

SENATE FLOOR AMENDMENTS

2019 Regular Session

Amendments proposed by Senator Hewitt to Engrossed Senate Bill No. 181 by Senator Hewitt

1 AMENDMENT NO. 1

2 On page 1, delete lines 3 and 4, and insert:

3  
4 "and (C), R.S. 17:1519.6(A), R.S. 23:1514(D)(5) as amended by Section 7 of Act  
5 No. 612 of the 2018 Regular Session of the Legislature, R.S. 39:100.31(B) and 1357,  
6 R.S. 47:120.71(B), R.S. 47:318(D) as amended by Section 15 of Act No. 612 of the  
7 2018 Regular Session of the Legislature, R.S. 49:308.5(B)(3), and (4) and (C)(1), the  
8 introductory paragraph of 308.5(C)(3)(a), and (E), R.S. 51:2315(A) as amended by  
9 Section 17 of Act No. 612 of the 2018 Regular Session of the Legislature, R.S.  
10 56:279(C)(1) and (2) as"

11 AMENDMENT NO. 2

12 On page 2, line 20, after "**or accounts,**" delete the remainder of the line, and on line 21,  
13 delete "**the special agency accounts**"

14 AMENDMENT NO. 3

15 On page 7, between lines 6 and 7, insert the following:

16 "Section 5. R.S. 17:1519.6(A) is hereby amended and reenacted to read as  
17 follows:

18 §1519.6. Funding and budget  
19 A. The health care services division shall be an organizational unit within the  
20 LSU HSC-NO and shall be budgeted as a single appropriation separate and distinct  
21 from the appropriation or budget for any other institution or school under the  
22 supervision and management of the board. ~~The appropriation for the health care~~  
23 ~~services division shall only indicate the amount of state general fund dollars~~  
24 ~~appropriated to this schedule and shall exclude state general funds for Medicaid and~~  
25 ~~Medicaid-Uncompensated Care. All other funds generated by hospital operations~~  
26 ~~shall be deposited directly into the Health Care Services Fund without appropriation.~~  
27 Funds from other institutions, schools, or divisions under the management of the  
28 board shall not be used to offset any deficit which may occur within the health care  
29 services division, and, conversely, funds from the health care services division shall  
30 not be used to offset any deficit which may occur within other institutions, schools,  
31 or divisions under the management of the board.

32 \* \* \*  
33 Section 6. R.S. 23:1514(D)(5) as amended by Section 7 of Act No. 612 of  
34 the 2018 Regular Session is hereby amended and reenacted to read as follows:

35 §1514. Worker training fund; purpose; training programs; eligibility criteria;  
36 program administration

37 \* \* \*  
38 D.(1) \* \* \*

39 (5) The administrator may annually set aside an amount up to ten percent of  
40 the amount appropriated to the fund by the state legislature for preemployment  
41 training in any year in which the legislature appropriates funds for training equal to  
42 or exceeding those funds appropriated in the previous year to the Rapid Response  
43 Fund created by R.S. 51:2361 or to the Louisiana Economic Development Fund  
44 created by R.S. 51:2315 to be used exclusively for ~~the Louisiana FastStart Program~~  
45 **Louisiana Economic Development - Debt Service and State Commitments.** All  
46 preemployment training shall require an employer matching contribution of not more

1 than fifty percent, and job placement outcomes at wage rates commensurate with  
2 training, as determined by the administrator pursuant to duly promulgated rules and  
3 regulations."

4 AMENDMENT NO. 4

5 On page 7, line 7, change "Section 5." to "Section 7."

6 AMENDMENT NO. 5

7 On page 7, after line 29, insert the following:

8 "Section 8.(A) R.S. 39:1357 is hereby amended and reenacted to read as  
9 follows:

10 §1357. Fiscal Administrator Revolving Loan Fund

11 A. There is hereby established a revolving fund in the state treasury to be  
12 known as the "Fiscal Administrator Revolving Loan Fund", hereinafter referred to  
13 as the "fund", which shall be maintained and operated by the Department of the  
14 Treasury. The source of monies deposited in and credited to the fund shall be all  
15 grants, gifts, and donations received by the state for the purpose of funding fiscal  
16 administrators; any money appropriated by the legislature to the fund; the repayment  
17 of principal of and interest on loans and other obligations made to political  
18 subdivisions financed from the fund; and other revenues as may be provided by law.

