
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 452
by Representative Fannin

1 AMENDMENT NO. 1

2 On page 1, line 2, change "provide" to "amend and reenact R.S. 39:82(A), 87.5(E)(2), and
3 352, R.S. 40:600.90(A)(1)(a) and (2)(c), and R.S. 47:302.2(B) and 332.6(B), and to enact
4 Subpart H of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised
5 Statutes of 1950, to be comprised of R.S. 39:100.11, and R.S. 47:302.2(C)(1)(g) and (E), to
6 repeal R.S. 39:87.5(B) and Section 4 of Act 597 of the 2012 Regular Session, and to
7 provide"

8 AMENDMENT NO. 2

9 On page 1, line 4, change "treasury;" to "treasury; to establish the Payments Towards the
10 UAL Fund; to provide for the term of the executive director of the Louisiana Housing
11 Corporation; to provide for the use of monies in the Shreveport Riverfront and Convention
12 Center and Independence Stadium Fund; to establish the FMAP Stabilization Fund as a
13 special fund in the state treasury; to abolish the Incentive Fund and the Budget Stabilization
14 Replenishment Fund;"

15 AMENDMENT NO. 3

16 On page 3, between lines 18 and 19, insert the following:

17 (N) The state treasurer is hereby authorized and directed to transfer One
18 Million Ninety-Four Thousand Six Hundred Thirty-Three Dollars from the
19 Overcollections Fund into the Prepaid Wireless 911 Services Fees and Self-
20 Generated Revenues for prior year collections.

21 (O) Notwithstanding any provision of law to the contrary, the state treasurer
22 is authorized and directed to transfer One Million One Hundred One Thousand Eight
23 Hundred and Eighty-One Dollars from the Underwater Obstruction Removal Fund
24 into the Oil and Gas Regulatory Fund.

25 (P) Notwithstanding any provision of law to the contrary, the state treasurer
26 is authorized and directed to transfer Nine Hundred Seventy-Five Thousand Four
27 Hundred Eighty-Three Dollars from the Community Water Enrichment Fund into the
28 Overcollections Fund."

29 AMENDMENT NO. 4

30 On page 3, line 25, after "to transfer" delete the remainder of the line, delete lines 26 and 27,
31 and insert the following:

32 "Thirteen Million One Hundred Thirty-Two Thousand Eight Hundred Eighty-One
33 Dollars of Fees and Self-Generated Revenues collected by the Department of
34 Revenue to the Overcollections Fund."

35 AMENDMENT NO. 5

36 On page 5, delete lines 16 and 17

37 AMENDMENT NO. 6

38 On page 5, between lines 17 and 18, insert the following:

1 Section 4. (A) The state treasurer is hereby authorized and directed to
2 transfer One Hundred Million Dollars from the Coastal Protection and Restoration
3 Fund to the state general fund.

4 (B) The state treasurer is hereby authorized and directed to transfer Seventy-
5 Seven Million Dollars from the Louisiana Mega-Project Development Fund to the
6 state general fund.

7 (C) The state treasury is hereby authorized and directed to transfer Ten
8 Million Dollars from the Rapid Response Fund to the state general fund.

9 Section 5. R.S. 39:82(A), 87.5(E)(2), and 352 are amended and reenacted
10 and Subpart H of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana
11 Revised Statutes of 1950, comprised of R.S. 39:100.11, is enacted to read as follows:

12 §82. Remission of cash balances to the state treasurer; authorized withdrawals of
13 state monies after the close of the fiscal year

14 A. All cash balances occurring from appropriations made by legislative act
15 or by the Interim Emergency Board regardless of date of passage to any state agency
16 for which no bona fide liability exists on the last day of each fiscal year shall be
17 remitted to the state treasurer by the fifteenth day following the last day of the fiscal
18 year. Any appropriations including those made by the Interim Emergency Board of
19 the preceding fiscal year remaining at the end of the fiscal year against which bona
20 fide liabilities existed as of the last day of the fiscal year may be withdrawn from the
21 state treasury during the forty-five day period after the last day of the fiscal year only
22 as such liabilities come due for payment. Prior to placing monies associated with
23 such unexpended appropriations into the state general fund, the state treasurer shall
24 make deposits to the ~~Incentive Payments Towards the UAL~~ Fund as are necessary
25 to satisfy the requirements of R.S. ~~39:87.5~~ 39:100.11.

