Regular Session, 2013

HOUSE BILL NO. 452

1

## BY REPRESENTATIVE FANNIN

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

AN ACT

2	To amend and reenact R.S. 39:82(A), 87.5(E)(2), 94(C)(4)(b), and 352, R.S.
3	40:600.90(A)(1)(a) and (2)(c), and R.S. 47:302.2(B) and 332.6(B), R.S. 56:1703.(C)(2)(c)
4	and (d), and to enact Subpart H of Part II-A of Chapter 1 of Subtitle I of Title 39 of the
5	Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.11, R.S.
6	47:302.2(C)(1)(g) and (E), and R.S. 56:1703(C)(2)(e), to repeal R.S. 39:87.5(B) and Section
7	4 of Act No. 597 of the 2012 Regular Session, to provide relative to special treasury funds;
8	to provide for the transfer, dedication, use, and appropriations as specified of certain treasury
9	funds; to provide for the deposit of certain funds into the state treasury; to establish the
10	Payments Towards the UAL Fund; to provide for the term of the executive director of the
11	Louisiana Housing Corporation; to provide for deposits or appropriations into the Budget
12	Stabilization Fund; to provide for the use of monies in the Shreveport Riverfront and
13	Convention Center and Independence Stadium Fund; to establish the FMAP Stabilization
14	Fund as a special fund in the state treasury; to provide for the use of monies in the Louisiana
15	State Parks Improvement and Repair Fund; to abolish the Incentive Fund and the Budget
16	Stabilization Replenishment Fund; to provide for effective dates; and to provide for related
17	matters.
18	Be it enacted by the Legislature of Louisiana:
19	Section 1.(A) Notwithstanding any provision of law to the contrary, the state
20	hospitals, or its successor state agencies, are hereby authorized and directed to deposit into
21	the state treasury all receipts of lease payments for the lease of state hospital buildings. The
22	state treasurer is hereby authorized and directed to transfer all payments for the lease of state
23	hospital buildings to the Overcollections Fund.

(B) After satisfying the requirements of the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the requirements of R.S. 46:440.1, the Medical Assistance Programs Fraud Detection Fund, and the requirements of R.S. 49:259, the Department of Justice Legal Support Fund, and after deposit into the state general fund, the treasurer shall transfer into the Overcollections Fund an amount equal to the net settlement, judgment 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 against pharmaceutical companies - including any affiliated, precursor, "formerly known as", and/or successor entities - filed by, or on behalf of, the State of Louisiana. To the extent that in satisfying the requirements of R.S. 49:259, the Department of Justice Legal Support Fund, any monies from these settlement or judgment funds or proceeds are paid into the Department of Justice Legal Support Fund, a like amount shall be transferred from the

- (C) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer the proceeds of at least Twelve Million Dollars relating to the assignment, transfer, sale, or lease of the Pointe Clair Farms to the Overcollections Fund.
- (D) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer to the Overcollections Fund the proceeds of at least Ten Million Two Hundred Fifty Thousand Dollars relating to the assignment, transfer, sale, or lease of the Baton Rouge State Office Building property to the Overcollections Fund.
- (E) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer to the Overcollections Fund the proceeds of at least Seventeen Million Eight Hundred Forty Thousand Dollars relating to the assignment, transfer, sale, or lease of the Southeast Louisiana Hospital property to the Overcollections Fund.
- (F) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer the proceeds of at least Three Hundred Fifty Thousand Dollars from the assignment, transfer, sale, or lease of the Wooddale Towers to the Overcollections Fund.

(G) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer to the Overcollections Fund the proceeds relating to the assignment, transfer, sale, or lease of the Hart Parking Garage property to the Overcollections Fund.

