

Joint Legislative Committee on the Budget

Dedicated Fund Review
Subcommittee



*Statutory and Constitutional
Fund Citations*

October 20, 2017

Coastal Protection and Restoration Authority

Barrier Islands Stabilization and Preservation Fund — R.S. 49:214.6.7

§214.6.7. Barrier islands, shoreline stabilization, and preservation

A. The executive director of the Coastal Protection and Restoration Authority shall establish a barrier islands and shorelines stabilization and preservation program. As part of the barrier islands and shorelines program, the authority shall require that all projects subject to public bid include appropriate dredges for use to stabilize and preserve barrier islands and shorelines. In addition, the authority shall require that all barrier island stabilization and preservation projects mandate a minimum dune height of eight feet with vegetation where appropriate.

B. By September first each year, the governing authority of each parish which has barrier islands and shorelines shall submit to the authority and the Coastal Protection and Restoration Authority Board a list of barrier islands and shorelines stabilization and preservation projects requested for that parish. The authority shall review the projects submitted and by December first of each year shall issue a list which prioritizes those requests.

C. The priority list shall be promulgated and shall be subject to legislative oversight by the House Committee on Natural Resources and Environment and the Senate Committee on Natural Resources under the Administrative Procedure Act. Such oversight shall occur prior to March first each year.

D. Funding for the barrier islands and shorelines stabilization and preservation projects shall be available from the Barrier Island Stabilization and Preservation Fund. In the event funding from the Barrier Island Stabilization and Preservation Fund is not appropriated in a given year, the barrier islands and shorelines stabilization and preservation program shall be suspended until funds are appropriated for the program.

E.(1) There is hereby created, as a special fund in the state treasury, the Barrier Island Stabilization and Preservation Fund, hereinafter referred to as the "Barrier Island fund". The source of monies in the fund shall be appropriations, donations, grants, and other monies which may become available for the purposes of the fund.

(2) The monies in the fund shall be subject to appropriation and may be used only as provided in this Section. The monies in the fund shall be invested by the treasurer in the same manner as monies in the state general fund, and interest earnings shall be deposited in and credited to the fund. All unexpended or unencumbered monies remaining in the fund at the end of the fiscal year shall remain to the credit of the fund.

(3) Monies appropriated from the fund shall be used exclusively by the Coastal Protection and Restoration Authority to support the barrier island stabilization and preservation program.

F. The Coastal Protection and Restoration Authority shall annually submit a barrier island status report to the legislature. The report shall indicate the condition of all barrier islands, provide the status of all barrier island stabilization and preservation projects under construction, and shall outline future plans for restoration and maintenance of the

barrier islands and coastal passes. The annual report shall be submitted to each member of the legislature during the regular session of the legislature.

Acts 2009, No. 523, §3, eff. July 10, 2009; Acts 2012, No. 604, §3, eff. June 7, 2012.

Coastal Passes Stabilization and Restoration Fund — Repealed by Act 604 of the 2012 Regular Session.

Natural Resource Restoration Trust Fund — R.S. 30:2480.2

§2480.2. Natural Resource Restoration Trust Fund

A. To fulfill the constitutional mandate of Article IX, Section 1 of the Constitution of Louisiana to protect, conserve, and replenish the natural resources of the state, the legislature hereby establishes the Natural Resource Restoration Trust Fund in order for the office of the oil spill coordinator to carry out the duties charged in R.S. 30:2480 and 2480.1.

B. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from the fund to pay all obligations secured by the full faith and credit of the state that become due and payable within the fiscal year, the treasurer in each fiscal year shall pay into the Natural Resource Restoration Trust Fund an amount equal to the amount of all restoration monies received by the office of the oil spill coordinator from natural resource damage assessments. The monies in this fund shall be used solely as provided in this Section and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in this fund at the end of the fiscal year shall remain in the fund. The monies in this fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall remain in the fund. The amounts placed in the fund shall be separate from the Oil Spill Contingency Fund and not counted toward the limitations established for in R.S. 30:2486. Any federal monies placed in the fund shall be administered in accordance with federal requirements for such monies.

Acts 2001, No. 649, §1, eff. June 22, 2001.

Department of Agriculture and Forestry

Louisiana Agricultural Finance Authority Fund — R.S. 3:277; R.S. 27:392

§277. Trust funds

Subject to the exceptions contained in Article VII, Section 9 of the Constitution of Louisiana, all funds received by the authority shall be deposited immediately upon receipt in the state treasury and shall be credited to the Bond Security and Redemption Fund. After a sufficient amount is allocated from the fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the state treasurer, prior to placing the remaining funds in the state general fund, shall pay an amount equal to the total amount of funds paid into the state treasury by the authority into a special fund which is hereby created in the state treasury and designated as the Louisiana Agricultural Finance Authority Fund. The monies in the Louisiana Agricultural Finance Authority Fund shall be used solely for the programs and purposes of the authority and only in the amount appropriated each year to the authority by the legislature. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. All interest earned from the investment of the monies in the Louisiana Agricultural Finance Authority Fund shall be deposited in that fund.

Added by Acts 1983, No. 96, §1, eff. July 23, 1983; Acts 1985, No. 68, §1

§392. Collection and disposition of fees and taxes

A. The division shall collect all fees, fines, and state taxes imposed or assessed under the provision of this Chapter and under the rules and regulations of the board.

B.(1) All fees, fines, revenues, state taxes, and other monies collected by the division shall be forwarded upon receipt to the state treasurer for immediate deposit into the state treasury. Funds so deposited shall first be credited to the Bond Security and Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution of Louisiana.

(2)(a) After complying with the provisions of Paragraph (1) of this Subsection, the state treasurer shall, each fiscal year, credit one percent from the combined net slot machine proceeds collected by the state from each licensed facility, not to exceed five hundred thousand dollars, to the Compulsive and Problem Gaming Fund established by R.S. 28:842. After crediting such proceeds to the Compulsive and Problem Gaming Fund, the state treasurer shall, each fiscal year, credit the remainder of all taxes generated pursuant to R.S. 27:393 and all fines and other monies collected by the division to a special fund which is hereby created in the state treasury and entitled the "Pari-mutuel Live Racing Facility Gaming Control Fund", hereinafter referred to as the "Gaming Control Fund".

(b) Monies in the Gaming Control Fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely for the expenses of the board, the Department of Justice, the division, and the Louisiana Racing Commission which are necessary to carry out the provisions of this Chapter. Monies in the fund remaining after

appropriation for expenses of the board, the Department of Justice, the division, and the Louisiana Racing Commission shall be credited as hereinafter provided in this Subsection.

(c) Monies in the Gaming Control Fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earned on investment of monies in the Gaming Control Fund shall be credited to the state general fund. Unexpended and unencumbered monies in the Gaming Control Fund at the end of each fiscal year shall be deposited in the state general fund.

(3) After complying with the provisions of Paragraphs (1) and (2) of this Subsection, the state treasurer shall, each fiscal year, credit five percent of the state portion of taxable net slot machine proceeds collected from each licensed eligible facility to the following special funds:

(a)(i) The Bossier Parish Truancy Program Fund, which is hereby created in the state treasury from the proceeds derived from the licensed eligible facility in Bossier Parish. Monies in the Bossier Parish Truancy Program Fund, for purposes of this Subparagraph referred to as the "fund", shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the district attorney in the Twenty-Sixth Judicial District to support a truancy program and truancy-related matters within the Twenty-Sixth Judicial District.

(ii) Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund.

(b)(i) The St. Landry Parish Excellence Fund in St. Landry Parish which is hereby created in the state treasury from proceeds derived from the licensed eligible facility in St. Landry Parish. Monies in the St. Landry Parish Excellence Fund, for purposes of this Subparagraph referred to as the "fund", shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the St. Landry School Board.

(ii) Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earnings on investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund.

(c)(i) The Calcasieu Parish Fund, which is hereby created in the state treasury, from the proceeds derived from the licensed eligible facility in Calcasieu Parish. Monies in the Calcasieu Parish Fund, for purposes of this Subparagraph referred to as the "fund", shall be withdrawn only pursuant to appropriation by the legislature. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earnings on investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund.

(ii) Monies in the fund shall be appropriated annually as follows:

(aa) Sixty percent to the Calcasieu Parish School Board.

(bb) Thirty percent to McNeese State University.

(cc) Ten percent to Sowell Technical Institute.

(iii) Beginning July 1, 2008:

(aa) Monies in the fund appropriated to McNeese State University and to SOWELA Technical Community College shall not replace, displace, or supplant any other funds

received from the state or from any other source. The Board of Regents shall not consider or use such monies in determining or funding the higher education formula. Monies in the fund appropriated to McNeese State University and SOWELA Technical Community College shall be used solely for the purposes of planning, development, or capital improvements.

(bb) McNeese State University and SOWELA Technical Community College may issue bonds for capital improvements payable from a pledge and dedication of the amounts of proceeds of the tax in the Calcasieu Parish Fund. Whenever such bonds are issued, the legislature shall annually appropriate, to the extent of deposits in the fund, monies sufficient to pay the principal, interest, and premiums, if any, due on the bonds each year. If the legislature, after a diligent and good faith effort, fails to appropriate sufficient monies to pay the principal, interest, and premium, if any, due on the bonds each year, or if such appropriation cannot be effected, the full faith and credit of the state shall not be pledged to repay any bonds issued as provided in this Section and the state shall in no way be a party to any contractual rights arising from the bonds issued, nor shall the state be in any way obligated for any payments due to holders of the bonds issued under the provisions of this Subsection. For the purposes of this Section, "capital improvements" shall mean expenditures for acquiring lands, buildings, equipment, or other permanent properties, or for their construction, preservation, development, or permanent improvement, or for payment of principal, interest, or premium, if any, and other obligations incident to the issuance, security, and payment of bonds or other evidences of indebtedness associated therewith.

(d) The Orleans Parish Excellence Fund which is hereby created in the state treasury from the proceeds derived from the licensed eligible facility in Orleans Parish. Monies in the Orleans Parish Excellence Fund, for purposes of this Subparagraph referred to as the "fund", shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Louisiana Community and Technical College System as provided in this Subparagraph. Monies in the fund shall be used solely and exclusively for the construction and operation of an Allied Health and Nursing Program and campus to be located in Orleans Parish. The Allied Health and Nursing Program and campus shall serve secondary and postsecondary students and shall provide occupational and workforce training. All courses of instruction provided at the Allied Health and Nursing Program shall be approved by the Board of Supervisors of Community and Technical Colleges. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earnings on investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund.

(4) After complying with the provisions of Paragraphs (1) through (3) of this Subsection, the state treasurer shall, each fiscal year, credit a total of twelve million dollars from the combined taxable net slot machine proceeds collected by the state from each licensed eligible facility, as defined herein, to the fund previously established by R.S. 3:277. These proceeds shall be expended, utilizing any or all powers granted to the Louisiana Agricultural Finance Authority, including the funding or securing of revenue bonds, exclusively for meeting the needs of the Boll Weevil Eradication program and other agricultural, agronomic, horticultural, silvicultural or aquacultural, industrial, or economic development programs.

(5) After complying with the provisions of Paragraphs (1) through (4) of this Subsection, the state treasurer shall, each fiscal year, credit a total of two million dollars from the combined taxable net slot machine proceeds collected by the state from each licensed eligible facility, as defined herein, to the "Rehabilitation for the Blind and Visually Impaired Fund", for the purposes of this Paragraph, the "fund", hereby created in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely to fund the Affiliated Blind of Louisiana, the Louisiana Center for the Blind at Ruston, The Louisiana Association for the Blind, and the Lighthouse for the Blind in New Orleans, Inc., rehabilitation services for the blind, deaf-blind, and visually impaired and for training the older visually impaired. Appropriations for this purpose shall be allocated equally to the Affiliated Blind of Louisiana, the Louisiana Center for the Blind at Ruston, The Louisiana Association for the Blind, and the Lighthouse for the Blind in New Orleans, Inc. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earned on investment of such monies shall be credited to the state general fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund.

(6) After complying with the provisions of Paragraphs (1) through (5) of this Subsection and contingent upon the Revenue Estimating Conference's recognition of revenues from the Bossier Parish horse racing facility in the Fiscal Year 2003-2004 official forecast and in each fiscal year thereafter, the state treasurer shall deposit in and credit the following amounts to the following special funds, which amounts shall be reduced on a pro rata basis if insufficient funds are available to fully fund each item:

(a) Seven hundred fifty thousand dollars each fiscal year shall be deposited in and credited to the Equine Health Studies Program Fund, which is hereby established in the state treasury. Monies in the fund shall be withdrawn from the treasury only by appropriations made in accordance with this Subsection. 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 credited to the state general fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund. Monies in the fund shall be appropriated and expended solely and exclusively to support the Equine Health Studies Program at the Louisiana State University School of Veterinary Medicine.

(b) Seven hundred fifty thousand dollars each fiscal year shall be deposited in and credited to the Southern University AgCenter Program Fund, which is hereby established in the state treasury. Monies in the fund shall be withdrawn from the treasury only by appropriations made in accordance with this Subsection. 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 credited to the state general fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund. Monies in the fund shall be appropriated and expended solely and exclusively to support the Southern University AgCenter programs.

(7) After compliance with the provisions of Paragraphs (1) through (6) of this Subsection, two hundred thousand dollars each fiscal year shall be deposited in and credited to the Beautification and Improvement of the New Orleans City Park Fund, hereinafter referred to as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the

legislature and shall be used solely and exclusively by the New Orleans City Park Improvement Association for the improvement and beautification of the New Orleans City Park. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

(8) After compliance with the provisions of Paragraphs (1) through (5) of this Subsection, pursuant to an annual appropriation by the legislature, remaining monies in an amount of fifty thousand dollars shall be used solely and exclusively for the Southern University Urban Tourism and Marketing Program and fifty thousand dollars shall be used solely and exclusively for the Orleans Parish District Attorney's Office.

(9) After compliance with the provisions of Paragraphs (1) through (8) of this Subsection, remaining monies shall be deposited in and credited to the state general fund.

C. Notwithstanding the provisions of Subsection B of this Section to the contrary and after complying with the provisions of Paragraphs (1) through (3) of Subsection B of this Section, the state treasurer shall in each fiscal year deposit and credit the remaining portion of taxable net slot machine proceeds collected from the licensed eligible facility in Orleans Parish as follows:

NOTE: Paragraphs (1) and (2) effective until the day slot machine gaming commences at the eligible facility in Orleans Parish. See Acts 2006, No. 591, §3(B).

(1) Thirty percent, not to exceed one million three hundred thousand dollars, shall be deposited in and credited to the Beautification and Improvement of the New Orleans City Park Fund. Monies in the fund shall be used solely and exclusively for the purposes as specified in R.S. 27:392(B)(7).

(2) Twenty percent, not to exceed three hundred fifty thousand dollars, shall be deposited in and credited to the Greater New Orleans Sports Foundation Fund, hereinafter referred to in this Paragraph as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Greater New Orleans Sports Foundation. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

NOTE: Paragraphs (1) and (2) as amended by Acts 2006, No. 591, §2, effective on the day slot machine gaming commences at the eligible facility in Orleans Parish.

(1) Thirty percent, not to exceed two million dollars, shall be deposited in and credited to the Beautification and Improvement of the New Orleans City Park Fund. Monies in the fund shall be used solely and exclusively for the purposes as specified in R.S. 27:392(B)(7).

(2) Twenty percent, not to exceed one million dollars, shall be deposited in and credited to the Greater New Orleans Sports Foundation Fund, hereinafter referred to in this Paragraph as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Greater New Orleans Sports Foundation. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest

earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

(3) Twenty percent, not to exceed one hundred thousand dollars annually, shall be deposited in and credited to the Algiers Economic Development Foundation Fund, hereinafter referred to in this Paragraph as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Algiers Economic Development Foundation. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

(4) Twenty percent, not to exceed one hundred thousand dollars annually, shall be deposited in and credited to the New Orleans Urban Tourism and Hospitality Training in Economic Development Foundation Fund, hereinafter referred to in this Paragraph as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the New Orleans Tourism Hospitality Training and Economic Development, Inc. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

(5) Five percent, not to exceed one hundred thousand dollars annually, shall be deposited in and credited to the Beautification Project for New Orleans Neighborhoods Fund, hereinafter referred to in this Paragraph as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Beautification Project for New Orleans Neighborhoods, Inc. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

(6) Five percent, not to exceed one hundred thousand dollars annually, shall be deposited in and credited to the Friends of NORD Fund, hereinafter referred to in this Paragraph as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Friends of NORD, Inc. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

(7) After making the deposits as required by Paragraphs (1) through (6) of this Subsection, the state treasurer shall deposit in and credit to the New Orleans Sports Franchise Assistance Fund which is hereby created in the state treasury and which for purposes of this Paragraph shall be known as the "assistance fund". Monies in the assistance fund shall be appropriated and distributed each fiscal year to the Louisiana Stadium and Exposition District for use only to fund contractual obligations of the state to any National Football League or National Basketball Association franchise located in Orleans Parish. Monies in the assistance fund shall be invested in the same manner as

monies in the state general fund. Interest earned on the investment of monies in the assistance fund shall be credited to the assistance fund. Unexpended and unencumbered monies in the assistance fund at the end of the fiscal year shall remain in the assistance fund.

