues shall be
28 deposited as follows:

29 (i) ~~Ten percent~~ The first one million eight hundred thousand dollars shall be
30 deposited in and credited to the Casino Support Services Fund; the next sixty million

dollars shall be deposited in and credited to the Support Education in Louisiana First Fund as provided in R.S. 17:421.7 and shall be used solely and exclusively for the same purposes provided for in Paragraph (B)(1) of that Section.

(ii) Any net revenues in excess of the above amounts shall be divided equally between the Casino Support Services Fund and the Support Education in Louisiana First Fund up to the actual casino support services contract amount.

(iii) Except in a year when the Joint Legislative Committee on the Budget disapproves or does not act upon the amount of the casino support services contract as provided in R.S. 27:247 and no revenues are required to be deposited in and credited to the Casino Support Services Fund, and after satisfying the requirements of Item (i) of this Subparagraph, all such net revenues shall be deposited in and credited to the Casino Support Services Fund as provided in R.S. 27:247, not to exceed the amount required to fully fund the casino support services contract most recently approved by the Joint Legislative Committee on the Budget.

(iv) ~~Ninety percent~~ The remainder shall be deposited in and credited to the Support Education in Louisiana First Fund as provided in R.S. 17:421.7.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

VETO MESSAGE

House Bill No. 183 by Representative Leger diverts the first \$1.8 million dollars away from the Support Education in Louisiana First (SELF) Fund, a fund used to support salary expenses for K-12 and higher education, to a new Casino Support Services Fund.

House Bill No. 183 restructures the revenue flow into the SELF Fund and imperils future funding for K-12 and higher education salaries. The objective of the bill is to fund the City of New Orleans' casino support services contract, which has already been achieved through HB 1.

For these reasons, I have vetoed House Bill No. 183 and hereby return it to the House of Representatives.