- (H) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer to the Overcollections Fund the proceeds relating to the assignment, transfer, sale, or lease of the Greenwell Springs Hospital property to the Overcollections Fund.
- (I) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer to the Overcollections Fund the proceeds relating to the assignment, transfer, sale, or lease of the Pines Campus property to the Overcollections Fund.
- (J) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer to the Overcollections Fund the proceeds relating to the assignment, transfer, sale, or lease of the Southern Oaks Addiction Recovery property to the Overcollections Fund.
- (K) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer to the Overcollections Fund the proceeds relating to the assignment, transfer, sale, or lease of the Bayou Region property to the Overcollections Fund.
- (L) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer to the Overcollections Fund the proceeds relating to the assignment, transfer, sale, or lease of the MDC Apartment property to the Overcollections Fund.
- (M) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer to the Overcollections Fund the proceeds of at least Two Million Dollars relating to the assignment, transfer, sale, or lease of properties to the Department of Wildlife and Fisheries.
- (N) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer Nine Hundred Ninety-Nine Thousand Four Hundred Seventy-Four Dollars from the Louisiana Fire Marshal Fund into the Overcollections Fund.

(O) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer One Million Six Hundred Fifty Eight Thousand Seven Hundred Fifteen Dollars from the 2% Fire Insurance Fund into the Overcollections Fund.

- (P) Notwithstanding any laws to the contrary, the treasurer is hereby authorized and directed to transfer to the Overcollections Fund the amount of state general fund over Three Million Dollars identified by the Department of Revenue as increased net state tax receipts realized from the implementation of additional fraud initiatives.
- (Q) The state treasurer is hereby authorized and directed to transfer One Million Ninety-Four Thousand Six Hundred Thirty-Three Dollars from the Overcollections Fund into the Prepaid Wireless 911 Services Fees and Self- Generated Revenues for prior year collections.
- (R) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer One Million One Hundred One Thousand Eight Hundred and Eighty-One Dollars from the Underwater Obstruction Removal Fund into the Oil and Gas Regulatory Fund.
- (S) Notwithstanding any provision of law to the contrary, the state treasurer is authorized and directed to transfer Nine Hundred Seventy-Five Thousand Four Hundred Eighty-Three Dollars from the Employment Security Administration Account into the Overcollections Fund.
- Section 2. Notwithstanding any provision of law to the contrary, the state treasurer shall not include unexpended and unencumbered monies in the Rapid Response Fund at the end of the 2012-2013 Fiscal Year 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).
- Section 3.(A) Notwithstanding any provision of the law to the contrary, the state treasurer is hereby authorized and directed to transfer Thirteen Million One Hundred Thirty-Two Thousand Eight Hundred Eighty-One Dollars of Fees and Self-Generated Revenues collected by the Department of Revenue to the Overcollections Fund.
- (B) After satisfying the requirements of the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the state treasurer is hereby authorized and directed to transfer all loan payments received from political

subdivisions, under Section 7 of Act 41 of the 2006 First Extraordinary Session, of at least Twenty-Eight Million Two Hundred Eighty-Four Thousand Five Hundred Dollars to the Overcollections Fund.

- (C) Notwithstanding any provision of the law to the contrary, the state treasurer is hereby authorized and directed to transfer excess collections from Interagency Transfers and Fees and Self-Generated Revenues of at least Ten Million Dollars into the Overcollections Fund.
- (D) Notwithstanding any provision of law to the contrary, the Louisiana Housing Finance Agency or its successor is hereby authorized and directed to deposit into the state treasury the unrestricted or unencumbered fund assets of Two Million Dollars. The state treasurer is hereby authorized and directed to transfer the funds to the Overcollections Fund.
- (E) Notwithstanding any provision of the law to the contrary, the state treasurer is hereby authorized and directed to transfer Sixteen Million Dollars from the Self-Insurance Fund to the Overcollections Fund.
- (F) Notwithstanding any provision of law to the contrary, the Louisiana Property Assistance Agency or its successor is hereby authorized and directed to deposit into the state treasury the unrestricted or encumbered balance of Five Million Dollars. The state treasurer is hereby authorized and directed to transfer the funds to the Overcollections Fund.
- (G) Notwithstanding any provision of the law to the contrary, the state treasurer is hereby authorized and directed to transfer the following amounts into the Overcollections Fund from the funds specified below. The treasurer shall make such transfers from each fund after fully funding the appropriation from the fund:
- (1) Forty-Eight Thousand Two Hundred Ninety-Eight Dollars from the Beautification and Improvement of the New Orleans City Park Fund.
- (2) Fifty-Seven Thousand Seventy-One Dollars from the Compulsive and Problem Gaming Fund.
- (3) Five Hundred Eighty-Five Thousand Five Hundred Ninety-Eight Dollars from the Department of Justice Legal Support Fund.
  - (4) Four Million Dollars from the Incentive Fund.
- (5) Nine Hundred Eighty-Eight Thousand Six Hundred Thirty-Two Dollars from the Louisiana Fire Marshal Fund.