Acts 1998, 1st Ex. Sess., No. 142, §1, eff. May 5, 1998; Acts 1999, No. 543, §1, eff. July 1, 1999; Acts 2000, 1st Ex. Sess., No. 150, §1, eff. April 27, 2000; Acts 2001, No. 1222, §1, eff. July 2, 2001; Acts 2003, No. 352, §1; Acts 2003, No. 1009, §1, eff. Jan. 1, 2004; Acts 2003, No. 1258, §1, eff. July 1, 2003; Acts 2003, No. 1280, §1, eff. July 13, 2003; Acts 2005, No. 430, §1, eff. July 1, 2005; Acts 2005, No. 475, §1, eff. July 1, 2005; Acts 2006, No. 591, §2; Acts 2006, No. 707, §1, eff. June 29, 2006; Acts 2007, No. 208, §1, eff. June 29, 2007; Acts 2007, No. 285, §1, eff. July 1, 2007; Acts 2010, No. 455, §1, eff. July 1, 2010; Acts 2012, No. 576, §1, eff. July 1, 2012.

Pesticide Fund — R.S. 3:3210

§3210 Pesticide Fund

A. Funds received under Parts I through VI and VIII of this Chapter shall be deposited immediately upon receipt in the state treasury.

B. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and prior to monies being placed in the state general fund, an amount equal to that deposited as required by Subsection A hereof shall be credited to a special fund hereby created in the state treasury to be known as the "Pesticide Fund". The monies in this fund shall be used solely as provided in Subsection C hereof and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in this fund at the end of the fiscal year shall be returned to the state general fund. The monies in this fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the state general fund.

C. The monies in the Pesticide Fund shall be used solely for the following purposes:

(1) To provide for the programs and activities provided for in Parts I through VI and VIII of this Chapter and the expenses of the office of agricultural and environmental sciences, as determined by the commissioner.

(2) To construct, renovate, maintain, and equip a building on the Baton Rouge campus of Louisiana State University to provide administrative offices and analytical laboratories to be used in connection with the programs provided for in Parts I through VI and VIII of this Chapter.

(3) To build, equip, and maintain a building to house the offices of the department.

(4) The department, or the Louisiana Agricultural Finance Authority on behalf of the department, may fund the anticipated funds appropriated from the Pesticide Fund into revenue bonds for the purpose of renovating or constructing a building on the Baton Rouge campus of Louisiana State University to provide administrative offices and analytical laboratories to be used in connection with the programs established in Parts I through VI of this Chapter and for the purpose of acquiring, constructing, renovating, and equipping buildings and related facilities for use by the department in connection with promoting and

assisting agriculture and forestry in this state. The department may pledge those funds to secure the repayment of revenue bonds or to secure a lease or purchase agreement entered into in connection with the issuance of revenue bonds for those purposes.

(5) If the revenues in the Pesticide Fund are pledged to secure the repayment of revenue bonds, or are pledged to secure a lease or purchase agreement entered into in connection with the issuance of revenue bonds, the fees which provide the funds shall not be reduced below those levels existent at the time of the pledge until the bonds have been repaid.

(6) Monies received from the registration of pharmaceuticals administered to livestock may be used to provide for the expenses of the office of animal health and food safety.

Acts 1986, No. 510, §1, eff. July 1, 1986; Acts 1990, No. 127, §1; Acts 1992, No. 15, §1; Acts 1995, No. 237, §1; Acts 2003, No. 120, §1, eff. Jan. 1, 2004; Acts 2003, No. 230, §1, eff. June 5, 2003; Acts 2011, No. 31, §1; Acts 2012, No. 147, §1, eff. May 14, 2012.

Department of Economic Development

Louisiana Economic Development Fund — R.S. 51:2315; R.S. 47:318

§2315 Louisiana Economic Development Fund

A. There is hereby established within the state treasury a fund to be known as the "Louisiana Economic Development Fund". All monies received by the corporation shall be deposited to the account of the Louisiana Economic Development Fund.

B.(1) The legislature may appropriate monies for the benefit of the programs administered by the corporation to the Louisiana Economic Development Fund. The monies in such fund shall be used to accomplish the purposes of this Chapter.

(2) All monies received or appropriated to such fund shall remain in the fund and shall not be returned to the state general fund at the end of any fiscal year.

C.(1) The monies in the Louisiana Economic Development Fund shall be invested by the treasurer in the same manner as monies in the state general fund.

(2) All interest earned on monies from such fund so invested by the state treasurer shall be deposited in the Louisiana Economic Development Fund.

D. Repealed by Acts 2012, No. 834, §13, eff. July 1, 2012.

Acts 1991, No. 34, §1, eff. July 1, 1991; Acts 2003, No. 1107, §1, eff. July 2, 2003; Acts 2012, No. 834, §13, eff. July 1, 2012.

§318. Disposition of collections

A. All monies collected under this Chapter shall be immediately paid into the state treasury, upon receipt, and first credited to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana; then an amount equal to four-tenths of one percent of all monies collected under this Chapter, and Chapters 2-A and 2-B of this Subtitle, and R.S. 51:1286 shall be used as provided in this Section. The dedication of revenues provided for in this Subsection shall in no way be interpreted to include any monies collected pursuant to the taxes imposed under R.S. 47:321.1.

B.(1) There is hereby established in the state treasury a special fund which shall be designated the "Marketing Fund". Of the amount determined pursuant to Subsection A of this Section, two million dollars annually shall be deposited in and credited to the Marketing Fund. 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 on the investment of such monies shall be deposited in the state general fund. All unencumbered and unexpended monies in the fund at the end of each fiscal year shall remain in the fund.

(2) Monies in the fund shall be subject to annual appropriation to the Department of Economic Development for the following purposes:

(a) A minimum of one million dollars annually to be used for marketing education, of which one million dollars shall be used as follows:

(i) Six hundred seventy-five thousand five hundred sixty-three dollars to Marketing Education Retail Alliance, Inc.

(ii) Two hundred fifty thousand dollars to the District 2 Enhancement Corporation.

(iii) Seventy-four thousand four hundred thirty-seven dollars to the Louisiana Council for Economic Education.

(b) A minimum of one million dollars annually for advertising, marketing, and promotional activities.

C. Repealed by Acts 2001, No. 7, §2, eff. July 1, 2001.

D. After satisfying the requirements of Subsection B of this Section, the remaining portion of the amount determined pursuant to Subsection A of this Section shall be deposited in the Louisiana Economic Development Fund created by R.S. 51:2315.

Acts 1991, No. 709, §1, eff. July 1, 1991; Acts 1993, No. 881, §1, eff. July 1, 1993; Acts 1995, No. 1186, §1; Acts 1996, 1st Ex. Sess., No. 32, §1; Acts 1997, No. 1126, §1, eff. July 1, 1997; Acts 1998, 1st Ex. Sess., No. 50, §1, eff. July 1, 1998; Acts 2001, No. 7, §§1 and 2, eff. July 1, 2001; Acts 2005, No. 153, §1; Acts 2006, No. 608, §2, eff. July 1, 2006; Acts 2013, No. 425, §1, eff. July 1, 2013; Acts 2016, 1st Ex. Sess., No. 26, §1, eff. April 1, 2016.

NOTE: See Acts 2016, 1st Ex. Sess., No. 26, §2, regarding applicability.

Major Events Fund — R.S. 39:100.126

SUBPART R. MAJOR EVENTS FUND

§100.126. Major Events Fund

A. There is hereby established in the state treasury, as a special fund, the Major Events Fund, hereinafter referred to as the "fund".

B. The source of monies deposited into the fund shall be any monies appropriated annually by the legislature including donations, gifts, grants, or any other monies which may be provided by law. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of monies shall be credited to the state general fund.

C. The monies in the fund shall be appropriated and used to provide funding for entities within the state for the costs associated with attracting, hosting, and staging major events of area-wide, statewide, regional, national, or international prominence. Such funding shall require prior approval of the Joint Legislative Committee on the Budget.

Acts 2012, No. 548, §1, eff. July 1, 2012.

Major Events Incentive Program Subfund — R.S. 51:2365.1

§2365.1. Major Events Incentive Program and the Major Events Incentive Program Subfund

A. As used in this Section:

(1) "Endorsing municipality" means either of the following:

(a) A municipality that contains a site selected by a site selection organization for a qualified event and is a party to an event support contract.

(b) A municipality that does not contain a site selected by a site selection organization for a qualified event, but is included in the market area for the event as designated by the secretary and is a party to an event support contract.

(2) "Endorsing parish" means either of the following:

(a) A parish that contains a site selected by a site selection organization for a qualified event and is a party to an event support contract.

(b) A parish that does not contain a site selected by a site selection organization for a qualified event, but is included in the market area for the event as designated by the secretary and is a party to an event support contract.

(3) "Event support contract" or "event contract" means a joint undertaking, joint agreement, or a similar contract executed by a local organizing committee, an endorsing municipality, or an endorsing parish and a site selection organization.

(4) "Local organizing committee" means an organization created as the official host entity sanctioned by an endorsing municipality or parish for a specified major event.

(5) "Qualified event" or "qualified major event" means a National Football League Super Bowl, a National Collegiate Athletic Association Final Four tournament game, the National Basketball Association All-Star Game, the X Games, a National Collegiate Athletic Association Division I Football Bowl Subdivision postseason playoff or championship game, a college tournament or championship, the World Games, a national collegiate championship of an amateur sport sanctioned by the national governing body of the sport that is recognized by the United States Olympic Committee, an Olympic activity including a Junior or Senior activity, training program, or feeder program sanctioned by the United States Olympic Committee's Community Olympic Development Program, a mixed martial arts championship, the Breeders' Cup World Championships, a Bassmasters Classic, a National Motorsports race, the Red Bull Signature Series, a National Collegiate Athletic Association football kickoff game, a national championship or Olympic trials of an amateur or professional sport sanctioned by the national governing body of the sport, the United States Bowling Congress Tournament, a national military event, or a national political convention of the Republican National Committee or of the Democratic National Committee. The term includes any activities related to or associated with a qualified event.

(6) "Secretary" means the secretary of the Department of Economic Development.

(7) "Site selection organization" means any of the following:

(a) The National Football League, the National Collegiate Athletic Association or any affiliated conference, the National Basketball Association, the International World Games Association, or the United States Olympic Committee.

(b) The national governing body of a sport that is recognized by the United States Olympic Committee.

(c) The National Thoroughbred Racing Association.

(d) The Republican National Committee or Democratic National Committee.

(e) The United States Bowling Congress.

(f) The national governing body of an organization, not listed in Subparagraphs (a) through (e) of this Paragraph, that schedules a qualifying event as defined in Subparagraph (5) of this Paragraph.

B.(1) There is hereby established in the state treasury a special subfund in the Mega-Project Development Fund to be known as the "Major Events Incentive Program Subfund", hereafter in this Section, the "subfund".

(2) Beginning with the 2015-2016 Fiscal Year and for each fiscal year thereafter, and after allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall transfer in and credit to the subfund an amount equal to the sum of the incremental increase in state tax receipts generated by the occurrence of all qualified events.

(3) Monies in the subfund shall be invested in the same manner as monies in the Louisiana Mega-Project Development Fund and any interest earned on the investment of monies in the subfund shall be credited to the subfund. All unexpended and unencumbered monies in the subfund at the end of the fiscal year shall remain in the subfund.

(4) Subject to legislative appropriation and the approval of the Joint Legislative Committee on the Budget, the treasurer shall disburse monies as provided in R.S. 51:2365 to each eligible entity at times and in amounts as determined by the secretary and approved by the Joint Legislative Committee on the Budget.

C.(1) Subject to legislative appropriation and the approval of the Joint Legislative Committee on the Budget, the secretary of the Department of Economic Development is hereby authorized to enter into a contract with a local organizing committee, endorsing parish, or endorsing municipality to recruit, solicit, or acquire for Louisiana any qualified event that will have a significant positive impact on economic development in the state. The contract shall provide for a financial commitment to the local organizing committee, endorsing parish, or endorsing municipality which shall be subject to legislative appropriation.

(2) The amount of the incremental increase in certain state tax receipts generated within the designated area by the occurrence of the qualified event during a specified period shall be determined by the secretary. The secretary shall notify the Joint Legislative Committee on the Budget and the treasurer of his determination and, upon the direction of the Joint Legislative Committee on the Budget, the treasurer shall transfer the amount of the incremental increase to the subfund. Such state tax receipts shall be limited to excise tax and sales and use taxes, excluding state hotel and motel occupancy taxes. The amount of the incremental increase shall not include local tax receipts.

D. An event not included in the definition of qualified event is ineligible for funding under R.S. 51:2365. A qualified event may receive funding under R.S. 51:2365 only if all of the following conditions are met:

(1) After considering through a highly competitive selection process one or more sites that are not located in this state, a site selection organization selects a site located in this state for an event to be held once, or for an event scheduled to be held annually for a period of years under an event contract.

(2) A site selection organization selects a site in this state as the sole site for the event.

(3) The event is held not more frequently than annually.

Acts 2015, No. 12, §1, eff. July 1, 2015; Acts 2016, 1st Ex. Sess., No. 2, §1, eff. March 3, 2016.

Marketing Fund — R.S. 47:318

§318. Disposition of collections

A. All monies collected under this Chapter shall be immediately paid into the state treasury, upon receipt, and first credited to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana; then an amount equal to four-tenths of one percent of all monies collected under this Chapter, and Chapters 2-A and 2-B of this Subtitle, and R.S. 51:1286 shall be used as provided in this Section. The dedication of revenues provided for in this Subsection shall in no way be interpreted to include any monies collected pursuant to the taxes imposed under R.S. 47:321.1.

B.(1) There is hereby established in the state treasury a special fund which shall be designated the "Marketing Fund". Of the amount determined pursuant to Subsection A of this Section, two million dollars annually shall be deposited in and credited to the Marketing Fund. 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 on the investment of such monies shall be deposited in the state general fund. All unencumbered and unexpended monies in the fund at the end of each fiscal year shall remain in the fund.

(2) Monies in the fund shall be subject to annual appropriation to the Department of Economic Development for the following purposes:

(a) A minimum of one million dollars annually to be used for marketing education, of which one million dollars shall be used as follows:

(i) Six hundred seventy-five thousand five hundred sixty-three dollars to Marketing Education Retail Alliance, Inc.

(ii) Two hundred fifty thousand dollars to the District 2 Enhancement Corporation.

(iii) Seventy-four thousand four hundred thirty-seven dollars to the Louisiana Council for Economic Education.

(b) A minimum of one million dollars annually for advertising, marketing, and promotional activities.

C. Repealed by Acts 2001, No. 7, §2, eff. July 1, 2001.

D. After satisfying the requirements of Subsection B of this Section, the remaining portion of the amount determined pursuant to Subsection A of this Section shall be deposited in the Louisiana Economic Development Fund created by R.S. 51:2315.

Acts 1991, No. 709, §1, eff. July 1, 1991; Acts 1993, No. 881, §1, eff. July 1, 1993; Acts 1995, No. 1186, §1; Acts 1996, 1st Ex. Sess., No. 32, §1; Acts 1997, No. 1126, §1, eff. July 1, 1997; Acts 1998, 1st Ex. Sess., No. 50, §1, eff. July 1, 1998; Acts 2001, No. 7, §§1 and 2, eff. July 1, 2001; Acts 2005, No. 153, §1; Acts 2006, No. 608, §2, eff. July 1, 2006; Acts 2013, No. 425, §1, eff. July 1, 2013; Acts 2016, 1st Ex. Sess., No. 26, §1, eff. April 1, 2016.

NOTE: See Acts 2016, 1st Ex. Sess., No. 26, §2, regarding applicability.

Rapid Response Fund — R.S. 51:2361

PART VI-A RAPID RESPONSE FUND

§2361. Rapid Response Fund

A.(1) The Rapid Response Fund, hereinafter referred to as the "fund", is hereby created as a special fund within the state treasury.

(2) Beginning July 1, 2005, the state treasurer is directed to deposit into the fund at the beginning of each fiscal year ten million dollars. The legislature may appropriate additional monies to the fund notwithstanding the balance in the fund.

B.(1) 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 those in the state general fund, and any interest earned on the investment of monies in the fund shall be credited to the fund.

(2) Monies in the fund shall be available for appropriation to the Department of Economic Development, hereinafter referred to as the "department". Such appropriations shall be used by the secretary of the department for immediate funding of all or a portion of economic development projects which may be necessary in order to successfully secure the creation or retention of jobs by a business entity under such circumstances as may be determined by the secretary and the governor.

(3) The secretary shall report to the Joint Legislative Committee on the Budget twice yearly, on the first day of October and the first day of April, with respect to all actual expenditures of monies appropriated from the fund. The reports shall be available electronically, and the secretary shall include in these reports any other information which the committee may require with respect to use of monies appropriated from the fund, including but not limited to the following information on each economic development project which receives funding:

- (a) Performance targets.
- (b) Outcomes.
- (c) Numbers of jobs created and retained.
- (d) Overall payroll generated.

(4) The department shall make available upon request the economic impact analysis on an economic development project which receives monies from the fund.

C. At the same time as the secretary submits to the official journal for the state a notice containing general information regarding active negotiations for an economic development project which is eligible for funding from the fund, which active negotiations the secretary desires to keep confidential as provided in R.S. 44:22, upon request by a member of the legislature in whose legislative district a project is located, the secretary may provide information regarding the project if the member submits his signature under oath that all information shall remain confidential and privileged.