26 * * *

27 §87.5. Exceptional Performance and Efficiency Incentive Program; ~~Incentive Fund~~

28 * * *

29 E. Rewards.

30 * * *

31 (2) The payment of such rewards shall be effectuated through presentation
32 of a warrant by the respective agency to the state treasurer, accompanied by a copy
33 of the committee resolution indicating the granting of the reward and the amount to
34 be paid from funds appropriated ~~from the Incentive Fund~~ in that fiscal year.
35 Notwithstanding any other provision of this Title to the contrary, the commissioner
36 of administration shall implement any internal budgetary adjustments necessary to
37 incorporate reward monies into the budget of the recipient agency for expenditure
38 pursuant to the respective resolution.

39 * * *

40 SUBPART H. PAYMENTS TOWARDS THE UAL FUND

41 §100.11. Payments Towards the UAL Fund

42 A. For Fiscal Year 2013-2014, the Payments Towards the UAL Fund,
43 hereinafter referred to as the "fund", is hereby created in the state treasury. The
44 source of monies deposited into the fund shall be a portion of the unexpended monies
45 returned to the state general fund at the end of the fiscal year and any monies
46 appropriated to the fund. The state treasurer shall transfer to the fund all cash
47 balances from unexpended and unencumbered state general fund appropriations
48 which are subject to remission to the state treasury under the provisions of R.S.
49 39:82. All unexpended and unencumbered monies in the fund at the end of the fiscal
50 year shall remain in the fund. Monies in the fund shall be invested by the treasurer
51 in the same manner as monies in the state general fund, and any interest earned on
52 the investment of monies in the fund shall be credited to the fund.

53 B. Monies in the fund shall be subject to appropriation exclusively to the
54 Louisiana State Employees' Retirement System and the Teachers' Retirement System
55 of Louisiana for application to the balance of the unfunded accrued liability of such
56 systems existing as of June 30, 1988, in proportion to the balance of such unfunded
57 accrued liability of each such system. Any such payments to the public retirement
58 systems shall not be used, directly or indirectly, to fund cost-of-living increases for
59 such systems.

60 * * *

1 §352. Cancellation of unexpended portions of appropriations; exceptions
 2 Whenever any specific appropriation is made to meet any item of expenditure
 3 which occurs annually by provision of law or for contingent expense, and any
 4 portion of it remains unexpended at the end of the year for which the specific
 5 appropriation was made, after all legal claims against it for the year have been paid,
 6 the commissioner of administration shall cancel any balance of the appropriation,
 7 and each succeeding year he shall open a new account for the appropriation which
 8 may be made for that particular year, without carrying forward any unexpended
 9 balance of appropriation made for any previous year. This provision shall not apply
 10 to appropriations made to pay the debt of the state, principal and interest. Prior to
 11 placing monies associated with such unexpended appropriations into the state general
 12 fund, the state treasurer shall make deposits to the ~~Incentive~~ Payments Towards the
 13 UAL Fund as are necessary to satisfy the requirements of R.S. ~~39:87.5~~ 39:100.11.

14 Section 6. R.S. 40:600.90(A)(1)(a) and (2)(c) are hereby amended and reenacted to
 15 read as follows:

16 §600.90. Officers of the corporation; duties; liability

17 A. Executive director.

18 (1) Appointment.

19 (a) The board of directors of the corporation shall appoint an executive
 20 director of the corporation subject to confirmation by the Senate for a term not to
 21 exceed three years. Any person appointed shall meet all the requirements for being
 22 a member of the board of directors except for the requirement of R.S.
 23 40:600.89(A)(2)(a).

24 * * *

25 (2) Duties; requirements.

26 * * *

27 (c) The executive director of the corporation shall ~~serve at the pleasure of the board~~
 28 ~~of directors~~ only be terminated for cause.

29 * * *

30 Section 7. R.S. 47:302(B) and 332.6(B) are hereby amended and reenacted and R.S.
 31 47:302.2(C)(1)(g) and (E) are hereby enacted to read as follows:

32 §302.2. Disposition of certain collections in the city of Shreveport

33 * * *

34 B. The monies in the Shreveport Riverfront and Convention Center and
 35 Independence Stadium Fund shall be subject to annual appropriation by the
 36 legislature. Except as provided in Subsections (D) and (E) of this Section, the monies
 37 in the fund shall be available exclusively for the purposes provided in Subsection C
 38 of this Section. All unexpended and unencumbered monies in the fund shall remain
 39 in the fund. The monies in the fund shall be invested by the treasurer in the same
 40 manner as the monies in the state general fund, and all interest earned shall be
 41 deposited into the state general fund.