(6) One Million Dollars from the Marketing Fund.

2	(7) Eleven Million Three Hundred Thousand Dollars from the Louisiana Mega-
3	Project Development Fund.
4	(8) Twenty-Five Thousand Nineteen Dollars from the New Orleans Urban Tourism
5	and Hospitality Training in Economic Development Foundation Fund.
6	(9) One Million Five Hundred Forty-One Thousand Four Hundred Forty Dollars
7	from the Penalty and Interest Account.
8	(10) Eight Million Six Hundred Five Thousand Three Hundred Ninety-Two Dollars
9	from the Riverboat Gaming Enforcement Fund.
10	(11) Seven Hundred Thousand Dollars from the Two Percent Fire Insurance Fund.
11	(H) Notwithstanding any provision of the law to the contrary, the state treasurer is
12	hereby authorized and directed to transfer the following amounts into the state general fund
13	from the funds specified below. The treasurer shall make such transfers from each fund after
14	fully funding the appropriation from the fund:
15	(1) Two Million Dollars from the Adult Probation and Parole Officer Retirement
16	Fund.
17	(2) Four Million One Hundred Fifty-Eight Thousand Five Hundred Sixty Dollars
18	from the Penalty and Interest Account.
19	(3) Twenty-Two Thousand Two Hundred Twenty-Seven Dollars from the
20	Community and Family Support System Fund.
21	(4) Two Hundred Twelve Thousand Eight Hundred Thirty-Eight Dollars from the
22	Department of Justice Debt Collection Fund.
23	(5) Four Hundred Seventy-One Thousand Five Hundred Sixty-Four Dollars from the
24	Energy Performance Contract Fund.
25	(6) One Hundred Fifty-Two Thousand Nine Hundred Fifty-One Dollars from the
26	Entertainment Promotion and Marketing Fund.
27	(7) Two Million Four Hundred Eighty-Seven Thousand One Hundred Forty-Six
28	Dollars from the Environmental Trust Fund.
29	(8) Eight Hundred Forty-Seven Thousand Six Hundred Forty-One Dollars from the
30	Health Care Facility Fund.