Acts 2005, No. 398, §1, eff. July 1, 2005; Acts 2010, No. 368, §1; Acts 2010, No. 633, §3, eff. July 1, 2010; Acts 2015, No. 121, §5, eff. July 1,

Multiple Agencies

2013 Amnesty Collections Fund — Section 4 of Act No. 421 of 2013 Regular Session, as amended by Act No. 822 of 2014 Regular Session

Section 4.(A) The secretary shall retain from monies collected under this Act an amount equal to all penalties waived under this Act, an amount equal to the costs for contractual information technology and amnesty program administration services, including, without limitation, marketing, advertising, and public information services, and an amount equal to any collection fees, legal fees, or any other fees the department incurs that are associated with granting amnesty. Such monies shall be designated as self-generated revenues. Notwithstanding any provision of law to the contrary, amnesty program administration services and information technology services, including, without limitation, marketing, advertising, and public information services, to implement amnesty may be acquired using the emergency procurement process. The secretary shall also retain an amount not to exceed two hundred fifty thousand dollars for advertising expenses from monies collected from taxes paid pursuant to this Act.

(B)(1) After satisfaction of the requirements of Subsection A of this Section, all remaining monies collected pursuant to this Act shall be paid into the state treasury. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund and prior to any monies being placed into the state general fund or any other fund, an amount equal to the remaining collections shall be credited by the state treasurer as follows:

(a) For Fiscal Year 2013-2014, the monies shall be credited to a special fund hereby created in the state treasury to be known as the 2013 Amnesty Collections Fund, hereinafter referred to as "fund". The monies in the fund shall be available for appropriation for any public purpose.

(b) For Fiscal Year 2014-2015:

(i) One hundred million dollars of such monies shall be credited to the fund and shall be available for appropriation for any public purpose.

(ii) Of the monies in excess of one hundred million dollars, four million dollars shall be appropriated to the Department of Economic Development to be allocated to the Louisiana Regional Leadership Council to be used for purposes of regional economic development and workforce development.

(iii) Any remaining monies after the allocations in Items (i) and (ii) of this Subparagraph shall be credited to the fund and shall be available for appropriation for any public purpose.

(2) Monies in the fund shall be invested by the state treasurer in the same manner as those in the state general fund and interest earned on such investment shall be credited to the fund after compliance with the requirements of the Bond Security and Redemption Fund. All unexpended and unencumbered monies in the fund at the end of the year shall remain in the fund.

Louisiana Mega-project Development Fund — R.S. 51:2365

§2365. Louisiana Mega-Project Development Fund

A. The Louisiana Mega-Project Development Fund, hereinafter referred to as the "fund", is hereby created as a special fund within the state treasury.

B. The state treasurer is hereby authorized and directed to transfer one hundred fifty million dollars from the Louisiana Economic and Port Development Infrastructure Fund to the Louisiana Mega-Project Development Fund on June 29, 2007. The legislature may appropriate additional monies to the fund if it deems necessary to accomplish the purposes of the fund.

C. 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. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

D.(1) Monies in the fund shall be available for appropriation for general purposes and for use by the Department of Economic Development, hereinafter referred to as the "department". Such appropriations shall be used by the secretary of the department for immediate funding of all or a portion of economic development mega-projects which may be necessary in order to successfully secure the creation or retention of jobs by a business entity or a qualified major event under such circumstances as established by this Part.

(2) The secretary shall report to the Joint Legislative Committee on the Budget twice yearly, on the first day of October and the first day of April, with respect to all actual expenditures of monies appropriated from the fund. The reports shall be available electronically, and the secretary shall include in these reports any other information which the committee may require with respect to use of monies appropriated from the fund, including but not limited to the following information on each economic development project which receives funding:

- (a) Performance targets.
- (b) Outcomes.
- (c) Numbers of jobs created and retained.
- (d) Overall payroll generated.

(3) The department shall make available upon request the economic impact analysis on an economic development project which receives monies from the fund. This Subparagraph shall not apply to a mega-project which is a qualified major event as defined in R.S. 51:2365.1.

E. Monies in the fund shall be expended only upon recommendation by the secretary and concurrence by the governor. Any such recommendation shall be implemented pursuant to a cooperative endeavor agreement executed in accordance with the provisions of R.S. 33:9029.2 and subject to approval by the Joint Legislative Committee on the Budget.

F.(1) For purposes of this Section, "mega-project" means:

- (a) A project which will provide the following:
 - (i) Either five hundred new direct jobs to the state or a minimum initial investment of five hundred million dollars by the private sector or the United States Government through the creation of a new facility or the expansion of an existing facility.

(ii) A substantial return on the investment by the state as measured by projected tax revenues.

(b) A project for a military or federal installation which is important to the Louisiana economy and that may be subject to base realignment and closure, or for the purchase of land for a mega-project.

(c) A project resulting in re-creating or saving at least five hundred direct jobs in this state, through the transfer of ownership of a facility that has been closed or a facility that is at risk of closure due to conditions arising out of or relating to a proceeding under Title 11 of the United States Code.

(d) A qualified major event as defined in R.S. 51:2365.1(A)(5) which meets all of the requirements for eligibility as set forth in R.S. 51:2365.1(D).

(2) Except for a mega-project as provided in Subparagraphs (1)(b) and (d) of this Subsection, the investment by the state in any mega-project shall not exceed thirty percent of the total cost of the project as described by the cooperative endeavor agreement.

G. At the same time as the secretary submits to the official journal for the state a notice containing general information regarding active negotiations for an economic development mega-project which is eligible for funding from the fund, which active negotiations the secretary desires to keep confidential as provided in R.S. 44:22, upon request by a member of the legislature in whose legislative district a project is located, the secretary may provide information regarding the project if the member submits his signature under oath that all information shall remain confidential and privileged.

Acts 2007, No. 208, §3, eff. June 29, 2007; Acts 2008, No. 513, §15, eff. June 30, 2008; Acts 2009, No. 1, §1, eff. May 12, 2009; Acts 2010, No. 368, §1; Acts 2010, No. 633, §3, eff. July 1, 2010; Acts 2015, No. 12, §1, eff. July 1, 2015.

Department of Transportation and Development

Crescent City Transition Fund — R.S. 48:1161.2

§1161.2. Crescent City Transition Fund

A. Upon the final payment on any public indebtedness issued by the Mississippi River Bridge Authority or the Crescent City Connection Division of the Department of Transportation and Development, all books, papers, records, actions, and other property and improvements thereon, both movable and immovable, heretofore owned, possessed, controlled, or used by the Mississippi River Bridge Authority or the Crescent City Connection Division of the Department of Transportation and Development in the exercise of functions of those bodies are hereby transferred to the department. All books, papers, and records transferred to the department pursuant to this Section or as a result of the Act originating as Senate Bill 599 of the 2012 Regular Legislative Session* shall be retained for a period of no less than five years following such transfer.

B. There is hereby created, as a special fund in the state treasury, the Crescent City Transition Fund, hereinafter referred to as the "fund". The source of monies for the fund shall be amounts paid to the Mississippi River Bridge Authority pursuant to Sections 4.21 and 12.1 of the Amended and Restated Indenture and Deed of Trust between the Secretary of the Department of Transportation and Development (Acting in the Name of and on Behalf of the Mississippi River Bridge Authority) and Bank One Trust Company, N.A., dated November 1, 2002, or funds possessed, controlled, or due to the Mississippi River Bridge Authority or the Crescent City Connection Division of the Department of Transportation and Development.

C. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana, relative to the Bond Security and Redemption Fund, an amount equal to that deposited into the state treasury from the foregoing sources shall be deposited in and credited to the fund. The monies in the fund shall be invested by the treasurer in the same manner as the state general fund, and interest earnings shall be deposited into the fund. All unexpended and unencumbered monies remaining in the fund at the end of each fiscal year shall remain in the fund.

D. Monies in the fund shall be appropriated as follows:

(a) The first four million dollars of monies deposited in the fund shall be appropriated for use by the Department of Transportation and Development, hereinafter referred to as the "department", for the purpose of capitalizing ferry service formerly operated by the Crescent City Connection Division in the Marine Trust Program. One million four hundred thousand dollars of such funds available for such ferry service shall be appropriated and available for ferry operation costs, such funds to be appropriated annually in the amount of seven hundred thousand dollars for the fiscal years beginning July 1, 2013, and July 1, 2014.

(b) An amount not to exceed twenty percent of the funds collected and deposited into the fund pursuant to the toll violation amnesty program required to be established pursuant to R.S. 47:7013.1(B) shall be appropriated to the department for its costs incurred to implement the program.

(c) The balance of the monies in the fund shall be appropriated to the New Orleans Regional Planning Commission for lighting of the eastbank and westbank approaches to the Crescent City Connection Bridge including General DeGaulle and the Westbank Expressway approach through ground level, improvements to ingress and egress points, lighting, maintenance, grass cutting, and landscaping of the Westbank Expressway and connecting arteries.

E. As used in this Section, the "Mississippi River Bridge Authority" shall mean the Mississippi River Bridge Authority originally created as a body politic and corporate of the state under the authority of Act No. 7 of 1952 and transferred to and incorporated within the Department of Transportation and Development under the Executive Reorganization Act of Louisiana, as amended, and called and operated as the Crescent City Connection Division of the Department of Transportation and Development.

Acts 2012, No. 866, §2, eff. Jan. 1, 2013; Acts 2013, No. 274, §2, eff. June 13, 2013.

*Acts 2012, No. 866.

Louisiana Bicycle and Pedestrian Safety Fund — R.S. 32:202 and 47:463.148

§202. Louisiana Bicycle and Pedestrian Safety Fund

A. There is hereby created, as a special fund in the state treasury, the Louisiana Bicycle and Pedestrian Safety Fund, hereinafter referred to as the "fund". The source of monies for the fund shall be that portion of the monies derived from fees imposed and dedicated to the fund pursuant to the provisions of R.S. 47:463.148, and grants, gifts, and donations and any other monies received by the state for the purposes of bicycle and pedestrian safety and which are appropriated to the fund.

B. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana, relative to the Bond Security and Redemption Fund, an amount equal to that deposited into the state treasury from the foregoing sources shall be deposited in and credited to the fund. The monies in the fund shall be invested by the treasurer in the same manner as the state general fund, and interest earnings shall be deposited into the fund. All unexpended and unencumbered monies remaining in the fund at the end of each fiscal year shall remain in the fund.

C. Monies in the fund shall be subject to annual appropriation by the legislature for use by the Department of Transportation and Development. The monies in the fund shall be allocated and disbursed by the secretary of the Department of Transportation and Development and used solely for bicycle and pedestrian safety.

Acts 2010, No. 840, §1.

§463.148. Special prestige license plate; "Share the Road"

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate to be known as the "Share the Road" plate, provided there is a minimum of one thousand applicants for such plates. These license plates shall be restricted to use on passenger cars, pickup trucks, recreational vehicles, and vans.

B. The special prestige license plate shall be known as the "Share the Road" license plate and shall bear the likeness of a person on a bicycle riding on the road and a pedestrian walking centered on the left side of the license plate. The "Louisiana" name logo shall be at the top of the plate. The center of the plate shall display a number, with the first issued plate displaying the number one and shall continue in consecutive numerical order for each plate. Centered at the bottom of the plate below the number shall be the words "Share the Road".

C. The prestige license plate shall be issued, upon application, to any citizen of Louisiana.

D. The department shall collect the following fees for this license plate:

(1) A royalty fee of twenty-five dollars, which shall be disbursed in accordance with Subsection E of this Section.

(2) A handling fee of three dollars and fifty cents to be retained by the department to offset a portion of administrative costs.

(3) The standard motor vehicle license tax imposed by Article VII, Section 5 of the Constitution of Louisiana.

E. The monies received from the additional twenty-five-dollar fee shall be deposited into the Louisiana Bicycle and Pedestrian Safety Fund, R.S. 32:202, for use by the Department of Transportation and Development for the sole purpose of promoting bicycle and pedestrian safety.

F. The secretary shall adopt rules and regulations as are necessary to implement the provisions of this Section.

Acts 2010, No. 840, §2; Acts 2011, No. 244, §2.

Transportation Trust Fund — CONST. ART. VII, Sect. 27; R.S. 47:820.2; R.S. 47:820.4; R.S. 49:308.4

§27. Transportation Trust Fund

Section 27.(A) Creation of fund. Effective January 1, 1990, there shall be established in the state treasury as a special permanent trust fund the Transportation Trust Fund ("the trust fund") in which shall be deposited the "excess revenues" as defined herein which are a portion of the avails received in each year from all taxes levied on gasoline and motor fuels and on special fuels (said avails being referred to as the "revenues") as provided herein. After satisfying pledges respecting that portion of the revenues attributable to the tax rates in effect at the time of such pledges for the payment of obligations for bonds or other evidences of indebtedness on the effective date of this Section, the treasurer shall allocate such portion of the revenues received in each year as necessary to pay all principal, interest, premium, if any, and other obligations incident to the issuance, security, and payment in respect of bonds as authorized in Paragraph (C) hereof. Thereafter, the portion of the revenues remaining shall be deposited in the Bond Security and Redemption Fund in the state treasury. After (1) the payment of any obligations for bonds or other evidences of indebtedness in existence on the effective date of this Section which are secured by revenues; (2) payments in respect of bonds authorized in Paragraph (C) hereof; and (3) credit to the Bond Security and Redemption Fund, the treasurer shall deposit in and credit to the trust fund all of the revenues remaining (the "excess revenues") from the avails of all

taxes levied on gasoline and motor fuels and on special fuels, as follows: for the fiscal year beginning July 1, 1989, the avails of twelve cents per gallon of said taxes received on and after January 1, 1990; for the fiscal year beginning on July 1, 1990, the avails of fourteen cents per gallon of said taxes; for the fiscal year beginning on July 1, 1991, and thereafter, the avails of all taxes levied on gasoline and motor fuels and on special fuels. Purchases of gasoline, diesel fuel, or special fuels which are subject to excise tax under Chapter 7 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 shall be exempt from the state sales tax and any sales tax levied by a political subdivision as defined by Article VI, Section 44(2). All monies appropriated by the Federal Highway Administration and the Federal Aviation Administration, or their successors, either reimbursed or paid directly, shall be paid directly or deposited in and credited to the trust fund.

NOTE: Paragraph (B) effective until the amendment proposed by Acts 2017, No. 429, §1, is approved on Oct. 14, 2017, and becomes effective.

(B) The monies in the trust fund shall be appropriated or dedicated solely and exclusively for the costs for and associated with construction and maintenance of the roads and bridges of the state and federal highway systems, the Statewide Flood-Control Program or its successor, ports, airports, transit, state police for traffic control purposes, and the Parish Transportation Fund or its successor and for the payment of all principal, interest, premium, if any, and other obligations incident to the issuance, security, and payment in respect of bonds or other obligations payable from the trust fund as authorized in Paragraph (D) hereof. Unless pledged to the repayment of bonds authorized in Paragraphs (C) or (D) of this Section, the monies in the trust fund allocated to ports, airports, flood control, parish transportation, and state highway construction shall be appropriated annually by the legislature only pursuant to programs established by law which establish a system of priorities for the expenditure of such monies, except that the Transportation Infrastructure Model for Economic Development, which shall include only those projects enumerated in House Bill 17 of the 1989 First Extraordinary Session of the Legislature* and US Highway 61 from Thompson Creek to the Mississippi Line, in lieu of "US 61-Bains to Mississippi Line", and US Highway 165 from I-10 to Alexandria to Monroe to Bastrop and thence on US Highway 425 from Bastrop to the Arkansas Line, in lieu of "US 165-I-10 Alexandria-Monroe-Bastrop-Arkansas Line" and LA 15-Natchez, Mississippi to Chase in lieu of "LA 15-Natchez, Mississippi to Monroe", shall be funded as provided by law. The state generated tax monies appropriated for ports, Parish Transportation Fund, or its successor, and the Statewide Flood-Control Program, or its successor, and state police for traffic control purposes shall not exceed twenty percent annually of the state generated tax revenues in the trust fund; provided, however, that no less than the avails of one cent of the tax on gasoline and special fuels shall be appropriated each year to the Parish Transportation Fund, or its successor. The annual appropriation for airports shall be a sum equal to, but not greater than, the annual estimated revenue to be derived from the state taxes to be collected and received on aviation fuel. Unencumbered and unexpended balances at the end of each fiscal year shall remain in the trust fund. The earnings realized in each fiscal year on the investment of monies in the trust fund shall be deposited in and credited to the trust fund.

NOTE: Paragraph (B) as amended by Acts 2017, No. 429, §1, effective if and when the amendment proposed by Acts 2017, No. 429, §1, is approved on Oct. 14, 2017, and becomes effective.