42 C. Subject to an annual appropriation by the legislature, monies in the fund
 43 shall be used as follows:

44 (1) For allocation from all monies in the fund in the following amounts:

45 * * *

46 (g)(i) The Redbud Festival in Vivian, Five Thousand Dollars.

47 (ii) The Sunflower Festival in Gilliam, Five Thousand Dollars.

48 (iii) The Poke Salad Festival in Shreveport, Five Thousand Dollars.

49 (iv) The Oil City Gusher Days in Oil City, Five Thousand Dollars.

50 * * *

51 E. Notwithstanding any other provision of this Section to the contrary, for the
 52 2013-2014 Fiscal Year, the amount of Seventy-five Thousand Dollars shall be
 53 allocated to the Secretary of State for the restoration of the Shreveport Water Works
 54 Museum.

55 * * *

56 §332.6. Disposition of certain collections in the city of Shreveport

57 * * *

58 B. The monies in the Shreveport Riverfront and Convention Center and
 59 Independence Stadium Fund shall be subject to an annual appropriation by the
 60 legislature. The monies in the fund shall be available exclusively for the purposes

1 provided in R.S. 47:302.2(C) and (D). However, forty thousand dollars of the monies
 2 deposited in the fund shall be allocated annually to Pamoja Art Society for African-
 3 American cultural activities in Shreveport, fifty thousand dollars of the monies
 4 deposited into the fund shall be allocated annually to The Shreveport Multicultural
 5 Center, Inc., and ~~ten~~ fifteen thousand dollars of the monies deposited in the fund
 6 shall be allocated annually to the Rho Omega and Friends, Inc. for the Good Time
 7 Rho Festival. All unexpended and unencumbered monies in the fund shall remain in
 8 the fund. The monies in the fund shall be invested by the treasurer in the same
 9 manner as the monies in the state general fund, and all interest earned shall be
 10 deposited in the state general fund.

11 Section 8.A. In order to help mitigate the budget shortfall resulting from
 12 Congressional actions, which occurred shortly after the end of the 2012 Regular
 13 Session, which caused a decrease in the state's Federal Medical Assistance
 14 Percentage (FMAP) rate to the lowest point in over twenty years, the FMAP
 15 Stabilization Fund, hereafter referred to as the fund, is hereby created in the state
 16 treasury.

17 B. Notwithstanding any provision of law to the contrary, including Act 597
 18 of 2012, after complying with the provisions of Article VII, Section 9(B) of the
 19 Constitution of Louisiana relative to the allocation of monies to the Bond Security
 20 and Redemption Fund, the treasurer shall make the deposits required by this Act.
 21 The treasurer shall deposit into the fund the difference between the official forecast
 22 of revenue available for expenditures for Fiscal Year 2011-2012 adopted by the
 23 Revenue Estimating Conference on April 24, 2012, and actual collections of revenue
 24 available for expenditures in Fiscal Year 2011-2012 to be promulgated by the Joint
 25 Legislative Committee on the Budget, not to exceed the amount of One Hundred
 26 Thirteen Million Two Hundred Twenty Thousand Eight Hundred and Seven Dollars.

27 C. Monies in the fund shall be invested in the same manner as monies in the
 28 state general fund. Interest earned on investment of monies in the fund shall be
 29 deposited in and credited to the fund. Monies in the fund shall be used or expended
 30 as further provided by law."

31 Section 9. R.S. 39:87.5(B) and Section 4 of Act 597 of the 2012 Regular
 32 Session are hereby repealed."

33 AMENDMENT NO. 7

34 On page 5, line 18, change "Section 4. Sections 1, 4 and 5" to "Section 10. Sections 1, 5,
 35 and 8 through 11"

36 AMENDMENT NO. 8

37 On page 5, line 22, change "Sections 1, 4 and 5" to "Sections 1, 5, and 8 through 11"

38 AMENDMENT NO. 9

39 On page 5, line 24, change "Section 5. Sections 2 and 3" to "Section 11. Sections 2, 3, 4, 6,
 40 and 7"

41 AMENDMENT NO. 10

42 On page 5, line 25, change "Sections 2 and 3" to "Sections 2, 3, 4, 6, and 7"