19 B. Money in the fund shall be invested by the state treasurer in the same  
20 manner as money in the state general fund. Interest earned on the investment of the  
21 money in the fund shall be credited to the fund after compliance with the  
22 requirements of Article VII, Section 9(B) relative to the Bond Security and  
23 Redemption Fund. All unexpended and unencumbered money in the fund at the end  
24 of a fiscal year shall remain in the fund.

25 C. Notwithstanding any provisions of law to the contrary, and in addition to  
26 the authority to borrow money or incur debt under any other provisions of law, any  
27 political subdivision for which a fiscal administrator is in the process of being  
28 appointed or which has been appointed as provided in this Chapter, is hereby  
29 authorized to borrow money from and incur debt payable to the fund in accordance  
30 with the provisions of this Section. Such borrowing shall be subject to the approval  
31 of:

- 32 (1) The legislative auditor, the attorney general, and the state treasurer.
- 33 (2) The fiscal administrator, if one has been appointed by the court.
- 34 (3) The district court having jurisdiction over the fiscal administration.
- 35 (4) The State Bond Commission.

36 D. The monies in the fund shall be appropriated and used only for the  
37 purpose of providing financial assistance to a political subdivision for which a court  
38 has appointed a fiscal administrator as provided in this Chapter by providing a source  
39 of funds from which the political subdivision may borrow in order to pay the costs  
40 and expenses associated with the independent fiscal administration of the political  
41 subdivision, including but not limited to all costs and expenses incurred by the fiscal  
42 administrator, the legislative auditor, the attorney general, the state treasurer, and any  
43 other persons engaged in connection with the independent fiscal administration.

44 E. Each loan shall be evidenced by a bond, note, or other evidence of  
45 indebtedness of the borrower issued to represent an obligation to repay a loan from  
46 the fund and shall be authorized and issued pursuant to a resolution or ordinance of  
47 the governing authority of such entity, which shall prescribe the form and details  
48 thereof, including the terms, security for, manner of execution, repayment schedule,  
49 and redemption features thereof. Any such resolution or ordinance shall set forth the  
50 maximum principal amount, the maximum interest rate, which shall be at an interest  
51 rate that is less than or equal to the market interest rate, as determined by the  
52 Department of the Treasury, the maximum redemption premium, if any, and the  
53 maximum term of such indebtedness.

54 F. All resolutions or ordinances authorizing the issuance of bonds, notes, or  
55 other evidence of indebtedness of a political subdivision hereunder shall be

1 published once in the official journal of the borrower. It shall not be necessary to  
2 publish exhibits to such resolution or ordinance, but such exhibits shall be made  
3 available for public inspection at the offices of the governing authority of the  
4 borrower at reasonable times and such fact shall be stated in the publication. For a  
5 period of thirty days after the date of such publication, any persons in interest may  
6 contest the legality of the resolution or ordinance authorizing such evidence of  
7 indebtedness and any provisions thereof made for the security and payment thereof.  
8 After such thirty-day period, no one shall have any cause or right of action to contest  
9 the regularity, formality, legality, or effectiveness of the resolution or ordinance and  
10 the provisions thereof or of the bonds, notes, or other evidence of indebtedness  
11 authorized thereby for any cause whatsoever. If no suit, action, or proceeding is  
12 begun contesting the validity of the bonds, notes, or other evidence of indebtedness  
13 authorized pursuant to the resolution or ordinance within the thirty days prescribed  
14 in this Subsection, the authority to issue the bonds, notes, or other evidence of  
15 indebtedness, or to provide for the payment thereof, and the legality thereof, and all  
16 of the provisions of the resolution or ordinance and the evidence of indebtedness  
17 shall be conclusively presumed, and no court shall have authority or jurisdiction to  
18 inquire into any such matter.

19 G. The Department of the Treasury may by suit, action, mandamus, or other  
20 proceedings, protect and enforce any covenant relating to and the security provided  
21 in connection with any indebtedness issued pursuant to this Section, and may by suit,  
22 action, mandamus, or other proceedings enforce and compel performance of all of  
23 the duties required to be performed by the governing body and officials of any  
24 borrower hereunder and in any proceedings authorizing the issuance of such bonds  
25 or other evidences of indebtedness.

26 H. Monies in, credited to the account of, or to be received by the Fiscal  
27 Administrator Revolving Loan Fund shall be expended in a manner consistent with  
28 the terms and conditions of the loans made from the fund.