(B)(1) Except as provided for in Subparagraph (2) of this Paragraph, the monies in the trust fund shall be appropriated or dedicated solely and exclusively for the costs for and associated with construction and maintenance of the roads and bridges of the state and federal highway systems, the Statewide Flood-Control Program or its successor, ports, airports, transit, state police for traffic control purposes, and the Parish Transportation Fund or its successor and for the payment of all principal, interest, premium, if any, and other obligations incident to the issuance, security, and payment in respect of bonds or other obligations payable from the trust fund as authorized in Paragraph (D) hereof. Unless pledged to the repayment of bonds authorized in Paragraphs (C) or (D) of this Section, the monies in the trust fund allocated to ports, airports, flood control, parish transportation, and state highway construction shall be appropriated annually by the legislature only pursuant to programs established by law which establish a system of priorities for the expenditure of such monies, except that the Transportation Infrastructure Model for Economic Development, which shall include only those projects enumerated in House Bill 17 of the 1989 First Extraordinary Session of the Legislature and US Highway 61 from Thompson Creek to the Mississippi Line, in lieu of "US 61-Bains to Mississippi Line", and US Highway 165 from I-10 to Alexandria to Monroe to Bastrop and thence on US Highway 425 from Bastrop to the Arkansas Line, in lieu of "US 165-I-10 Alexandria-Monroe-Bastrop-Arkansas Line" and LA 15-Natchez, Mississippi to Chase in lieu of "LA 15-Natchez, Mississippi to Monroe", shall be funded as provided by law. The state generated tax monies appropriated for ports, Parish Transportation Fund, or its successor, and the Statewide Flood-Control Program, or its successor, and state police for traffic control purposes shall not exceed twenty percent annually of the state generated tax revenues in the trust fund; provided, however, that no less than the avails of one cent of the tax on gasoline and special fuels shall be appropriated each year to the Parish Transportation Fund, or its successor. The annual appropriation for airports shall be a sum equal to, but not greater than, the annual estimated revenue to be derived from the state taxes to be collected and received on aviation fuel. Unencumbered and unexpended balances at the end of each fiscal year shall remain in the trust fund. The earnings realized in each fiscal year on the investment of monies in the trust fund shall be deposited in and credited to the trust fund.*

(2) There is hereby established in the Transportation Trust Fund a special subfund to be known as the "Construction Subfund", hereinafter referred to as "the subfund", in which shall be deposited the avails of any new taxes that become effective and are levied on gasoline, motor fuels, or special fuels on or after July 1, 2017. The monies in the subfund shall be appropriated and dedicated solely for the direct costs associated with actual project delivery, construction, and maintenance of transportation and capital transit infrastructure projects of the state and local government. The monies in the subfund that are appropriated by the legislature to the Department of Transportation and Development, or its successor, shall not be utilized by the department for the payment of employee wages and related benefits or employee retirement benefits.

(C) The State Bond Commission or its successor, may issue and sell bonds, notes, or other obligations ("Bonds") secured by a pledge of a portion of the revenues not to exceed

the avails of four cents per gallon of the taxes on gasoline and motor fuels and on special fuels received by the state treasurer. Bonds so issued may also be secured by a pledge of all or a portion of excess revenues as additional security therefor, and if so pledged any portion thereof needed to pay principal, interest, or premium, if any, and other obligations incident to the issuance, security, and payment in respect to Bonds may be expended by the treasurer without the need for legislative appropriation. The Bonds may be issued in the manner set forth in this Section to provide for the costs for and associated with construction and maintenance of the roads and bridges of the state and federal highway systems, Statewide Flood-Control Program, ports, airports, and for any other purpose for which monies in the trust fund may be expended as provided by law. Such Bonds shall not be considered to be debt under Article VII, Section 6, unless the provisions of Article VII, Section 6, relative to incurring debt by the state are met, in which case the full faith and credit of the state may also be pledged in addition to the revenues received by the treasurer.

(D) The State Bond Commission or its successor may also issue and sell bonds, notes, or other obligations secured by a pledge of the excess revenues deposited in the trust fund, which shall otherwise be issued in the manner and for the purposes provided for in this Section, and if so pledged any portion thereof needed to pay principal, interest, or premium, if any, and other obligations incident to the issuance, security, and payment in respect thereof may be expended by the treasurer without the need for legislative appropriation.

(E) Bonds, notes, or other obligations issued pursuant to the provisions of Paragraphs (C) or (D) above may be issued in the manner provided by resolution of the State Bond Commission or its successor under the authority of said Paragraphs without compliance with any other requirement of this constitution or law. To that end, said Paragraphs (C) and (D) hereof shall be deemed self-operative.

Acts 1989, No. 847, §1, eff. Jan. 1, 1990; Acts 2003, No. 1301, §1, approved Oct. 4, 2003, eff. Nov. 6, 2003; Acts 2017, No. 429, §1, if approved.

*Acts 1989, 1st Ex. Sess., No. 16.

§820.2. Distribution of proceeds; Transportation Infrastructure Model for Economic Development Account

A.(1) In addition to the requirements of Article VII, Section 27 of the Constitution of Louisiana concerning the depositing, crediting, use, or pledging of the avails of the taxes levied on gasoline and motor fuels and on special fuels, the portion of the full amount of taxes collected pursuant to R.S. 47:820.1, which are "excess revenues" as that term is defined in Section 27, shall be credited to the Transportation Infrastructure Model for Economic Development Account hereafter, "the account", which the treasurer is hereby directed to create within the Transportation Trust Fund in the state treasury. Monies in the account shall be used solely to fund the Transportation Infrastructure Model for Economic Development program through the Department of Transportation and Development as provided for in this Section.

(2) Unless there are insufficient monies in the Bond Security and Redemption Fund from all other sources to pay principal, interest, and premium, if any, on full faith and credit

obligations, the treasurer is hereby directed to transfer that portion of the proceeds from the tax collected pursuant to R.S. 47:820.1 and pursuant to other provisions which levy a tax on gasoline and motor fuels and special fuels which has been deposited in the Bond Security and Redemption Fund as required by Article VII, Section 27(A) of the Constitution of Louisiana, as follows:

(a) In the case of the tax collected pursuant to R.S. 47:820.1, to the account.

(b) In the case of the tax collected pursuant to other provisions of law, as required by the provisions of Article VII, Section 27 of the Constitution of Louisiana.

(3) Monies in the account shall be invested as provided by law. Unencumbered or unexpended balances at the end of each fiscal year shall remain to the credit of the account. Any amounts earned through investment of the monies in the account shall remain to the credit of the account and shall not revert to the state general fund. In addition to the provisions in Subsection C of this Section, the collections of the tax levied by R.S. 47:820.1 and the monies in the account may be used for the payment of obligations incurred or to support any pledge made by the State Bond Commission relative to bonds issued or debt incurred by it as provided in Article VII, Section 27 of the Constitution of Louisiana, but only for the purposes and projects specified in Subsection B of this Section.

B.(1) Except as provided in Subsection C of this Section, the collections of the tax levied by R.S. 47:820.1 in the account shall be used, and the bonds issued by the State Bond Commission pursuant to Article VII, Section 27(C) shall be issued, solely and exclusively for the following projects and in the following amounts:

Expenditures

(a) Highway Projects

US 171 - Lake Charles to Shreveport	\$415 million
US 165 - I-10 to Alexandria to Monroe to Bastrop and thence on US Highway 425 from Bastrop to the Arkansas Line	\$492 million
US 90 - Morgan City to Houma	\$256 million
US 167 - Alex.-Ruston to Arkansas Line	\$389 million
LA 3241 - I-12 to Bush (Bogalusa)	\$52 million
Jefferson Parish West Bank Expressway (Avenue D to Ames Blvd.)	\$33.2 million
New Orleans Tchoupitoulas Street Corridor	\$55 million
Earhart Blvd. (Orleans Parish Line to Loyola Avenue)	\$20 million
West Napoleon (Jefferson Parish/City of Kenner)	\$53 million
Baton Rouge to Monroe: LA 15 - Natchez, Miss. to Chase	\$66 million
US 61 - Thompson Creek to Miss. Line	\$29 million

(b) Bridges

New Mississippi River Bridge at St. Francisville (Connection to US 61)	\$150 million
Huey P. Long Bridge (widen to six lanes)	\$220 million
New Florida Ave. Bridge over Industrial Canal	\$129 million

(c) Port of New Orleans \$100.0 million

(d) New Orleans International Airport \$75.0 million

(e) The Louisiana Highway 3241 project from Interstate 12 to Bush listed in Subparagraph (a) of this Paragraph shall be constructed as a four-lane or more highway.

(2) However, the Department of Transportation and Development is hereby authorized to revise these expenditure amounts annually and shall appear before the House and Senate Committees on Transportation, Highways and Public Works annually to inform the committees of such revisions.

(3) Any other provisions of law notwithstanding:

(a) Nothing in this Part shall in any way increase the existing mileage included in the state highway system.

(b) The projects provided for in Paragraph B(1) of this Subsection shall be funded whether or not they are included in the capital outlay bill for a fiscal year.

(c) Any project provided for in Paragraph B(1) of this Subsection which has been completed by the Department of Transportation and Development as of June 10, 1998, shall not receive any additional monies from the imposition of this tax.

(d) In order to expedite the completion of the West Napoleon project listed in Paragraph (B)(1), the state is authorized to enter into a cooperative endeavor agreement with both the city of Kenner and the parish of Jefferson for the advancement and repayment of funding, and the construction and completion of the West Napoleon project:

(i) For the construction of that portion of the West Napoleon project within the jurisdictional limits of the city of Kenner, the parties to the cooperative endeavor agreement shall be the state, the city of Kenner and the parish of Jefferson.

(ii) For the construction of that portion of the West Napoleon project within the unincorporated portion of Jefferson Parish, the parties to the cooperative endeavor agreement shall be the state and the parish of Jefferson.

(iii) The parish of Jefferson shall be the project manager under any such cooperative endeavor agreement for all portions of the West Napoleon project and all funds advanced by the parish of Jefferson pursuant hereto shall fall within the definition of state tax supported debt, as that term is used in R.S. 39:1367.

C. Monies in the Transportation Infrastructure Model for Economic Development Account not needed for the payment of principal, interest, or premium, if any, or other charges related to the issuance of bonds by the State Bond Commission may be appropriated and used for purposes not inconsistent with the Transportation Trust Fund. Any such appropriations shall be made before January 1, 1994. The total of any such appropriations made shall not exceed one hundred sixty million dollars in the aggregate. All such appropriations made for Transportation Trust Fund projects and purposes other than those provided for in Subsection B of this Section shall be considered interfund borrowing and shall be returned to the credit of the account no later than June 30, 2010.

D.(1) Each year, beginning with the fiscal year commencing in 1989, the Board of Commissioners of the Port of New Orleans and the New Orleans Aviation Board shall each submit to the legislature a program of construction to be commenced in the ensuing fiscal year, which shall be based upon the anticipated revenues to be appropriated by the legislature and listed in an order of priority of the projects herein.

(2) The Board of Commissioners of the Port of New Orleans and the New Orleans Aviation Board also shall each provide to the legislature annually an additional list of projects proposed to be commenced within the ensuing four years which are in various stages of planning and preparation. This list shall be subject to change by the department and the Board of Commissioners of the Port of New Orleans and the New Orleans Aviation

Board until the department and each of the boards finally approve each project for construction.

(3) Prior to the convening of each regular session of the legislature, the Board of Commissioners of the Port of New Orleans and the New Orleans Aviation Board shall each prepare and shall furnish the project construction list to the Joint Legislative Committee on Transportation, Highways and Public Works which shall hold a public hearing or hearings for the purpose of reviewing priorities for the coming fiscal year. Subsequent to the committee hearing and prior to the convening of the regular session, the Board of Commissioners of the Port of New Orleans and the New Orleans Aviation Board shall each prepare the final construction program for the coming fiscal year for submission to the legislature. When this final construction program is presented to the legislature for funding for the coming fiscal year, any project which the legislature determines is not in the proper order of priority may be deleted by the legislature. However, the legislature shall not add any projects to this final construction program nor shall the legislature make substitutions for projects which have been removed.

(4) No construction project herein shall be undertaken by the Board of Commissioners of the Port of New Orleans and the New Orleans Aviation Board except those included in the priority listing for that fiscal year. The legislative auditor or a certified public accountant shall conduct a biennial audit of the Board of Commissioners of the Port of New Orleans and the New Orleans Aviation Board pursuant to R.S. 24:513(A) and shall issue and distribute all audit reports pursuant to R.S. 24:516(A). However, at the request of either board, there shall be an annual audit of such board.

(5) The projects planned for the year for which appropriations have been made shall be commenced in that year; however, if a project cannot be commenced within the year for which it is planned, the secretary of the Department of Transportation and Development, or the boards, whichever is appropriate, shall file with the project records a public statement as to the factors causing the delay, and the next priority project be substituted therefor. When the delaying factors have been overcome, the delayed project shall be placed in the highest priority for the next ensuing fiscal year. Funds allocated for each construction project shall remain so allocated until the project is completed and the project costs are liquidated.

E. Any monies allocated for any project as specified in Subparagraphs(B)(1)(a) and (b) of this Section not needed for such project may be reallocated for the completion of any other project or projects specified. Any monies not needed for the completion of such projects shall be used for purposes not inconsistent with the Transportation Trust Fund.

Acts 1989, 1st. Ex. Sess., No. 16, §1, eff. Jan. 1, 1990; Acts 1989, 2nd Ex. Sess., No. 11, §1, eff. Jan. 1, 1990; Acts 1991, No. 875, §1; Acts 1998, No. 64, §1; Acts 1999, No. 658, §1; Acts 2002, 1st Ex. Sess., No. 151, §2, eff. April 24, 2002; Acts 2004, No. 129, §1, eff. July 1, 2004.

§820.4. Duration and issuance of bonds priority list; progress reports; recommendations by the Revenue Estimating Conference and the Transportation Estimating Conference; duration of the tax

A.(1) The Department of Transportation and Development shall establish a list of priorities in which all projects enumerated in R.S. 47:820.2(B)(1) which have not been

completed by June 10, 1998, are listed in priority according to their economic development value including but not limited to criteria developed pursuant to the Statewide Intermodal Transportation Plan and shall report this priority list to the House and Senate Committees on Transportation, Highways and Public Works, the House Committee on Ways and Means, and the Senate Committee on Revenue and Fiscal Affairs not later than January 1, 1999.

(2) In establishing this priority list, the department may consider information, data, or testimony presented by any task force or study commission created by legislative act or executive order whose purpose is to study the Transportation Infrastructure Model for Economic Development program. The department may also evaluate the economic development potential of projects not listed in R.S. 47:820.2(B)(1) and may report this information to the committees.

(3)(a) Notwithstanding any other provision of law to the contrary, preconstruction work on the new Florida Avenue Bridge project shall begin no later than January 1, 2000.

(b) Notwithstanding any other provision of law to the contrary, preconstruction work on the new Mississippi River Bridge at St. Francisville project shall begin no later than January 1, 2000.

B. The Department of Transportation and Development shall also submit a report to the House and Senate Committees on Transportation, Highways and Public Works, the House Committee on Ways and Means, and the Senate Committee on Revenue and Fiscal Affairs annually to inform the committees of the progress of the projects enumerated in R.S. 47:820.2(B)(1). This report shall include information on each project, including but not limited to the current construction phase, the anticipated date of completion, the estimated cost, and any other information requested by the committees.

C. The Revenue Estimating Conference shall submit a written report annually to the House and Senate Committees on Transportation, Highways and Public Works, the House Committee on Ways and Means, and the Senate Committee on Revenue and Fiscal Affairs to inform such committees of the projected amount of revenue to be collected during the next fiscal year pursuant to the tax levied in R.S. 47:820.1. The Transportation Estimating Conference created in R.S. 39:21.3(F) shall utilize the projected revenue data submitted by the Revenue Estimating Conference and shall make recommendations to the committees regarding the expiration of this tax when it deems that there are sufficient funds to complete the projects listed in R.S. 47:820.2(B)(1).

D. Notwithstanding any other provision of law to the contrary, the tax imposed by R.S. 47:820.1 shall cease at such time as all projects listed in R.S. 47:820.2(B)(1) are completed and all outstanding bonds or any refunding bonds issued pursuant to the provisions of Chapter 14-A or 15 of Title 39 of the Louisiana Revised Statutes of 1950 or other indebtedness issued for the projects enumerated in this Part and payable from the proceeds of the tax levied by this Part have been paid in full as to principal and interest, whichever is later. However, no bonds may be issued which are secured by a pledge of the revenues generated by the tax levied by R.S. 47:820.1 to provide funds for any project listed in R.S. 47:820.2(B)(1) after December 31, 2012. Furthermore, no bonds may be issued for a term of more than thirty-five years.

Acts 1989, 1st Ex. Sess., No. 16, §1, eff. Jan. 1, 1990; Acts 1998, No. 59, §1; Acts 1998, No. 64, §1; Acts 2000, No. 1, §1, eff. June 15, 2000; Acts 2006, No. 298, §1.

§308.4. Use of funds on deposit; repayment to special funds

A. The treasurer is authorized to use, loan, or borrow any available state cash in the state treasury from any fund to make payments from the state general fund that are authorized by law. Any funds so used, loaned, or borrowed during a fiscal year shall be repaid no later than August fifteenth of the calendar year following the end of that fiscal year.

B. At each scheduled meeting of the Revenue Estimating Conference, as provided in R.S. 39:26, the state treasurer shall provide, in a format prescribed by the conference, a fiscal status report to contain, without limitation, the level of interfund borrowing authorized herein.

C. This Section shall not apply to or otherwise provide for the use of the money in the Louisiana Education Quality Trust Fund, also known as the Kevin P. Reilly, Sr. Louisiana Education Quality Trust Fund, Article VII, Section 10.1 of the Constitution of Louisiana and the Transportation Trust Fund, Article VII, Section 27 of the Constitution of Louisiana.

Acts 1989, No. 836, §3, eff. July 1, 1989; Acts 1992, No. 11, §1, eff. June 20, 1992; Acts 1993, No. 1023, §1; Acts 2000, 2d Ex. Sess., No. 5, §1, eff. June 30, 2000, and §2, eff. July 1, 2001; Acts 2013, No. 56, §4, eff. May 29, 2013.

NOTE: See Acts 1989, No. 836, §6.

NOTE: See Acts 2000, No. 46, second §2, eff. June 28, 2000, relative to applicability of this Section and Acts 2000, 2d Ex. Sess., No. 5, §3, which repeals and voids Acts 2000, No. 46, §2.

TTF - Regular — CONST. ART. VII, Sect. 27 [*See Transportation Trust Fund*]; R.S. 49:314; R.S. 49:308.4 [*See Transportation Trust Fund*]; R.S. 48:756; R.S. 48:163.1; R.S. 47:481 and 727; R.S. 47:718; R.S. 32:387(E)(1)(b)

§314. Withdrawals

A. Money shall be drawn from the state treasury only pursuant to an appropriation made in accordance with law, except as otherwise provided by the Constitution of Louisiana.

