

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 822 by Representative Fannin

FUNDS/FUNDING: Provides for the transfer and deposit of monies among state funds

Synopsis of Senate Amendments

1. Creates the Budget Stabilization Replenishment Fund.
2. Provides for the use of monies in the Legislative Capitol Technology Enhancement Fund.
3. Provides for the use of monies in the Shreveport Riverfront and Convention Center and Independence Stadium Fund, including use by the LSU Health Sciences Center Shreveport.
4. Provides for significant transfers and deposits into the Overcollections Fund.
5. Provides for significant transfers and deposits into the state general fund.
7. Changes the transfer of specified amounts from specified funds and sources into the La. Medical Assistance Trust Fund.
8. Revises provisions specifying varying effective dates.
9. Provides for the use of monies in various local tourism funds.

Digest of Bill as Finally Passed by Senate**Fannin****HB No. 822****SECTION 1. MEDICAL ASSISTANCE TRUST FUND (EFFECTIVE GOV'S SIGNATURE)**Present law provides for insurance premium taxes based on gross annual premiums.Effective upon signature of the governor, proposed law requires insurance premium taxes from health care premium assessments paid by Medicaid-enrolled managed care organizations to be deposited into the La. Medical Assistance Trust Fund (MATF).**SECTION 2. LEGISLATIVE CAPITOL TECHNOLOGY ENHANCEMENT FUND (EFFECTIVE GOV'S SIGNATURE)**Present law provides for the purposes of the Legislative Capitol Technology Enhancement Fund. Provides that appropriations out of the fund shall be used by the Legislative Budgetary Control Council (the council) solely to fund construction, improvements, maintenance, renovations, repairs, and necessary additions to the House chamber, Senate chamber, legislative committee meeting rooms, and other legislative rooms, offices, and areas in the Capitol Complex for audio-visual upgrades and technology enhancements.Proposed law additionally authorizes monies to be used for supporting all other operations and activities consistent with the authorized mission of the council.

SECTION 3. SALES TAX DEDICATIONS FUNDS (EFFECTIVE JULY 1, 2012)

Present law provides for the purposes of the Shreveport Riverfront and Convention Center and Independence Stadium Fund.

Proposed law authorizes, for FY 2012-2013, that monies may be available for the LSU Health Sciences Center Shreveport, provided that any distributions shall be made quarterly after the distributions to entities which have pledged or dedicated such monies into bonds.

Proposed law additionally allocates \$50,000 out of the fund to The Shreveport Multicultural Center, Inc..

Present law provides for the purposes of the St. John the Baptist Convention Facility Fund. Provides that monies in the funds shall be available for acquisition of land and acquisition and/or construction of buildings for use as the St. John the Baptist Convention Facility.

Proposed law additionally authorizes monies in the fund to be used for economic development and tourism purposes.

Present law provides for the purposes of the Iberville Parish Visitor Enterprise Fund. Provides that monies in the fund shall be available for planning, development, or capital improvements of tourism sites in Iberville Parish.

Proposed law additionally authorizes monies in the fund to be used for economic development and tourism purposes.

Present law provides for the purposes of the West Baton Rouge Parish Visitor Enterprise Fund. Provides that monies in the fund shall be available for planning, development, or capital improvements of tourism sites in West Baton Rouge Parish.

Proposed law additionally authorizes monies in the fund to be used for economic development and tourism purposes.

SECTION 4. BUDGET STABILIZATION REPLENISHMENT FUND (EFFECTIVE GOV'S SIGNATURE)

Proposed law establishes the Budget Stabilization Replenishment Fund (the fund) as a special treasury fund. Requires the treasurer to deposit into the fund the difference between the official forecast of revenue available for expenditures for FY 2011-2012 adopted by the Revenue Estimating Conference on April 24, 2012, and actual collections of revenue available for expenditures in FY 2011-2012 as promulgated by the Revenue Estimating Conference, not to exceed \$204,700,000. Monies in the fund shall be transferred by the treasurer to the Budget Stabilization Fund in the state treasury.

SECTION 5. STATE GENERAL FUND (EFFECTIVE GOV'S SIGNATURE)

Effective upon signature of the governor, authorizes and directs the state treasurer to transfer to the state general fund at least \$78,348,303 from all loan payments received from political subdivisions under §7 of Act No. 41 of the 2006 First E.S.