29 I. The repayment of principal of and interest on loans and other obligations  
30 made to political subdivisions financed from the Fiscal Administrator Revolving  
31 Loan Fund shall be deposited into the Fiscal Administrator Revolving Loan Fund  
32 and may be used to finance loans and obligations to other political subdivisions for  
33 which a fiscal administrator is appointed pursuant to this Chapter, provided that  
34 reserves for expenditures for the administration of the fund that the Department of  
35 the Treasury deems necessary and prudent may be retained in the fund.

36 J. The Department of the Treasury shall be authorized to enter into contracts  
37 and other agreements in connection with the operation of the fund and the  
38 department is authorized to adopt rules and regulations in accordance with the  
39 Administrative Procedure Act to implement the provisions of this Section.

40 (B) Notwithstanding the provisions of Section 22 of Act 612 of the 2018  
41 Regular Session of the Legislature, the provisions of Subsection A of this Section  
42 shall become effective on July 1, 2020."

43 AMENDMENT NO. 6

44 On page 8, line 1, change "Section 6." to "Section 9."

45 AMENDMENT NO. 7

46 On page 8, between lines 10 and 11, insert the following:

47 "Section 10. R.S. 47:318(D) as amended by Section 15 of Act No. 612 of the  
48 2018 Regular Session is hereby amended and reenacted to read as follows:

49 §318. Disposition of collections  
50 \* \* \*

51 D. After satisfying the requirements of Subsection B of this Section, the  
52 remaining portion of the amount determined pursuant to Subsection A of this Section  
53 shall be deposited in the Louisiana Economic Development Fund created by R.S.  
54 51:2315 dedicated exclusively to ~~the Louisiana FastStart Program~~ Louisiana  
55 Economic Development - Debt Service and State Commitments."

1 AMENDMENT NO. 8

2 On page 8, line 11, change "Section 7." to "Section 11."

3 AMENDMENT NO. 9

4 On page 10, between lines 17 and 18, insert the following:

5 "Section 12. R.S. 51:2315(A) as amended by Section 17 of Act No. 612 of  
6 the 2018 Regular Session is hereby amended and reenacted to read as follows:

7 §2315. Louisiana Economic Development Fund

8 A. There is hereby established within the state treasury a fund to be known  
9 as the "Louisiana Economic Development Fund". All monies received by the  
10 corporation shall be deposited to the account of the Louisiana Economic  
11 Development Fund. Monies received by the corporation pursuant to R.S. 47:318(A)  
12 shall be used solely for ~~the Louisiana FastStart Program~~ Louisiana Economic  
13 Development - Debt Service and State Commitments.

14 \* \* \*

15 AMENDMENT NO. 10

16 On page 10, line 18, change "Section 8." to "Section 13."

17 AMENDMENT NO. 11

18 On page 11, line 26, change "Section 9." to "Section 14."

19 AMENDMENT NO. 12

20 On page 12, line 11, change "Section 10." to "Section 15."

21 AMENDMENT NO. 13

22 On page 13, line 8, change "Section 11." to "Section 16."

23 AMENDMENT NO. 14

24 On page 13, line 12, change "Section 12." to "Section 17."

25 AMENDMENT NO. 15

26 On page 13, line 14, change "Section 13." to "Section 18."

27 AMENDMENT NO. 16

28 On page 13, line 19, change "Section 14." to "Section 19."

29 AMENDMENT NO. 17

30 On page 14, delete lines 11 through 13

31 AMENDMENT NO. 18

32 On page 14, line 14, change "(9)" to "(8)"

33 AMENDMENT NO. 19

34 On page 14, line 16, change "(10)" to "(9)"

35 AMENDMENT NO. 20

1 On page 14, line 19, change "~~(11)~~" to "~~(10)~~"

2 AMENDMENT NO. 21

3 On page 14, line 25, change "Section 15." to "Section 20."

4 AMENDMENT NO. 22

5 On page 14, line 25, change "7 and 12" to "11 and 17"

6 AMENDMENT NO. 23

7 On page 14, line 27, change "7 and 12" to "11 and 17"

8 AMENDMENT NO. 24

9 On page 14, line 28, change "6, 8 through 11, 13, and 14" to "10, 12 through 16, 18, and 19"

10 AMENDMENT NO. 25

11 On page 15, line 1, change "6, 8 through 11, 13, and 14" to "10, 12 through 16, 18, and 19"