B.(1) Notwithstanding any other provision of law to the contrary, including any provision of any appropriation act or capital outlay act, the appropriations from the Transportation Trust Fund enacted for a specific fiscal year shall have equal priority, regardless of whether such appropriations are contained in the general appropriation act, the capital outlay act, or any other appropriation act.

(2) At any point in time, if revenues in the state treasury credited to the Transportation Trust Fund are insufficient to fully fund the warrants submitted for payment from the Transportation Trust Fund, the treasurer shall allocate money for the payment of a warrant on the basis of a ratio which shall be the amount that the appropriation bears to the total amount of the appropriations from the Transportation Trust Fund for the fiscal year.

(3)(a) Notwithstanding any other provision of law to the contrary, including any provision of any Appropriation Act or Capital Outlay Act, for any monies appropriated from the Transportation Trust Fund the attorney general shall do one of the following:

(i) Certify that such appropriation is for a purpose for which monies in the trust fund may be expended as limited by the provisions of Article VII, Section 27 of the Constitution of Louisiana.

(ii) Determine that such appropriation is not for such an authorized purpose.

(b) Such certification or determination by the attorney general must be made within seven days following final passage by both houses of the legislature of any bill which appropriates funds from the Transportation Trust Fund.

(c) The certification or other determination shall be transmitted to the governor, the Joint Legislative Committee on the Budget, the Joint Legislative Committee on Capital Outlay, the presiding officers of both houses of the legislature, and the chairmen of the House and Senate Committees on Transportation, Highways and Public Works.

Acts 1976, No. 428, §1, eff. July 31, 1976; Acts 1991, No. 384, §1, eff. July 1, 1991; Acts 1993, No. 1036, §1, eff. July 1, 1993; Acts 2005, No. 70, §1, eff. July 1, 2005.

§756. Distribution formula

A.(1) The monies in the Parish Transportation Fund shall be distributed to the several parish governing authorities on a per capita basis in population categories, based on the population as determined by the latest federal decennial census or by the Louisiana State University and Agricultural and Mechanical College Agriculture Center, Department of Agricultural Economics and Agribusiness, under the most recent federal-state cooperative program for local population estimates, whichever is more recent, as follows:

	Parish Population	Per Capita Distribution
Class 1	1 to 16,000	\$13.32
Class 2	16,001 to 45,000	\$10.82
Class 3	45,001 to 100,000	\$8.32
Class 4	100,001 to 200,000	\$7.32
Class 5	200,001 to 400,000	\$5.57
Class 6	400,001 and over	\$4.65

(2) Notwithstanding any other provision of this Part or any other law to the contrary, except the provisions contained in R.S. 48:761, no parish shall receive less than it received in the Fiscal Year 1972-1973. The funds provided hereunder shall be distributed to the parishes by the state treasurer in the amount of one-twelfth of their total entitlement in each calendar month of the fiscal year, unless the Legislative Audit Advisory Council notifies the state treasurer, by written resolution, to suspend the distribution of funds to any parish found to be in noncompliance with the statutory provisions comprising the Parish Transportation Fund.

(3) If funds are available for and appropriated to the Parish Transportation Fund in excess of the amount appropriated in Fiscal Year 1994-1995, such additional funds shall be distributed to the parishes on a per mile basis with the total miles of parish roads as determined by the Department of Transportation and Development for the year 1990. Each parish shall receive an amount based on that parish's total miles of road in proportion to total parish roads in the state. Parishes with a population of four hundred seventy-five thousand or greater shall participate in any distribution made under the provisions of this Paragraph based on the number of miles of roads and streets under their jurisdiction along with all other parishes. Funds received under the provisions of this

Paragraph shall be distributed within each parish on the same basis, i.e., through a formula based on the number of miles of parish roads located in each district in the parish.

(4) Repealed by Acts 2011, No. 143, §2.

B.(1)(a) Any funds specifically appropriated for transportation purposes other than those provided for in Subsection A of this Section shall be credited to the Parish Transportation fund, after appropriating two and one-half percent of the amount allocated pursuant to this Section to the public transportation section of the Louisiana Department of Transportation and Development for the sole purpose of capital acquisition for the transit providers operating under 49 U.S.C. 5310 and 5311, and after providing a base amount of seventy-five thousand dollars each for mass transit purposes as defined in the Transportation Equity Act for the 21st Century (TEA 21), or its successor, as amended, to the parish or municipal governing authority of Orleans, Jefferson, Kenner, East Baton Rouge, Monroe, Alexandria, Lafayette, Lake Charles, Shreveport, St. Bernard, St. Charles, St. Tammany, and Terrebonne.

(b) In the event the appropriation in a fiscal year for mass transit purposes is at least eight million dollars but not more than ten million dollars, the base amount shall be one hundred thousand dollars. If such appropriation exceeds ten million dollars, the base amount shall be one hundred twenty-five thousand dollars.

(2) The balance credited to the fund after the appropriations and other provisions required by Paragraph B(1) of this Subsection shall be distributed as follows:

(a) Provided that Subparagraphs (b) and (c) of this Paragraph are applicable to them, one dollar per capita for each urbanized area as determined by the most current federal census for the parishes of Orleans, Jefferson, East Baton Rouge, Ouachita, Rapides, Lafayette, Calcasieu, Caddo, St. Bernard, St. Charles, St. Tammany, and Terrebonne.

(b) Plus an amount per passenger determined as follows:

Passengers per year	Amount
0-1,000,000	\$0.50 per passenger
1,000,001-1,250,000	\$500,000
1,250,001-5,000,000	\$0.40 per passenger
5,000,001-6,666,666	\$2,000,000
6,666,667-10,000,000	\$0.30 per passenger
10,000,001-12,000,000	\$3,000,000
12,000,001-25,000,000	\$0.25 per passenger
25,000,001-34,722,223	\$6,250,000
over 34,722,223	\$0.10 per passenger

(c) Multiplied by the ratio of the operating income to the operating expense of the transit system.

(d) Repealed by Acts 2001, No. 780, §2, eff. July 1, 2001.

C. For purposes of Subsection B of this Section, the following terms shall have the following meanings:

(1) "Number of passengers" shall mean the annual total of the unlinked passenger trips, defined as the number of passengers who board public transportation vehicles, for each mode of service reported on that National Transit Database pursuant to 49 U.S.C. 5335.

(2) "Operating expenses" shall mean the total modal expenses for each mode of service reported on the National Transit Database pursuant to 49 U.S.C. 5335.

(3) "Operating revenue or income" shall mean any operating revenue or income, exclusive of federal and state funds, reported on the National Transit Database pursuant to 49 U.S.C. 5335, including total directly generated funds and total local funds.

D. Notwithstanding any other provision of this Part or any other law to the contrary, the distribution of funds provided for in Subsection B of this Section shall be credited to the parish governing authorities and municipal governing authorities herein enumerated as follows:

(1) Of the funds appropriated to the governing authority of Jefferson Parish, under the provisions of Subsection B of this Section, thirteen percent shall be distributed to the municipal governing authority of Kenner.

(2) All of the funds appropriated to the governing authority of Lafayette Parish under the provisions of Subsection B of this Section shall be distributed to the municipal governing authority of the city of Lafayette.

(3) All of the funds appropriated to the governing authority of Calcasieu Parish under the provisions of Subsection B of this Section shall be distributed to the municipal governing authority of the city of Lake Charles.

(4) All of the funds appropriated to the governing authority of Ouachita Parish under the provisions of Subsection B of this Section shall be distributed to the municipal governing authority of the city of Monroe.

(5) All of the funds appropriated to the governing authority of Caddo Parish under the provisions of Subsection B of this Section shall be distributed to the municipal governing authority of the city of Shreveport.

(6) All of the funds appropriated to the governing authority of Rapides Parish under the provisions of Subsection B of this Section shall be distributed to the municipal governing authority of the city of Alexandria.

E. Funds appropriated to the municipal governing authorities enumerated in Subsection D shall be used for purposes consistent with this Part.

F. Funds allocated for maintenance, repair, and construction of railroad crossings and off-system bridges or funds allocated as a match for federal funds to be used to maintain, repair, and construct railroad crossings and off-system bridges shall be allocated to the Department of Transportation and Development for administration and expenditure based on the number and cost of crossings or bridges in need of construction, repair, or maintenance throughout the state. The funds expended under the provisions of this Subsection shall be used exclusively in conjunction with federal match dollars and shall be used exclusively for the maintenance, repair, and construction of railroad crossings and off-system bridges.

G. Transit systems with nine or fewer bus waivers shall be exempt from the National Transit Database reporting requirements. These transit systems shall report data on the number of passengers, operating expenses, and operating revenue or income in accordance with the requirements of the current National Transit Database Reporting Manual. The data shall be reported by these transit systems to the Department of Transportation and Development.

Acts 1990, No. 221, §1; Acts 1995, No. 199, §1, eff. July 1, 1995; Acts 1995, No. 1167, §1, eff. July 1, 1995; Acts 1997, No. 1365, §1, eff. July 1, 1997; Acts 2001, No. 780, §§1 and 2, eff. July 1, 2001; Acts 2006, No. 640, §3, eff. June 27, 2006; Acts 2007, No. 478, §1; Acts

2009, No. 212, §1, eff. July 1, 2009; Acts 2011, No. 143, §§1, 2; Acts 2012, No. 555, §2, eff. July 1, 2012.

§163.1. Use of highway funds for bicycle facilities

A.(1) The department annually may expend a reasonable amount of the transportation trust fund for the establishment, construction, and maintenance of bicycle facilities. Bicycle facilities may be established wherever a highway, road, or street is being constructed, reconstructed, relocated, or as separate projects, unless the department determines the following:

(a) The roadway is one on which the presence of bicyclists and pedestrians is prohibited by law.

(b) The cost of providing bicycle facilities would be excessively disproportionate to the need or probable use. "Excessively disproportionate" is defined as exceeding twenty percent of the cost of the project.

(c) There is a sparsity of population which demonstrates absence of need or prudence, or future development is not anticipated.

(2) Bicycle facilities shall not be constructed in conjunction with preservation projects if the construction of the facility requires right-of-way acquisition, utility relocation, or major construction. Retrofits, including but not limited to narrowing lanes, restriping, and other general improvements, shall be considered in conjunction with preservation projects.

(3) When population levels and development demonstrates that bicycle facilities would fill a need and construction of the facility would require right-of-way acquisition, utility relocation, or major construction, the department shall work with a municipality or parish to identify funding for the facility as a separate project.

(4) Maintenance of sidewalks and bicycle facilities outside the limits of the curb or shoulder shall be the responsibility of the municipality or parish. Maintenance agreements shall be required.

B. Any municipality or parish may expend a reasonable amount of funds received from the parish transportation fund for the establishment, construction, and maintenance of bicycle facilities.

C. Repealed by Acts 2010, No. 618, §4.

D. The amount expended by the department as permitted by this Section may be at least one percent of the total funds appropriated to the transportation trust fund in any given fiscal year.

E. Any municipality or parish which receives funds from the parish transportation fund may expend at least one percent of those funds for the establishment of bicycle facilities. However,

(1) This Subsection shall not apply to a municipality in which the one percent equals two hundred fifty dollars or less, or to a parish in any year in which the one percent equals one thousand five hundred dollars or less;

(2) A municipality or parish in lieu of expending the funds each year may credit the funds to a special fund or account, to be held for not more than ten years, and to be expended only for the purposes required by this Section.

F. The department shall recommend construction standards for bicycle facilities.

G. The department shall provide a uniform system of marking bicycle facilities in accordance with the Manual on Uniform Traffic Control Devices, such system to be used on all facilities under the jurisdiction of the department and municipalities and parishes.

H. The department and municipalities and parishes shall restrict the use of bicycle facilities under their respective jurisdictions to pedestrians and nonmotorized vehicles, except for electric personal assistive mobility devices where such devices do not pose a hazard to the device users or other users of the facility.

Added by Acts 1974, No. 577, §2. Amended by Acts 1977, No. 291, §1; Acts 1999, No. 368, §1, eff. June 16, 1999; Acts 2010, No. 618, §§3, 4.

§481. Disposition of collections

Except as provided in R.S. 47:480, all fees and taxes provided for in this Chapter, including the permit fees, shall be paid to the state treasurer on or before the tenth day of each month following their collection and shall be credited to the account of the Transportation Trust Fund, the State Highway Improvement Fund, state highway fund No. 2, and the New Orleans Ferry Fund, as provided by law.

Added by Acts 1950, No. 20, §2; Acts 1999, No. 897, §1, eff. July 2, 1999; Acts 2000, 2d Ex. Sess., No. 3, §1, eff. June 30, 2000; Acts 2006, No. 708, §1, eff. July 1, 2006; Acts 2008, 2nd Ex. Sess., No. 11, §1, eff. March 24, 2008; Acts 2011, No. 390, §1, eff. July 1, 2012; Acts 2012, No. 865, §2, eff. Jan. 1, 2013; Acts 2013, No. 273, §1, eff. July 1, 2013.

§727. Disposition of collections

A. The secretary shall forward the full amount of taxes collected by him pursuant to R.S. 47:711, including all collections of interest, penalties, and costs applicable to such taxes to the treasurer of the state immediately upon receipt to be credited by the treasurer monthly as provided by Article VII, Section 9 of the Constitution of Louisiana, except that this Section shall not be construed or applied in such a manner as to impair the obligation, validity, or security of any outstanding bonds or other debt obligations authorized in the Louisiana Constitution of 1921.

B. Until the outstanding bonds or other debt obligations heretofore issued and to be paid from the proceeds of the tax collected hereunder have been fully paid in principal and interest, the taxes collected hereunder shall be credited by the treasurer in the order and in the proportions as follows:

(1) Nine-twentieths of the amount received from one cent per gallon not to exceed five hundred thousand dollars annually shall be credited to the Board of Commissioners of the Port of New Orleans until such time as the principal of, and the interest on, all of the outstanding bonds heretofore issued by said board of commissioners shall mature or until 2001, whichever is sooner.

(2) The full amount of taxes collected pursuant to R.S. 47:711 remaining after satisfying the requirements set forth in Paragraph (1) of this Subsection shall be credited to the Bond Security and Redemption Fund and thereafter shall be credited by the treasury to the Transportation Trust Fund as provided in Article VII, Section 27 of the Constitution of

Louisiana. The monies shall be used solely to fund Transportation Trust Fund programs in the amounts appropriated each year by the legislature. Such monies shall be expended solely from year to year as appropriated by the legislature.

Amended by Acts 1950, No. 213, §1; Acts 1952, No. 5, §2; Acts 1954, No. 644, §1; Acts 1956, No. 81, §1; Acts 1968, Ex.Sess., No. 7, §4; Acts 1975, No. 503, §1; Acts 1977, No. 441, §1; Acts 1980, No. 380, §2; Acts 1984, 1st Ex. Sess. No. 11, §1, eff. July 1, 1984; Acts 1984, No. 272, §1; Acts 1984, No. 320, §1, eff. July 1, 1984; Acts 1987, No. 471, §1, eff. Sept. 1, 1987; Acts 1992, No. 984, §14; Acts 1997, No. 1126, §1, eff. July 1, 1997; Acts 1999, No. 897, §1, eff. July 2, 1999.

§718. Gasoline or motor fuel imported in a vehicle's reservoir and used within this state

A.(1) Any gasoline or motor fuel brought into the state in the fuel supply tank or fuel reservoir of a motor vehicle, except automobiles, by an interstate user shall be liable for the taxes levied under R.S. 47:711 without the benefit of the allowance for losses in handling provided under R.S. 47:719 nor payment of the inspection fee imposed under R.S. 3:4684.

(2) An interstate user is a person who imports gasoline or motor fuel into this state in the fuel supply tanks of motor vehicles owned or operated by him, except automobiles.

(3) An interstate user who has furnished a surety bond required of dealers under R.S. 47:725, shall file, with the collector within twenty days after the expiration of each month, a report of each operating vehicle, except automobiles, traveling interstate during the preceding month. Such report shall include the total miles traveled in all the states, the total number of miles traveled in the state of Louisiana and the surrounding states, and the total number of gallons consumed by each motor vehicle based on overall operations together with such information as the collector of revenue may require.

B.(1) In order to enforce the provisions of this Section, the secretary or his authorized representative, or any commissioned officer employed by the Department of Public Safety and Corrections, public safety services, is empowered to stop any motor vehicle which appears to be operating with gasoline or motor fuel for the purpose of examining the invoices and for such other investigative purposes reasonably necessary to determine whether the vehicle is being operated in compliance with the provisions of this Section.

(2) If, after such examination or investigation, it is determined by the secretary or his authorized representative or any weights and standards police officer that the tax imposed by this Section has not been paid with respect to the gasoline or motor fuel being used in the vehicle, the secretary or his representative or any weights and standards police officer shall immediately assess the tax due together with a penalty of fifty dollars to the owner of the vehicle and give the owner written notice of the assessment by handing it to the driver of the vehicle.

(3) The secretary or his representative or any weights and standards police officer is hereby empowered to impound any vehicle found to be operating in violation of this Section by a person other than one who has furnished the bond required of dealers by R.S. 47:725 until such time as any tax and penalty assessed as provided herein has been paid.

(4) Upon issuance of the written notice of assessment in the form of a violation ticket by the secretary or his representative or any weights and standards police officer, the procedure for collection and payment of the penalty assessed shall be the same as that provided for the payment and collection of penalty in R.S. 32:389(C).