Effective upon signature of the governor, authorizes the state treasurer to transfer the following amounts into the state general fund from the following funds:

Amount	Fund
\$ 240	Algiers Economic Development Foundation Fund
\$ 41,366	Automobile Theft and Insurance Fraud Prevention Authority Fund
\$ 1,198	Beautification Project For New Orleans Neighborhoods Fund
\$ 7,689	Bossier Parish Truancy Program Fund

\$ 1,760	Casino Gaming Proceeds Fund
\$ 243,326	Concealed Handgun Permit Fund
\$ 202,373	Department of Justice Debt Collection Fund
\$ 436,812	Department of Justice Legal Support Fund
\$ 58,240	Entertainment Promotion and Marketing Fund
\$ 2,164,131	Environmental Trust Fund
\$ 95,326	FEMA Reimbursement Fund
\$ 1,240	Friends of NORD Fund
\$ 330	Greater New Orleans Sports Foundation Fund
\$ 312	Higher Education Initiatives Fund
\$ 50,000	Incentive Fund
\$10,000,000	Legislative Capitol Technology Enhancement Fund
\$ 1,415	Litter Abatement and Education Account
\$ 3,752	Louisiana Agricultural Finance Authority Fund
\$ 8,158,250	Louisiana Economic Development Fund
\$ 183,949	Louisiana Filmmakers Grant Fund
\$ 4,132	Louisiana Highway Safety Fund
\$ 3,400,000	Louisiana Mega-Project Development Fund
\$ 17,634	Mineral and Energy Operation Fund
\$ 1,295	New Orleans Urban Tourism and Hospitality Training In Economic Development Foundation Fund
\$ 563,330	Oil and Gas Regulatory Fund
\$ 1,000,000	Penalty and Interest Account
\$ 4,025	Right-to-Know Fund
\$ 145,660	Small Business Surety Bonding Fund
\$ 13	Teacher Educational Aid For Children Fund
\$ 3,604	Tobacco Control Special Fund
\$ 690,000	Two-Percent Fire Insurance Fund
\$ 22,920	Underground Damages Prevention Fund
\$ 1,245	UNO Slidell Technology Park Fund
\$ 23,142	Variable Earnings Transaction Fund

Effective upon signature of the governor, authorizes and directs the state treasurer to transfer to the state general fund an amount equal to the settlement funds or proceeds recovered by the attorney general on behalf of the state related to any cause of action mentioned or raised in any suit involving Average Wholesale Price (AWP) filed by, or on behalf of, the State of Louisiana against Dey Pharma, a subsidiary of Mylan, Inc.; Schering-Plough or Merck & Co.; Boehringer Ingelheim GmbH; Purdue; GlaxoSmithKline or Abbott Lab; and/or Actavis Group, including any affiliated, precursor, "formerly known as", and/or successor entities. If monies from these settlement funds or proceeds are paid into the Dept. of Justice Legal Support Fund, a like amount shall be transferred from the fund into the state general fund. Provides deposit into the general fund is after satisfying the requirements of the Bond Security and Redemption Fund, the Medical Assistance Programs Fraud Detection Fund, and the Dept. of Justice Legal Support Fund. Further authorizes and directs the state treasurer to deposit proceeds from other lawsuits involving Average Wholesale Price into the Louisiana Medical Assistance Trust Fund.

Effective upon signature, authorizes and directs the state treasurer to transfer \$3,831,168 of fees and self-generated revenues from the Department of Revenue to the state general fund.

SECTION 6. LOUISIANA MEDICAL ASSISTANCE TRUST FUND (EFFECTIVE JULY 1, 2012)

Effective July 1, 2012, authorizes and directs the Ernest N. Morial New Orleans Exhibition Hall Authority or its successor to deposit into the state treasury the unrestricted or unencumbered fund balances of \$20,000,000. Authorizes and directs the state treasurer to transfer such funds to the La. Medical Assistance Trust Fund.

Effective July 1, 2012, authorizes and directs the state treasurer to transfer to the La. Medical Assistance Trust Fund all loan payments received from political subdivisions, except from the city of New Orleans, under §7 of Act No. 41 of the 2006 First E.S., of at least \$25,978,881.