(9) Two Hundred Twenty-Five Thousand Six Hundred Thirty-Eight Dollars from

2	the Louisiana Filmmakers Grant Fund.
3	(10) One Hundred Forty-Four Thousand Four Hundred Thirty-Five Dollars from the
4	Louisiana Life Safety and Property Protection Trust Fund.
5	(11) One Hundred Six Thousand Nine Hundred Twenty Dollars from the Medical
6	and Allied Health Professional Education Scholarship and Loan Fund.
7	(12) One Hundred Seventy-Five Thousand Five Hundred Dollars from the Right to
8	Know Fund.
9	(13) One Million Nine Hundred Thousand Dollars from the Small Business Surety
10	Bonding Fund.
11	(14) Forty-Eight Thousand Nine Hundred Seventy-Eight Dollars from the Tax
12	Commission Expense Fund.
13	(15) Two Hundred Thirty-Three Thousand Three Hundred Thirty-Four Dollars from
14	the Tobacco Tax Health Care Fund.
15	(16) Eighteen Thousand Four Hundred Five Dollars from the Variable Earnings
16	Transaction Fund.
17	(17) Four Thousand Two Hundred Forty-Three Dollars from the Vital Records
18	Conversion Fund.
19	(I) Notwithstanding any provision of law to the contrary, the state treasurer is
20	authorized and directed to transfer Five Million Eight Hundred Thousand Dollars from the
21	Riverboat Gaming Enforcement Fund into the state general fund.
22	(J) Notwithstanding any provision of law to the contrary, the state treasurer is hereby
23	authorized and directed to transfer Five Million Dollars from the Overcollections Fund to
24	the state general fund.
25	(K) Notwithstanding any provision of the law to the contrary, the state treasurer is
26	hereby authorized and directed to transfer Seven Million Twenty-One Thousand Two
27	Hundred Seventy-One Dollars from the Medical Assistance Program Fraud Detection Fund
28	into the state general fund.
29	(L) Notwithstanding any provision of the law to the contrary, the state treasurer is
30	hereby authorized and directed to transfer Two Hundred Sixty-Seven Dollars from the
31	Higher Education Initiatives Fund into the state general fund. The state treasurer is further

authorized and directed to transfer all additional interest and proceeds to the state general fund.

- (M) Notwithstanding any provision of the law to the contrary, the state treasurer is hereby authorized and directed to transfer Seventy-Six Dollars from the Louisiana State Board of Private Investigator Examiners Fund into the state general fund. The state treasurer is further authorized and directed to transfer all additional interest and proceeds exceeding to the state general fund.
- (N) Notwithstanding any provision of the law to the contrary, the state treasurer is hereby authorized and directed to transfer Seven Hundred Ninety-One Thousand Seven Hundred Forty-Five Dollars from the Louisiana Fire Marshal Fund into the state general fund.
- (O) Notwithstanding any provision of the law to the contrary, the state treasurer is hereby authorized and directed to transfer One Million Eight Hundred Seventy-Eight Thousand One Hundred Seventeen Dollars from the Two Percent Fire Insurance Fund into the state general fund.
- Section 4. R.S. 39:82(A), 87.5(E)(2), 94(C)(4)(b), and 352 are amended and reenacted and Subpart H of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.11, is enacted to read as follows:
  - §82. Remission of cash balances to the state treasurer; authorized withdrawals of state monies after the close of the fiscal year

A. All cash balances occurring from appropriations made by legislative act or by the Interim Emergency Board regardless of date of passage to any state agency for which no bona fide liability exists on the last day of each fiscal year shall be remitted to the state treasurer by the fifteenth day following the last day of the fiscal year. Any appropriations including those made by the Interim Emergency Board of the preceding fiscal year remaining at the end of the fiscal year against which bona fide liabilities existed as of the last day of the fiscal year may be withdrawn from the state treasury during the forty-five day period after the last day of the fiscal year only as such liabilities come due for payment. Prior to placing monies associated with such unexpended appropriations into the state general fund, the state treasurer shall

1	make deposits to the Incentive Payments Towards the UAL Fund as are necessary
2	to satisfy the requirements of R.S. 39:87.5 39:100.11.
3	* * *
4	§87.5. Exceptional Performance and Efficiency Incentive Program; Incentive Fund
5	* * *
6	E. Rewards.
7	* * *
8	(2) The payment of such rewards shall be effectuated through presentation
9	of a warrant by the respective agency to the state treasurer, accompanied by a copy
10	of the committee resolution indicating the granting of the reward and the amount to
11	be paid from funds appropriated from the Incentive Fund in that fiscal year.
12	Notwithstanding any other provision of this Title to the contrary, the commissioner
13	of administration shall implement any internal budgetary adjustments necessary to
14	incorporate reward monies into the budget of the recipient agency for expenditure
15	pursuant to the respective resolution.
16	* * *
17	§94. Budget Stabilization Fund
18	* * *
19	C. The money in the fund shall not be available for appropriation except
20	under the following conditions:
21	* * *
22	(4)
23	* * *
24	(b) Notwithstanding any provision of this Section to the contrary, except
25	pursuant to a specific appropriation by the legislature, no appropriation or deposit to
26	the fund shall be made in the same fiscal year as an appropriation, use or withdrawal
27	is made from the fund or until such time as the official forecast exceeds the actual