C. All penalties collected for violation of this Section shall be paid to the deputy secretary of the Department of Public Safety and Corrections, public safety services, who shall pay said penalties into the state treasury on or before the twenty-fifth day of each month following their collection and, in accordance with Article VII, Section 9 of the Constitution of Louisiana shall be credited to the Bond Security and Redemption Fund. After a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall pay an amount equal to the fees paid into the Bond Security and Redemption Fund pursuant to this Subsection into the Transportation Trust Fund.

Amended by Acts 1976, No. 555, §1, eff. Jan. 1, 1977; Acts 1978, No. 113, §1, eff. June 22, 1978; Acts 1984, No. 769, §1, eff. Jan. 1, 1985; Acts 1985, No. 551, §1, eff. July 12, 1985; Acts 1992, No. 984, §18; Acts 1997, No. 1186, §4; Acts 2001, No. 1185, §7, eff. July 1, 2001; Acts 2003, No. 139, §2, eff. May 28, 2003; Acts 2010, No. 320, §4, eff. July 1, 2010.

§387. Special permits

E.(1)

(b) All of such special permit fees collected by the secretary shall be paid into the state treasury on or before the twenty-fifth day of each month following their collection and, in accordance with Article VII, Section 9 of the Constitution of Louisiana, shall be credited to the Bond Security and Redemption Fund. After compliance with the requirements of the Bond Security and Redemption Fund, the treasurer shall deposit an amount equal to all fees collected pursuant to special permits into the Transportation Trust Fund.

Acts 1991, No. 445, §1; Acts 1991, No. 839, §1; Acts 1992, No. 186, §1; Acts 1992, No. 243, §1; Acts 1992, No. 734, §1; Acts 1992, No. 984, §10; Acts 1993, No. 13, §1; Acts 1993, No. 340, §1; Acts 1993, No. 371, §1; Acts 1995, No. 228, §1; Acts 1995, No. 254, §1; Acts 1995, No. 474, §1, eff. June 17, 1995; Acts 1997, No. 86, §1, eff. June 11, 1997; Acts 1997, No. 432, §1; Acts 1997, No. 1342, §1, eff. July 15, 1997; Acts 1999, No. 300, §1; Acts 1999, No. 436, §1; Acts 1999, No. 786, §1; Acts 2003, No. 1219, §1, eff. July 1, 2003; Acts 2004, No. 302, §1, eff. June 18, 2004; Acts 2004, No. 527, §1; Acts 2008, No. 708, §1; Acts 2009, No. 46, §1; Acts 2009, No. 189, §1; Acts 2011, No. 162, §1; Acts 2013, No. 47, §1, eff. May 29, 2013; Acts 2016, No. 441, §1.

Department of Natural Resources

Atchafalaya Basin Conservation Fund — CONST. ART. VII, Sect. 4; R.S. 30:2000.12

§4. Income Tax; Severance Tax; Political Subdivisions

Section 4.(A) Income Tax. Equal and uniform taxes may be levied on net incomes, and these taxes may be graduated according to the amount of net income. However, the state individual and joint income tax schedule of rates and brackets shall never exceed the rates and brackets set forth in Title 47 of the Louisiana Revised Statutes on January 1, 2003. Federal income taxes paid shall be allowed as a deductible item in computing state income taxes for the same period.

(B) Severance Tax. Taxes may be levied on natural resources severed from the soil or water, to be paid proportionately by the owners thereof at the time of severance. Natural resources may be classified for the purpose of taxation. Such taxes may be predicated upon either the quantity or value of the products at the time and place of severance. No further or additional tax or license shall be levied or imposed upon oil, gas, or sulphur leases or rights. No additional value shall be added to the assessment of land by reason of the presence of oil, gas, or sulphur therein or their production therefrom. However, sulphur in place shall be assessed for ad valorem taxation to the person, firm, or corporation having the right to mine or produce the same in the parish where located, at no more than twice the total assessed value of the physical property subject to taxation, excluding the assessed value of sulphur above ground, as is used in sulphur operations in such parish. Likewise, the severance tax shall be the only tax on timber; however, standing timber shall be liable equally with the land on which it stands for ad valorem taxes levied on the land.

(C) Political Subdivisions; Prohibitions. A political subdivision of the state shall not levy a severance tax, income tax, inheritance tax, or tax on motor fuel.

(D)(1) Severance Tax Allocation. One-third of the sulphur severance tax, but not to exceed one hundred thousand dollars; one-third of the lignite severance tax, but not to exceed one hundred thousand dollars; one-fifth of the severance tax on all natural resources, other than sulphur, lignite, or timber, but not to exceed five hundred thousand dollars; and three-fourths of the timber severance tax shall be remitted to the governing authority of the parish in which severance or production occurs.

(2) Effective July 1, 1999, one-third of the sulphur severance tax, but not to exceed one hundred thousand dollars; one-third of the lignite severance tax, but not to exceed one hundred thousand dollars; one-fifth of the severance tax on all natural resources, other than sulphur, lignite, or timber, but not to exceed seven hundred fifty thousand dollars; and three-fourths of the timber severance tax shall be remitted to the governing authority of the parish in which severance or production occurs.

(3) Effective July 1, 2007, one-fifth of the severance tax on all natural resources other than sulphur, lignite, or timber shall be remitted to the governing authority of the parish in which severance or production occurs. The initial maximum amount remitted to the parish in which severance or production occurs shall not exceed eight hundred fifty thousand dollars. The maximum amount remitted shall be increased each July first, beginning in 2008, by an amount equal to the average annual increase in the Consumer Price Index for

all urban consumers, as published by the United States Department of Labor, for the previous calendar year, as calculated and adopted by the Revenue Estimating Conference.

(4) Effective April 1, 2012, the provisions of this Subparagraph shall be implemented if and when the last official forecast of revenues adopted for a fiscal year before the start of that fiscal year contains an estimate of severance tax revenues derived from natural resources other than sulphur, lignite, or timber in an amount which exceeds the actual severance tax revenues from such natural resources collected in Fiscal Year 2008-2009. Upon the adoption of such official forecast, the Revenue Estimating Conference shall certify that the requirements for the implementation of the provisions contained in this Subparagraph have been met. In such event, the following distributions and allocations of severance tax revenues and other revenues provided in this Subparagraph shall be effective and implemented for the fiscal year for which the official forecast was adopted, and each year thereafter. The legislature shall provide by law for the administrative procedures necessary to change the severance tax allocation to parishes from a calendar year basis to a fiscal year basis.

(a) Remittance to parishes.

(i) In the first fiscal year of implementation of this Subparagraph, the maximum amount of severance tax on all natural resources other than sulphur, lignite, or timber which is remitted to the parish in which severance or production occurs shall not exceed one million eight hundred fifty thousand dollars. For all subsequent fiscal years, the maximum amount remitted to a parish shall not exceed two million eight hundred fifty thousand dollars.

(ii) On July first of each year the maximum amount remitted to the parish in which severance or production occurs, as provided in Item (i) of this Subsubparagraph, shall be increased by an amount equal to the average annual increase in the Consumer Price Index for all urban consumers for the previous calendar year, as published by the United States Department of Labor, which amount shall be as calculated and adopted by the Revenue Estimating Conference.

(iii) Of the total amount of severance tax revenues remitted in a fiscal year to a parish governing authority pursuant to the provisions of this Subparagraph, any portion which is in excess of the amount of such tax revenues remitted to that parish in Fiscal Year 2011-2012 shall be known as "excess severance tax". At least fifty percent of the excess severance tax received by a parish governing authority in a fiscal year shall be expended within the parish in the same manner and for the same purposes as monies received by the parish from the Parish Transportation Fund.

(b) Deposit into the Atchafalaya Basin Conservation Fund.

(i) Notwithstanding any other provision of this constitution to the contrary, after allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of this constitution, and after satisfying the required allocations in Subsubparagraph (a) of this Subparagraph, Paragraph (E) of this Section, and Article VII, Sections 10-A and 10.2 of this constitution, an amount equal to fifty percent of the revenues received from severance taxes and royalties on state lands in the Atchafalaya Basin, but not to exceed ten million dollars each fiscal year, shall be deposited by the treasurer into the Atchafalaya Basin Conservation Fund, hereinafter referred to as the "fund", which is hereby created as a special fund in the state treasury. The monies in the fund shall be invested by

the treasurer in the manner provided by law, and interest earned on the investment of these monies shall be deposited in and credited to the fund. All unexpended or unencumbered monies remaining in the fund at the end of the fiscal year shall remain in the fund.

(ii) The monies in the fund shall be used exclusively for projects contained in the state or federal Basin master plans or an annual Basin plan developed and approved by the advisory or approval board created by law specifically for that purpose, or to provide match for the Atchafalaya Basin Floodway System, Louisiana Project. Each year's plan for the expenditure of monies appropriated from the fund shall be subject to the approval of the appropriate subject matter committees of the legislature.

(iii) Of the monies appropriated in any fiscal year, eighty-five percent shall be used for water management, water quality, or access projects, and the remaining fifteen percent may be used to complete ongoing projects and for projects that are in accordance with the mission statement of the state master plan. However, no more than five percent of the monies appropriated in any fiscal year may be used for the operational costs of the program or the department.

(E) Royalties Allocation. One-tenth of the royalties from mineral leases on state-owned land, lake and river beds and other water bottoms belonging to the state or the title to which is in the public for mineral development shall be remitted to the governing authority of the parish in which severance or production occurs. A parish governing authority may fund these royalties into general obligation bonds of the parish in accordance with law. The provisions of this Paragraph shall not apply to properties comprising the Russell Sage Wildlife and Game Refuge.

Amended by Acts 1990, No. 1100, §1, approved Oct. 6, 1990, eff. Aug. 1, 1990; Acts 1990, No. 1105, §1, approved Oct. 6, 1990, eff. Jan. 1, 1991; Acts 1997, No. 1499, §1, approved Oct. 3, 1998, eff. Nov. 5, 1998; Acts 2002, No. 88, approved Nov. 5, 2002, eff. Jan. 1, 2003; Acts 2006, No. 864, §1, approved Nov. 7, 2006, eff. Dec. 11, 2006; Acts 2009, No. 541, §1, approved Nov. 2, 2010, eff. April 1, 2012.

§2000.12. Atchafalaya Basin Conservation Fund

A. There is hereby created, as a special fund in the state treasury, the Atchafalaya Basin Conservation Fund, hereinafter referred to as the "fund". The source of monies for the fund shall be appropriations, donations, grants, and other monies which may become available for the purposes of the fund.

B. The monies in the fund shall be subject to appropriation and may be used only as provided in Subsection C of this Section. The monies in the fund shall be invested by the treasurer in the same manner as monies in the state general fund, and interest earnings shall be deposited in and credited to the fund. All unexpended or unencumbered monies remaining in the fund at the end of the fiscal year shall remain to the credit of the fund.

C.(1) Monies appropriated from the fund shall be used exclusively by the Department of Natural Resources to fund projects contained in the state or federal Basin master plans, an annual Basin plan, or to provide match for the Atchafalaya Basin Floodway System, Louisiana Project. Of the monies allocated in any one fiscal year, seventy-five percent shall be used for water management, water quality, or access projects, and the

remaining twenty-five percent may be used to complete ongoing projects and for projects that are in accordance with the mission statement of the state master plan. The monies in the fund shall not be used to pay salaries or operating costs of the program or department.

(2) Of the monies received by the fund each year in accordance with the provisions of Article VII, Section 4(D)(4)(b) of the Constitution of Louisiana, a minimum of five percent shall be set aside until the total amount reaches ten million dollars. Such funds shall be used by the Department of Natural Resources for the purchase of land, or rights, or servitudes, specifically including conservation servitudes pursuant to R.S. 9:1271 et seq., from willing sellers to improve water quality, access, or other projects consistent with the Atchafalaya Basin Master Plan. Annual set-asides shall continue to be used to replenish funds used to make qualifying purchases, with such set-asides not to exceed ten million dollars. Any land, or right, or servitude thereof proposed to be purchased pursuant to the provisions of this Section shall be included in a Basin annual plan presented to the legislature, and no proposed contract made pursuant to the provisions of this Section shall be executed without such purchase having been included in an approved Basin annual plan. Willing sellers shall be permitted to avail themselves of the applicable provisions of R.S. 31:149, and R.S. 9:2795, for the sale of property, or any right or servitude thereof, made pursuant to this Section, specifically including the sale or lease of other rights, to the exclusion of the general public, upon the same parcel of land; however, the Department of Natural Resources shall not enter into an agreement pursuant to this Section unless such an agreement specifically provides that the assertion of such rights will not impact surface activities on such parcels, including coastal restoration and conservation projects constructed by or at the direction of the state. The secretary of the Department of Natural Resources shall seek from the United States Army Corps of Engineers, or its successor, credit towards any voluntary or mandatory funding matching requirement for the Atchafalaya Basin Floodway System, Louisiana Project equal to the value of the property, or right thereof, secured by any contract of sale executed pursuant to this Section.

D. Any credit provided toward the nonfederal share of the cost of a study or project authorized in an annual Basin plan may be applied toward the nonfederal share of the cost of any other study or project included in an annual Basin plan.

Acts 2008, No. 606, §1; Acts 2011, No. 348, §1.

Coastal Resources Trust Fund — R.S. 49:214.40

§214.40. Coastal Resources Trust Fund

A.(1) Subject to the exceptions contained in Article VII, Section 9(A) of the Constitution of Louisiana, all funds collected by the Louisiana coastal resources program from processing and evaluation of coastal use permit applications and consistency determinations, from any federal outercontinental shelf revenue sharing program, and from any other sources, shall be paid into the state treasury and shall be credited to the Bond Security and Redemption Fund.

(2) Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer

shall, prior to placing such remaining funds in the state general fund, pay into a special fund, which is hereby created in the state treasury and designated as the Coastal Resources Trust Fund, an amount equal to the total amount of funds paid into the treasury by the Louisiana coastal resources program.

(3) The monies in the trust fund shall be invested by the state treasurer in the same manner as monies in the state general fund. The monies in the Coastal Resources Trust Fund shall be used solely for the programs and purposes and in the amounts appropriated each year to the Louisiana coastal resources program by the legislature.

B. The Louisiana coastal resources program shall keep a set of books showing from whom every dollar is received and for what purpose and to whom every dollar is paid and for what purpose. It also shall keep in its file vouchers or receipts for all moneys paid out.

C. Any surplus funds remaining to the credit of the trust fund on July 1 of each year commencing with the fiscal year 1983-84, after all appropriations of the preceding fiscal year have been paid, and all interest earned on money from the trust fund since the creation of the fund and thereafter shall remain to the credit of the Coastal Resources Trust Fund for expenditure from year to year solely by the Louisiana coastal resources program or any uses as provided for in the federal outercontinental shelf revenue sharing legislation in accordance with appropriation made by the legislature for the purposes and functions of said program, and no part thereof shall revert to the state general fund. This provision shall not be construed to prohibit the appropriation of funds out of the state general fund to the commission.

Added by Acts 1983, No. 512, §1; Acts 1992, No. 1075, §1.

{{NOTE: SEE ACTS 1989, 2D EX. SESS., NO. 6, §7.}}

{{NOTE: PRIOR R.S. 49:213.21 WAS REPEALED BY ACTS 1989, NO. 662, §8, EFF. JULY 7, 1989. THIS REPEALED SECTION WAS ERRONEOUSLY REDESIGNATED BY ACTS 1989, 2D EX. SESS., NO. 6, §7 AS R.S. 49:214.40. THE SOURCE OF THIS SECTION IS PRIOR R.S. 49:213.22.}}

Federal Energy Settlement Fund — R.S. 30:1403

§1403. Segregation of federal oil overcharge refund monies

A. The legislature finds that since 1983 federal oil overcharge refund monies from a number of cases have been deposited to the Federal Energy Settlement Fund within the state treasury. The differing terms and conditions applied to these monies by congressional directives, consent orders, remedial orders, settlements, and judgments have made further segregation of the funds imperative.

B. The state treasurer will provide a separate fund within the state treasury for the deposit of refund monies from each individual oil overcharge case. All such refund monies allocated to the state shall be credited to this separate fund and disbursements from the fund shall be made by the legislature only in accordance with Article III, Section 16 of the Louisiana Constitution.

Acts 1987, No. 508, §1, eff. July 9, 1987.

Mineral and Energy Operation Fund — R.S. 30:136.3

§136.3. Mineral and Energy Operation Fund

A. There is hereby established in the state treasury a special fund to be known as the "Mineral and Energy Operation Fund", hereinafter referred to as the "fund".

B. Out of the funds remaining in the Bond Security and Redemption Fund, after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year as required by Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer in each fiscal year shall pay into the fund revenues and amounts from the following sources:

(1) An amount equal to one million six hundred thousand dollars received by the state through the office of mineral resources from non-judicial settlements, including but not limited to settlements of disputes of royalty audit findings, and court-awarded judgments and settlements. For Fiscal Years 2017-2018 through 2020-2021, an additional amount equal to nine hundred thousand dollars received by the state through the office of mineral resources from non-judicial settlements, including but not limited to settlements of disputes of royalty audit findings, and court-awarded judgments and settlements.

(2) All income received under the provisions of R.S. 30:212(D).

(3) All revenues received from fees levied under the provisions of Subpart A of Part II of Chapter 2 of Subtitle I of this Title, comprised of R.S. 30:121 through 144, both inclusive.

(4) Monies from any other source from which revenues are designated for deposit to the fund.

C. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be credited to the state general fund.

D. The monies in the fund shall be appropriated by the legislature to the Department of Natural Resources to be used solely for the administration and regulation of minerals, ground water, and related energy activities.