Effective July 1, 2012, authorizes and directs the state treasurer to transfer the following amounts into the La. Medical Assistance Trust Fund from the following funds:

Amount	Fund
\$ 96,743	Administrative Fund of the Department of Insurance
\$ 3,950,000	Incentive Fund
\$ 759,107	Louisiana Fire Marshal Fund
\$ 21,485	Louisiana Help Our Wildlife Fund
\$ 34,288	Motor Carrier Regulation Fund
\$ 2,291,112	Office of Motor Vehicles Customer Service and Technology Fund
\$ 1,808,462	Riverboat Gaming Enforcement Fund
\$ 119,900	Telephonic Solicitation Relief Fund
\$ 1,724,285	Traumatic Head and Spinal Cord Injury Trust Fund
\$ 760,050	Utility and Carrier Inspection and Supervision Fund

SECTION 7. OVERCOLLECTIONS FUND (EFFECTIVE JULY 1, 2012)

Authorizes and directs the state treasurer to transfer \$35,000,000 of all proceeds from the sale of New Orleans Adolescent Hospital to the Overcollections Fund and the remainder to the state general fund.

SECTION 7.1. OVERCOLLECTIONS FUND (EFFECTIVE JULY 1, 2012)

Authorizes and directs the state treasurer to transfer all proceeds from the sale of the former Insurance Building site, including existing parking structure, to the Overcollections Fund.

SECTION 8. STATE GENERAL FUND (EFFECTIVE JULY 1, 2012)

Effective July 1, 2012, authorizes and directs the state treasurer to transfer FEMA reimbursements of \$10,000,000 to the state general fund. Authorizes and directs the state treasurer to transfer FEMA reimbursements in excess of \$10,000,000 to the Overcollections Fund.

Effective July 1, 2012, authorizes and directs the state treasurer to transfer \$2,800,000 from the Louisiana Tourism Promotion District Fund into the state general fund.

Effective July 1, 2012, authorizes and directs the state treasurer to transfer \$56,000,000 from excess property insurance recovery in the Self-Insurance Fund to the state general fund. Authorizes and directs the state treasurer to transfer excess property insurance recovery in excess of \$56,000,000 to the Overcollections Fund.

Effective July 1, 2012, directs the LA Housing Finance Agency to transfer \$11,000,000 of unrestricted and unencumbered assets into the state general fund.

Effective July 1, 2012, authorizes and directs the state treasurer to transfer \$20,104,698 from the Coastal Protection and Restoration Fund to the state general fund.

Effective July 1, 2012, authorizes and directs the state treasurer to transfer \$7,000,000 from the Mortgage Settlement Agreement out of the LA. Dept. of Justice Consumer Enforcement Escrow Account/Fund into the Dept. of Justice Legal Support Fund and then out of the legal support fund into the state general fund.

SECTION 9. STATE GENERAL FUND (EFFECTIVE JULY 1, 2012)

Effective July 1, 2012, authorizes and directs the state treasurer to transfer \$20,104,698 from state general fund from nonrecurring revenue to the Coastal Protection and Restoration Fund.

SECTION 10. STATE GENERAL FUND (EFFECTIVE GOV'S SIGNATURE)

Effective upon signature of the governor, authorizes and directs the state treasurer to transfer the following amounts into the state general fund:

- \$ 864,176 Academic Improvement Fund
- \$ 3,721,315 Adult Probation and Parole Officer Retirement Fund

SECTION 11. OVERCOLLECTIONS FUND (EFFECTIVE GOV'S SIGNATURE)

Effective upon signature of the governor, authorizes and directs the state treasurer to transfer \$6,058,394 from the Orleans Parish School Board debt payoff under §7 of Act No. 41 of the 2006 First E.S. to the Overcollections Fund.

SECTION 12. RAPID RESPONSE FUND (EFFECTIVE JULY 1, 2012)

Effective July 1, 2012, provides that the state treasurer shall not include unexpended and unencumbered monies in the Rapid Response Fund at the end of FY 2011-2012 in the determination of the unencumbered balance of the fund for purposes of determining the amount to be deposited into the fund at the beginning of the fiscal year pursuant to R.S. 51:2361(A)(2).

(Amends R.S. 22:842, 24:39(D), and R.S. 47:302.2(B), 332.4(B), 332.6(B), 332.18(B), and 332.19(B); adds R.S. 47:302.2(D))