collections of state general fund (direct) revenue for Fiscal Year 2008. The provisions of this Subparagraph shall be null, void, and of no effect on July 1, 2015."

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## SUBPART H. PAYMENTS TOWARDS THE UAL FUND

## §100.11. Payments Towards the UAL Fund

A. For Fiscal Year 2013-2014, the Payments Towards the UAL Fund, hereinafter referred to as the "fund", is hereby created in the state treasury. The source of monies deposited into the fund shall be a portion of the unexpended monies returned to the state general fund at the end of Fiscal Year 2012-2013 and any monies appropriated to the fund. The state treasurer shall transfer to the fund all cash balances from unexpended and unencumbered state general fund appropriations which are subject to remission to the state treasury under the provisions of R.S. 39:82 and R.S. 39:352. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. Monies in the fund shall be invested by the treasurer in the same manner as monies in the state general fund, and any interest earned on the investment of monies in the fund shall be credited to the fund.

B. Monies in the fund shall be subject to appropriation exclusively to the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana, hereinafter referred as the "systems," to defray the increased cost of payments by postsecondary education institutions and their governing boards toward the unfunded accrued liability. The "increased cost" shall be based on the increase in the UAL portion of the projected employer contribution rate for Fiscal Year 2012-2013 compared to the UAL portion of the projected employer contribution rate for Fiscal Year 2013-2014. The systems shall certify to the state treasurer the "increased cost" based on the projected Fiscal Year 2013-2014 payroll attributable to the employees participating in each respective system. If the appropriation is insufficient to defray the full amount of the increased cost, then an amount shall be applied to the unfunded accrued liability on behalf of each postsecondary education institution and their governing boards proportional to the projected Fiscal Year 2013-2014 payroll attributable to the employees participating in the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana.

Any excess amount shall be used for application to the balance of the Original Amortization Bases of such systems, in proportion to the balance of each system's base. Any such payments to the public retirement systems shall not be used to fund cost-of-living increases for such systems.

\* \* \*

## §352. Cancellation of unexpended portions of appropriations; exceptions

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

Section 5. R.S. 40:600.90(A)(1)(a) and (2)(c) are hereby amended and reenacted to read as follows:

§600.90. Officers of the corporation; duties; liability

A. Executive director.

- (1) Appointment.
- (a) The board of directors of the corporation shall appoint an executive director of the corporation subject to confirmation by the Senate <u>for a term not to exceed three years</u>. Any person appointed shall meet all the requirements for being a member of the board of directors except for the requirement of R.S. 40:600.89(A)(2)(a).

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30 (2) Duties; requirements.