E. In every year in which the department expends monies appropriated from this fund for the purposes of legal costs and expenses, the secretary of the department shall provide the legislature with an itemized report detailing such expenditures, which shall include the name of any person or corporation receiving any such monies. The report shall be provided to the House Committee on Appropriations and the Senate Committee on Finance no later than May first of each year.

Acts 1997, No. 673, §1; Acts 2000, 2d Ex. Sess., No. 8, §1; Acts 2001, No. 1182, §4, eff. July 1, 2001; Acts 2002, 1st Ex. Sess., No. 106, §1, eff. April 18, 2002; Acts 2003, No. 993, §1, eff. July 2, 2003; Acts 2009, No. 196, §2, eff. July 1, 2009; Acts 2017, No. 329, §1.

Department of Environmental Quality

Brownfields Cleanup Revolving Loan Fund — R.S. 30:2551

PART II. BROWNFIELDS CLEANUP AND REDEVELOPMENT

§2551. Brownfields Cleanup Revolving Loan Fund; purpose

A. The legislature finds and declares that the cleanup, redevelopment, and reuse of brownfields sites in the state should be encouraged and facilitated for the benefit of the state's citizens by way of economic development, health, and aesthetics. The legislature further finds and declares that providing loans for cleanup of brownfields sites will result in benefits to the public by reducing risk to public health and the environment.

B.(1) In furtherance of that purpose, there is hereby established a fund in the state treasury to be known as the "Brownfields Cleanup Revolving Loan Fund" hereafter referred to as the "fund", which shall be maintained and operated by the Department of Environmental Quality. Grants from the federal government or its agencies allotted to the state for the capitalization of the fund and state funds when available shall be deposited directly in or credited to the account of the fund in compliance with the terms of the federal or state grant or state appropriation.

(2) Money in, credited to the account of, or to be received by the fund shall be expended in a manner consistent with terms and conditions of the grants and other sources of said deposits and credits and of all applicable federal and state legislation and may be used:

(a) To make loans from the fund at or below market interest rates.

(b) To provide assistance to a political subdivision, public trust, quasi governmental organization, or eligible nonprofit or private entity to remediate eligible brownfields' properties, except as provided in Subsection C of this Section.

(c) To fund other brownfields-related programs authorized by the terms of the grants and appropriations.

(d) To fund other programmatic activities of the department to develop and operate the revolving loan program.

(e) To provide for any other expenditure consistent with the federal grant program and state law.

(3) Money not currently needed for the operation of the fund or otherwise dedicated may be invested in an interest bearing account. All such interest earned on investments shall be credited to the fund.

C. Responsible persons shall not be eligible to apply for or receive loans pursuant to this Part.

D. The fund shall be administered by the department, which is authorized to enter into contracts and other agreements in connection with the operation of the fund. The department shall maintain full authority for the operation of the fund in accordance with applicable federal and state law.

E. Prior to making a loan, the department shall determine that the applicant has the ability to repay the loan. Further, the department may require security for loans made pursuant to this Part.

F. The secretary is authorized to adopt rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of this Part. These rules shall include but not be limited to:

- (1) Eligibility requirements of the entity or person and properties.
- (2) Criteria for ranking and selecting applicants.
- (3) Procedures for making and repaying loans.
- (4) Requirement of security for loans to eligible non-profits and private entities.
- (5) Establishment of procedures for interest rates on loans.

G. As used in this Part, the following terms shall have the meaning ascribed to them in this Subsection, unless the context clearly indicates otherwise:

(1) "Brownfields site" means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

(2) "Loan" means a loan of money from the Brownfields Cleanup Revolving Loan Fund.

(3) "Nonprofit organization" means any corporation, trust, association, cooperative, or other organization that is operated primarily for scientific, educational, service, charitable, or similar purpose in the public interest; is not organized principally for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization.

(4) "Responsible person" means responsible person or responsible owner as those terms are defined in R.S. 30:2285.2.

H. The department shall provide an annual report of all loans made, a status of loan repayments, and a report of monies expended from the fund to the House Committee on Natural Resources and Environment and the Senate Committee on Environmental Quality.

Acts 2004, No. 655, §1; Acts 2008, No. 580, §2.

Environmental Trust Fund — R.S. 30:2015

§2015. Environmental Trust Fund

A. In order to fulfill the constitutional mandate of Article IX of the Louisiana Constitution to protect, conserve and replenish the natural resources of the state, the legislature hereby declares that sufficient funds shall be available to the Department of Environmental Quality to fulfill that mandate. It is the intent of this Section to insure that all funds generated by the department are used to fulfill and carry out its powers, duties, and functions as provided by law.

B. There is hereby established a fund in the state treasury to be known as the "Environmental Trust Fund", hereafter referred to as the "trust fund", into which the state treasurer shall each fiscal year deposit the revenues received from those sources provided for by Subsection C of this Section and other sources as provided for by law after those revenues have been deposited in the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state that become due and payable within each fiscal year, the treasurer, prior to placing such funds in the state general fund, shall pay into the trust fund an amount equal to the revenue

generated from collection from those sources provided for by Subsection C of this Section and other sources as provided for by law. No expenditures shall be made from the trust fund unless first appropriated by the legislature. The monies in the trust fund shall be invested by the state treasurer in the same manner as monies in the state general fund. All interest earned on money from the fund and invested by the state treasurer shall be credited to the Environmental Trust Fund.

C. The Environmental Trust Fund shall consist of all revenues generated from the following sources:

(1) All fees assessed pursuant to the authority granted in R.S. 30:2014, R.S. 39:55.2, and any other provision of law authorizing the department to assess a fee. Such fees shall be used only for the purpose for which they were assessed.

(2) All sums in excess of that required to fully fund the Hazardous Waste Site Cleanup Fund recovered through judgments, settlements, or assessments of civil or criminal penalties, or under this Subtitle or any other applicable law for any violation of this Subtitle.

(3) Any donations, grants, and sums appropriated or allocated to the trust fund by the legislature.

(4) Reimbursements for funds expended by the department for any response activities conducted due to any pollution discharge or disposal, environmental emergency, or remedial action.

(5) Any grants or allocations made to the state of Louisiana from the United States government for any purpose provided by the grant or allocation.

(6) Reimbursement or a judgment awarding damages for restoration or damages to the state's natural resources.

(7) Any costs assessed as part of any administrative hearing or enforcement action or reimbursement of costs associated with the granting of any permit, license, variance, or registration.

D. The monies in the Environmental Trust Fund shall be used for the following purposes:

(1) To defray the cost to the state of permitting, monitoring, investigating, maintaining, and administering the programs provided for under the Louisiana Environmental Quality Act. All monies in the fund in excess of that amount necessary to administer such programs shall remain in the fund, to be invested by the treasurer, until such time as either state or federal funds become unavailable for these purposes. These excess funds shall be retained for the purpose of supplanting lost and reduced state environmental funding, or federal environmental funding presently granted to the state.

(2) To defray the costs of emergency response activities or to pollution discharges, the containment, control, and abatement of pollution sources and pollutants, to provide money or services as the state share of matching funds for federal grants, the costs of securing and quarantining pollution sources, including the acquisition of rights of way, and easements or title to pollution sources.

(3) To defray the cost of investigation, testing, containment, control, and cleanup of hazardous waste or solid waste sites, to provide money or services as the state share of

matching funds for federal grants, and to defray the cost of securing and quarantining hazardous waste sites, including the acquisition of rights of use, servitudes, or title when necessary.

(4) To implement the Environmental Emergency Response Training Program established by R.S. 30:2035.

(5) For the identification and determination of hazardous wastes which are inappropriate for certain methods of land disposal as required in R.S. 30:2193.

(6) To insure adequate scientific, technical, and legal support of litigation seeking recovery of costs of response activities, penalties sought under this Subtitle, or environmental damages.

(7) To make grants to colleges and universities within Louisiana for the purpose of theoretical and practical research and development of alternative and environmentally sound methods and technologies for reducing, destroying, recycling, neutralizing, and, to the least extent possible, disposing of hazardous waste. Research and development of alternative methods and technologies for the purpose of waste reduction shall receive priority consideration from the secretary in the granting of any monies authorized by this Subsection.

(8) To make reimbursements to local political subdivisions or volunteer fire departments which incurred expenses in performing services approved by the secretary in response to a declared emergency.

E. In any cases where monies from the trust fund are expended, the attorney general shall institute a civil action to recover from the responsible persons all such monies expended from the trust fund. If the secretary requests that the attorney general institute a civil action to recover monies expended from the trust fund and the attorney general declines to institute such action or does not respond within sixty days of such request and agree to institute a civil action, an attorney from the department may, with the concurrence of the attorney general, institute a civil action to recover monies expended from the trust fund. Any monies so recovered shall be paid into the trust fund.

F. Upon a declaration of emergency, the secretary may enter into contracts providing for environmental emergency responses after informal negotiations without any other requirement of law; however, such contracts shall be subject to the prior written approval of the commissioner of the division of administration.

Acts 1989, No. 392, §1, eff. June 30, 1989; Acts 1995, No. 1160, §1; Acts 1999, No. 303, §1, eff. June 14, 1999; Acts 1999, No. 348, §1, eff. June 16, 1999.

Hazardous Waste Site Cleanup Fund — R.S. 30:2205

§2205. Hazardous Waste Site Cleanup Fund

A.(1) All sums recovered through judgments, settlements, assessments of civil or criminal penalties, funds recovered by suit or settlement from potentially responsible parties for active or abandoned site remediation or cleanup, or otherwise under this Subtitle, or other applicable law, each fiscal year for violation of this Subtitle, shall be paid

into the state treasury and shall be credited to the Bond Security and Redemption Fund. After a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer, prior to placing such remaining funds in the state general fund, shall pay into a special fund, which is hereby created in the state treasury and designated as the "Hazardous Waste Site Cleanup Fund", all of those funds generated by the hazardous waste tax under the provisions of Chapter 7-A of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 and the sums recovered through all judgments, settlements, assessments of civil or criminal penalties, fees and oversight costs received from potentially responsible parties for the department's work in overseeing of assessment and remediation at inactive or abandoned sites, funds recovered by suit or settlement from potentially responsible parties for active or abandoned site remediation or cleanup, or otherwise, for violation of this Subtitle, except as provided in R.S. 30:2025 and 2198; however, the balance in the fund shall not exceed six million dollars at any time and upon the accumulation of six million dollars in the fund, the treasurer shall pay all remaining sums provided for in this Subsection into the Environmental Trust Fund, R.S. 30:2015.

(2) The Hazardous Waste Site Cleanup Fund, hereinafter referred to as the "Site Cleanup Fund", shall additionally consist of all funds designated to that fund and received by donation, grant, gift, or otherwise from any source and sums appropriated specifically to it by the legislature and any other allocations made directly to it, including reimbursements for restoration of the environment damaged by a hazardous waste site.

B. Any grants or allocations made to the state of Louisiana from the United States government for the purposes of investigation, analysis, containment, or cleanup of hazardous waste sites shall be paid directly into the Site Cleanup Fund to be used for that purpose.

C. The secretary shall administer the Site Cleanup Fund and shall make disbursements from the fund for all necessary and appropriate expenditures, including the operating expenses of the inactive and abandoned sites activities. Disbursements shall be made upon sufficient proof of services rendered and materials or equipment used or expended. For both the design and conduct of remedial actions, including cleanup at hazardous waste sites, the secretary shall select an appropriate action based on cost effectiveness that also meets the requirement that any exposure or potential exposure to hazardous wastes present at the site is reduced to such level as not to pose any significant threat to public health or the environment.

D. The monies in the Site Cleanup Fund shall be used to defray the cost of investigation, testing, containment, control, and cleanup of hazardous waste sites, to provide money or services as the state share of matching funds for federal grants, to defray the cost of securing and quarantining hazardous waste sites, including the acquisition of rights-of-way, easements, or title when necessary, and to pay the operating expenses of the inactive and abandoned sites activities. In addition, the monies in the fund may be used to defray assessment, cleanup, and associated costs of nonhazardous waste sites determined to be priority sites by the secretary in accordance with rules and regulations promulgated

by the department. Interest earned through investment of the fund capital shall be credited to the Hazardous Waste Site Cleanup Fund.

E. In cases where monies from the Site Cleanup Fund are expended, the attorney general may institute a civil action to recover from the responsible persons all such monies expended from the Site Cleanup Fund. If the secretary requests that the attorney general institute a civil action to recover monies expended from the Site Cleanup Fund, and the attorney general declines to institute such action or does not respond within sixty days of such request agreeing to institute a civil action, an attorney from the department may, with the concurrence of the attorney general, institute a civil action to recover monies expended from the fund. Any monies recovered shall be paid into the Hazardous Waste Site Cleanup Fund.

Acts 1983, No. 97, §1, eff. Feb. 1, 1984; Acts 1983, No. 467, §1, eff. July 6, 1983; Acts 1984, No. 674, §1; Acts 1985, No. 331, §1, eff. July 9, 1985; Acts 1986, No. 941, §1, eff. July 11, 1986; Acts 1986, No. 943, §2, eff. July 11, 1986; Acts 1987, No. 799, §§2, 3, eff. July 20, 1987; Acts 1989, No. 392, §1, eff. June 30, 1989; H.C.R. No. 8, 1989 2nd Ex. Sess.; Acts 1990, No. 974, §1, eff. July 1, 1990; Acts 1995, No. 689, §1; Acts 1997, No. 27, §1; Acts 1997, No. 755, §1, eff. July 1, 1998; Acts 1999, No. 505, §1, eff. June 29, 1999; Acts 2002, 1st Ex. Sess., No. 93, §1, eff. April 18, 2002.

{{NOTE: ACTS 1990, NO. 974, §4, TERMINATED ON SEPT. 7, 1990. SEE ACTS 1990, NO. 1001, §2.}}

Motor Fuels Underground Storage Tank Trust Fund — R.S. 30:2195

§2195. Motor Fuels Underground Storage Tank Trust Fund

A. The legislature hereby finds and declares that the preservation of its groundwater is a matter of highest urgency and priority, as these waters provide a primary source of potable water in this state and that the leakage of motor fuels from underground storage tanks within the state poses threats of damage to the environment of this state, to citizens of the state, and to interests deriving livelihood from this state. It further finds and declares that such hazards have occurred in the past, are now occurring, and will continue to occur, and that remediation of contamination of surface water, groundwater, or soils should be conducted with all due haste, and to the extent possible those persons who have owned such storage tanks should bear the costs of such remediation, and that such remediation should be done under the supervision and regulation of the department. The legislature also declares that taxpayers' funds should, to the greatest extent possible, not be used for the payment of the cost of such remediation, that the state should be encouraged where possible to use assistance from private sources for the payment of these costs, that where private sources cannot obtain insurance or other means of financial assurances to pay for said remediation that a state private contractor agreement between the state and the private legal entity administered by the secretary of the department can best provide assurance of financial responsibility for remediation of leaking motor fuel underground storage tanks.

B. There is hereby established a special custodial trust fund in the state treasury to be known as the Motor Fuel Underground Storage Tank Trust Fund, hereafter referred to as the "Tank Trust Fund", into which the state treasurer shall, each fiscal year, deposit the revenues received from the collection of the fees as established in R.S. 30:2195.3(A)(1)(a) and (B). The secretary is authorized pursuant to Article VII, Section 9(A) of the Constitution of Louisiana and R.S. 30:2031 to enter into an agreement with a private legal entity to receive and administer the Tank Trust Fund for the purpose of providing financial responsibility for underground motor fuel storage tanks. On an annual basis, all owners of registered tanks shall remit to the department a tank registration fee of sixty dollars for each tank. The revenue from the tank registration fees shall be deposited directly into the Environmental Trust Fund as provided by R.S. 30:2015 and utilized for underground storage tank activities only, and any deviation from the aforesaid shall be documented and reported to the House Committee on Natural Resources and Environment and the Senate Committee on Environmental Quality. Revenues received from annual maintenance and monitoring fees, other than those established in R.S. 30:2195.3(B), shall be deposited into the Environmental Trust Fund. The department shall promulgate rules and regulations for the implementation of this Section in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.

C. Monies so deposited in the Environmental Trust Fund shall be used to defray the cost to the state of administering the underground storage tank program and the cost of investigation, testing, containment, control, and cleanup of releases from underground storage tanks containing regulated substances. Only monies recovered pursuant to R.S. 30:2195.2(A)(2) and deposited in the Tank Trust Fund may be used for the loans authorized by R.S. 30:2195.12(E). These monies shall also be used to provide money or services as the state share of matching funds for federal grants involving underground storage tanks. At the end of each fiscal year, all monies that were deposited into the Environmental Trust Fund from the fees established in R.S. 30:2195.3(A)(1)(a) and (B) which remain unspent, including all accrued interest, shall be transferred to the Tank Trust Fund.

D. The funds placed in the Tank Trust Fund shall only be used in accordance with the terms and conditions of R.S. 30:2194 through 2195.9 and shall not be placed in the general fund but shall be subject to the appropriation process of the legislature. The monies in the Tank Trust Fund shall be invested by the state treasurer in the same manner as monies in the state general fund.

E. Annually, the department shall prepare a report for the House Committee on Natural Resources and Environment and the Senate Committee on Environmental Quality of all disbursements of monies from the Tank Trust Fund and the Environmental Trust Fund. The report shall include all loans made from the Tank Trust Fund, the number of sites actively seeking reimbursement from the Tank Trust Fund as of June thirtieth of each year, the number of sites deemed eligible for the Tank Trust Fund during the previous fiscal year, and the number of sites that have been granted "No Further Action", and the department has received the last application for reimbursement during the previous fiscal year. Regarding disbursements from the Tank Trust Fund as provided by R.S. 30:2195.2, the report shall include a list of all reimbursements, all pending reimbursements, the date the application was made for reimbursement, and the date reimbursement was made by

the department. The report shall be delivered to the respective legislative committees no later than March first of each year.