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1	(c) The executive director of the corporation shall serve at the pleasure of the board
2	of directors be terminated only for cause.
3	* * *
4	Section  6. R.S. 47:302.2(B)  and  332.6(B)  are  hereby  amended  and  reenacted  and  R.S.  and  R.S.  and  R.S.  are hereby  amended  and  reenacted  and  R.S.  are hereby  a
5	47:302.2(C)(1)(g) and (E) are hereby enacted to read as follows:
6	§302.2. Disposition of certain collections in the city of Shreveport
7	* * *
8	B. The monies in the Shreveport Riverfront and Convention Center and
9	Independence Stadium Fund shall be subject to annual appropriation by the
10	legislature. Except as provided in Subsections (D) D and E of this Section, the
1	monies in the fund shall be available exclusively for the purposes provided in
12	Subsection C of this Section. All unexpended and unencumbered monies in the fund
13	shall remain in the fund. The monies in the fund shall be invested by the treasurer in
14	the same manner as the monies in the state general fund, and all interest earned shall
15	be deposited into the state general fund.
16	C. Subject to an annual appropriation by the legislature, monies in the fund
17	shall be used as follows:
18	(1) For allocation from all monies in the fund in the following amounts:
19	* * *
20	(g)(i) The Redbud Festival in Vivian, Five Thousand Dollars.
21	(ii) The Sunflower Festival in Gilliam, Five Thousand Dollars.
22	(iii) The Poke Salad Festival in Shreveport, Five Thousand Dollars.
23	(iv) The Oil City Gusher Days in Oil City, Five Thousand Dollars.
24	* * *
25	E. Notwithstanding any other provision of this Section to the contrary, for
26	the 2013-2014 Fiscal Year, the amount of Seventy-five Thousand Dollars shall be
27	allocated to the Secretary of State for the restoration of the Shreveport Water Works
28	Museum.
29	* * *

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

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B. The monies in the Shreveport Riverfront and Convention Center and Independence Stadium Fund shall be subject to an annual appropriation by the legislature. The monies in the fund shall be available exclusively for the purposes provided in R.S. 47:302.2(C) and (D). However, forty thousand dollars of the monies deposited in the fund shall be allocated annually to Pamoja Art Society for African-American cultural activities in Shreveport, fifty thousand dollars of the monies deposited into the fund shall be allocated annually to The Shreveport Multicultural Center, Inc., and ten fifteen thousand dollars of the monies deposited in the fund shall be allocated annually to the Rho Omega and Friends, Inc. for the Let the Good Times Roll Festival. All unexpended and unencumbered monies in the fund shall remain in the fund. The monies in the fund shall be invested by the treasurer in the same manner as the monies in the state general fund, and all interest earned shall be deposited in the state general fund.

Section 7.A. In order to help mitigate the budget shortfall resulting from Congressional actions, which occurred shortly after the end of the 2012 Regular Session, that caused a decrease in the state's Federal Medical Assistance Percentage (FMAP) rate to the lowest point in over twenty years, the FMAP Stabilization Fund, hereafter referred to as "the fund", is hereby created in the state treasury.

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

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

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law.	

	Section 8.	R.S. 56:1	1703(C)(2)(c)	and (d)	are	amended	and	reenacted	and	R.S.
56:1703(C)(2)(e) is hereby enacted to read as follows:										

§1703. The Louisiana State Parks Improvement and Repair Fund

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C. Except as provided in Paragraph(B)(2) of this Section, the monies in the fund shall be used solely for the purpose of financing improvements and repairs at state parks in the state and shall be allocated, subject to appropriation by the legislature, as follows:

10 \* \* \*

(2) Fifty percent of the monies in the fund shall be allocated for use throughout the state park system on the following priority need basis, as recommended by the assistant secretary of the office of state parks:

14 \* \* \*

- (c) Third, for addition of new facilities on existing park areas; and
- (d) Fourth, for acquisition of property to expand existing park areas:
- (e) Fifth, for maintenance and operations of existing park areas.

18 \* \* \*

Section 9. R.S. 39:87.5(B) and Section 4 of Act No. 597 of the 2012 Regular Session are hereby repealed.

Section 10. This Act shall take effect and become operative only if House Bill No. 437 of this 2013 Regular Session of the Legislature is enacted into law.

Section 11. Subject to the provisions of Section 10 of this Act, Sections 1, 4, 5, and 7 through 12 of this Act shall become effective upon signature of 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.

Section 12. Subject to the provisions of Section 10 of this Act, Sections 2, 3, and 6

of this Act shall become effective on July 1, 2013.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

**ENROLLED** 

HB NO. 452

APPROVED: \_\_\_\_\_