F.(1) All interest monies earned by the Motor Fuels Underground Storage Tank Trust Fund and all monies received from payments that are the result of cost recovery efforts shall be used for the closure of abandoned motor fuel underground storage tanks, assessment and remediation of property contaminated by abandoned motor fuel underground storage tanks, and the loans authorized by R.S. 30:2195.12(E).

(2) The state shall have a lien or privilege against immovable property for the costs incurred for closure of abandoned motor fuel underground storage tanks and for costs incurred associated with the assessment and remediation of property contaminated by an abandoned motor fuel underground storage tank. Following the expenditure of funds by the state of Louisiana through the department, such lien or privilege may be perfected against such property by filing a notice of lien containing the name of the current record owner and the legal description of the immovable property in the mortgage records of the parish in which the immovable property is located. Except as otherwise provided in this Paragraph, the lien of the state, through the Department of Environmental Quality, shall have priority in rank over all other privileges, liens, encumbrances, or other security interest affecting the property. As to all privileges, liens, encumbrances, or other security interests affecting the property that are filed or otherwise perfected before the filing of the notice of lien of the state authorized by this Section, such prior recorded security interests shall have priority over the state lien, but only to the extent of the fair market value that the property had prior to closure, assessment, or remedial action by the state, and prior recorded security interests shall be subordinate to the state lien for any amount in excess of the fair market value of the property prior to such closure, assessment, or remediation.

(3) A tank may be declared to be an abandoned motor fuel underground storage tank by the secretary upon a finding that all of the following apply to the site:

(a) It has received motor fuels in an underground storage tank.

(b) The motor fuel underground storage tank was not closed or the site was not assessed or remediated in accordance with the requirements of this Subtitle and the regulations adopted hereunder.

(c) It constitutes or may constitute a danger or potential danger to the public health or the environment.

(d) It has no financially responsible owner or operator who can be located, or such person has failed or refused to undertake action ordered by the secretary pursuant to R.S. 30:2194 and the regulations adopted thereunder.

(e) The release at the site is not eligible for the Motor Fuels Underground Storage Tank Trust Fund or the secretary has determined that action by the department is the most timely and efficient way to address conditions at the site.

Acts 1985, No. 493, §1, eff. July 12, 1985; Acts 1995, No. 336, §1, eff. June 16, 1995; Acts 1997, No. 27, §1; Acts 1999, No. 303, §1, eff. June 14, 1999; Acts 1999, No. 348, §1, eff. June 16, 1999; Acts 2001, No. 1121, §1; Acts 2002, 1st Ex. Sess., No. 134, §1, eff. July 1, 2002; Acts 2004, No. 692, §1, eff. July 6, 2004; Acts 2008, No. 580, §2; Acts 2016, No. 451, §1; Acts 2016, No. 521, §1.

Department of Wildlife and Fisheries

Artificial Reef Development Fund — CONST. ART. VII, Sect. 10.11; R.S. 56:639.8

§10.11. Artificial Reef Development Fund

(A) Artificial Reef Development Fund. There shall be established in the state treasury, as a special fund, the Artificial Reef Development Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state that become due and payable within any fiscal year as required by Article VII, Section 9(B) of this constitution, the treasurer shall pay into the Artificial Reef Development Fund the monies received as provided in Paragraph (B) of this Section.

(B) The secretary of the Department of Wildlife and Fisheries is authorized to accept and receive grants, donations of monies, and other forms of assistance from private and public sources that are provided to the state for the purpose of siting, designing, constructing, permitting, monitoring, and otherwise managing an artificial reef system.

(C) The monies in the Artificial Reef Development Fund shall be appropriated by the legislature to the Department of Wildlife and Fisheries, or its successor, and shall be allocated solely for the following:

(1) For the programs and purposes of siting, designing, constructing, permitting, monitoring, and otherwise managing an artificial reef system.

(2) For the salaries of personnel assigned to the Artificial Reef Development Program and for related operating expenses.

(3) An amount not to exceed ten percent of the monies deposited to the fund each year and ten percent of the interest income credited to the fund each year may be used by the department to provide funding in association with the wild seafood certification program, particularly in support of wild-caught shrimp, established by the department. Such funding may be used for a subsidy granted to seafood harvesters or processors to assist in their efforts to comply with the certification program requirements and may be used for administration of the program.

(4) An amount not to exceed ten percent of the funds deposited to the fund each year and ten percent of the interest income credited to the fund each year may be used by the department to provide funding for inshore fisheries habitat enhancement projects, particularly in support of the Artificial Reef Development Program established by the department. Such funding may be used for grants to nonprofit conservation organizations working in cooperation with the department.

(D) All unexpended and unencumbered monies in the Artificial Reef Development Fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the treasurer in the manner provided by law. All interest earned on monies invested by the treasurer shall be deposited in the fund. The treasurer shall prepare and submit to the department on a quarterly basis a written report showing the amount of money contained in the fund from all sources.

Acts 2013, No. 434, §1, eff. Dec. 25, 2014.

§639.8. Department of Wildlife and Fisheries; Artificial Reef Development Fund

A. The secretary is authorized to accept and receive grants, donations of monies or materials, and other forms of assistance from private and public sources which are provided to the state for the purpose of siting, designing, constructing, monitoring, and otherwise managing an artificial reef system.

B. Any funds received by the department pursuant to the provisions and purposes of this Subpart shall be deposited immediately upon receipt into the state treasury.

C. There is hereby established a fund in the state treasury to be known as the Artificial Reef Development Fund, hereinafter referred to as the "Reef Fund" or "Fund", into which the state treasurer shall each fiscal year, and beginning with the 1986-87 Fiscal Year, deposit the funds received as provided in R.S. 56:639.8(A) and (B), after those revenues have been deposited in the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state that become due and payable within each fiscal year, the treasurer, prior to placing such funds in the state general fund, shall pay into the Reef Fund an amount equal to the funds deposited by the department into the treasury as provided in Subsection B. The monies in the Reef Fund shall be used solely as provided by Subsection E herein and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in the Reef Fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the fund, again, following compliance with the requirement of Article VII, Section 9(B) of the Louisiana Constitution, relative to the Bond Security and Redemption Fund.

D. The council shall review and comment on proposed expenditures from the fund at the time of budget preparation by the department. The department shall maintain records of the sources of money received and the purpose therefor, as well as the person or persons to whom money is paid and the purpose therefor. Vouchers or receipts shall be kept for all money paid out. The department shall employ such personnel as are necessary to meet the department's responsibilities under the program. The department shall allocate from the fund an amount sufficient to pay the salaries of personnel assigned to or responsible for the conduct of the program and shall allocate such amount as necessary for related operating expenses. Money appropriated or otherwise made available to the participants in the program for authorized purposes shall be withdrawn from the treasury on warrant of the secretary or his designee.

E.(1) Monies may be withdrawn directly from the Reef Fund for the operation of the program as described in R.S. 56:639.5, including evaluation of the program and administrative and field support for the permitting, establishing, monitoring, and maintenance of artificial reefs established pursuant to this Subpart until such time that the council determines that the annual interest earnings from the fund are sufficient to run the program.

(2) In addition to the expenditures authorized in Paragraph (1) of this Subsection, an amount not to exceed ten percent of the funds deposited to the fund each year and ten percent of the interest income to the fund may be used by the department to provide

funding in association with the wild seafood certification program, particularly in support of wild-caught shrimp, established by the department. Such funding may be used for a subsidy granted to seafood harvesters or processors to assist in their efforts to comply with the certification program requirements and may be used for administration of the program.

(3) In addition to the expenditures authorized in Paragraphs (1) and (2) of this Subsection, an amount not to exceed ten percent of the funds deposited to the fund each year and ten percent of the interest income credited to the fund each year may be used by the department to provide funding for inshore fisheries habitat enhancement projects, particularly in support of the Artificial Reef Development Program established by the department. Such funding may be used for grants to nonprofit conservation organizations working in cooperation with the department.

F. The secretary shall insure that the Reef Fund contains sufficient reserves to operate the program in a manner consistent with the state plan.

G. In future years, if interest income exceeds operational costs for the artificial reef program, marine fisheries research and habitat enhancement projects may be funded through the department with advice from the council.

Acts 1986, No. 100, §1, eff. June 23, 1986; Acts 1993, No. 271, §1; Acts 2003, No. 1015, §1; Acts 2010, No. 315, §1; Acts 2011, No. 237, §1, eff. June 27, 2011.

Atchafalaya Delta WMA Mooring Account — R.S. 56:109.3

§109.3. Levy of mooring fees in the Atchafalaya Delta WMA; Atchafalaya Delta WMA Mooring Account; deposit of fees to the account; uses of the monies in the account

A. The department shall establish a mooring program for vessels in the Atchafalaya Delta Wildlife Management Area. The department shall locate mooring pilings where appropriate within the Atchafalaya Delta WMA and lease such pilings through a mooring program that includes assignment of such mooring sites through a lottery system administered by the department and through a bid process for premium mooring sites as designated by the department. All costs, including but not limited to materials, professional services, and construction, shall be reported to the Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment by the first of May in any year in which such costs are incurred. A maximum of forty percent of the sites, the "premium" sites, shall be available through a bidding process and the remainder of the mooring sites shall be available through the lottery system. The fees for such "premium" sites shall not be less than one hundred ten percent of the fees of those sites available through the lottery system. Mooring fees for sites acquired through the lottery system shall be three hundred dollars for two pilings or five hundred dollars for three or more pilings. All annual fees collected pursuant to the provisions of this Section shall be deposited to the Atchafalaya Delta WMA Mooring Account created in this Section. The proceeds from such fees shall be reported annually to the Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment.

B. There is hereby created, as a special account in the Conservation Fund, the Atchafalaya Delta WMA Mooring Account.

C. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and after a

sufficient amount is allocated from that fund to pay all of the obligations secured by the full faith and credit of the state, which become due and payable within any fiscal year, the treasurer shall pay into the Atchafalaya Delta WMA Mooring Account an amount equal to the monies received by the department from the avails of the Atchafalaya Delta WMA mooring fees authorized in this Section. The monies in the account shall be used solely as provided in Subsection D of this Section and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in the account at the end of the fiscal year shall remain in the account. The monies in the account shall be invested by the state treasurer in the same manner as monies in the state general fund.

D. Subject to annual appropriation by the legislature, the monies in the Atchafalaya Delta WMA Mooring Account shall be used solely for the development, construction, maintenance, and dredging of mooring sites in the Atchafalaya Delta WMA.

E. The commission may adopt and promulgate rules and regulations in accordance with the Administrative Procedure Act for the implementation of the provisions of this Section.

Acts 2013, No. 155, §1, eff. June 7, 2013.

Conservation Fund — CONST. ART. VII, Sect. 10-A

§10-A. Wildlife and Fisheries; Conservation Fund

Section 10-A. (A) Conservation Fund. Effective July 1, 1988, there shall be established in the state treasury, as a special fund, the Louisiana Wildlife and Fisheries Conservation Fund, hereinafter referred to as the Conservation Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year as required by Article VII, Section 9(B) of this constitution, the treasurer shall pay into the Conservation Fund all of the following, except as provided in Article VII, Section 9(A), and except for the amount provided in R.S. 56:10(B)(1)(a) as that provision existed on the effective date of this Section:

(1) All revenue from the types and classes of fees, licenses, permits, royalties, or other revenue paid into the Conservation Fund as provided by law on the effective date of this Section. Such revenue shall be deposited in the Conservation Fund even if the names of such fees, licenses, permits, or other revenues are changed.

Any increase in the amount charged for such fees, licenses, permits, royalties, and other revenue, or any new fee, license, permit, royalty, or other revenue, enacted by the legislature after the effective date of this Section, shall be irrevocably dedicated and deposited in the Conservation Fund unless the legislature enacts a law specifically appropriating or dedicating such revenue to another fund or purpose.

(2) The balance remaining on June 30, 1988 in the Conservation Fund established pursuant to R.S. 56:10.

(3) All funds or revenues which may be donated expressly to the Conservation Fund.

(B) The monies in the Conservation Fund shall be appropriated by the legislature to the Department of Wildlife and Fisheries, or its successor, and shall be used solely for the programs and purposes of conservation, protection, preservation, management, and replenishment of the state's natural resources and wildlife, including use for land acquisition or for federal matching fund programs which promote such purposes, and for the operation and administration of the Department and the Wildlife and Fisheries Commission, or their successors.

(C) All unexpended and unencumbered monies in the Conservation Fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the treasurer in the manner provided by law. All interest earned on monies invested by the treasurer shall be deposited in the fund. The treasurer shall prepare and submit to the department on a quarterly basis a printed report showing the amount of money contained in the fund from all sources.

Added by Acts 1987, No. 946, §1, approved Nov. 21, 1987, eff. Dec. 23, 1987.

Conservation — Various Accounts and Subfunds — R.S. 56:10

Includes:

Oyster Development Fund (B)(1)(a)(ii)

Shrimp Trade Petition Account in the Conservation Fund (B)(1)(b)(ii)

Conservation Fund (B)(1)(c)

Saltwater Fish Research and Conservation Fund (B)(1)(g)

National Heritage Account in the Conservation Fund (B)(6)(a)

Waterfowl Account in the Conservation Fund (B)(8)

Black Bear Account in the Conservation Fund (B)(9)

Quail Account in the Conservation Fund (B)(10)

White Tail Deer Account in the Conservation Fund (B)(11)

Enforcement Emergency Situation Response Account in the Conservation Fund (B)(12)

Derelict Crab Trap Removal Program Account in the Conservation Fund (B)(13)

Rare and Endangered Species Account in the Conservation Fund (B)(14)

Litter Abatement and Education Account in the Conservation Fund (B)(15)

§10. Annual report to governor; estimate of proposed expenditures; particular funds; limitations on purposes for use of monies in particular funds; warrants; vouchers; surplus funds

A. On or before the first Monday in April of each year the commission shall prepare and present to the governor a printed annual report showing the operations of the commission since the date of its last annual report, showing the amount of money received by it and from what sources, and showing the amount of money expended by it and for what purposes. In each annual report immediately preceding the regular session of the legislature the commission shall include an estimate of proposed expenditures and the expenses for the ensuing year, its prospective revenues and any recommendations for legislative action. The governor shall lay copies of the report before the succeeding

legislature. At each regular session the legislature shall appropriate such funds as it deems wise for the continuation of the work of the commission.

B.(1) Subject to the exception contained in Article VII, Section 9(A) of the Constitution of Louisiana, all funds collected by the commission from every source shall be paid into the state treasury and shall be credited to the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall, prior to placing such remaining funds in the state general fund, conform to the following:

(a)(i) Pay annually into a special fund created in the state treasury and designated as the Seafood Promotion and Marketing Fund an amount equal to the total of five dollars per license fee and gear fee per annum paid into the treasury by the commission derived from the increase in each of the commercial fisheries license fees imposed by Acts 1984, No. 230 or derived from the fee or fees imposed on any commercial fisheries license established on or after January 1, 1984. This includes five dollars per commercial fisherman's license fee, gear fee, wholesale/retail dealer's license fee, vessel license fee, and transport license fee pursuant to Part VI of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950.

(ii) Pay annually into a special fund created in the state treasury and designated as the "Oyster Development Fund", the additional fee of five cents for each oyster tag sold pursuant to R.S. 56:449 and paid into the treasury by the commission. All expenditures and allocation of monies from this fund shall be administered by the Louisiana Oyster Task Force. The task force may contract with the Louisiana Seafood Promotion and Marketing Board to promote the Louisiana oyster industry.

(b)(i) Pay annually into a special fund created in the state treasury and designated as the "Shrimp Marketing and Promotion Fund", an amount equal to the fees collected pursuant to R.S. 56:305(G) and paid into the treasury by the commission. All expenditures and allocation of monies from this fund shall be administered by the Louisiana Shrimp Task Force to be used for the development of markets for shrimp and creation of marketing strategies for the development and market expansion for shrimp harvested from Louisiana waters. The task force may contract with the Louisiana Seafood Promotion and Marketing Board to promote the Louisiana shrimp industry.

(ii) Pay annually into the Conservation Fund, into a special account entitled the "Shrimp Trade Petition Account", an amount equal to the fees collected pursuant to R.S. 56:305(H). Subject to annual appropriation by the legislature, the monies in the fund shall be used exclusively for the purposes of promotion and protection of domestic wild-caught shrimp. For purposes of this Item, promotion and protection of domestic wild-caught shrimp shall include expenses related to the petition filed by the Southern Shrimp Alliance in December 2003 for the imposition of antidumping duties pursuant to Section 731 of the Tariff Act of 1930, as amended. All expenditures and allocation of funds from this account shall be administered by the Louisiana Shrimp Task Force. The monies in this account shall be invested by the state treasurer in the same manner as monies in the state general fund and all returns on such investment shall be deposited to the account. All unexpended and unencumbered monies remaining in this account at the end of the fiscal year shall remain in the account.

(c) Pay into a special fund created in the state treasury and designated as the Conservation Fund an amount equal to the total amount of funds paid into the treasury by the commission except those funds for which provision is made in Subparagraphs (a), (b), and (d) of this Paragraph.

(d) Pay annually into a special fund created in the state treasury and designated as the Louisiana Duck License, Stamp, and Print Fund all amounts received pursuant to the Louisiana Duck License, Stamp, and Print Program provided for in R.S. 56:151 et seq. and such other funds as are specifically appropriated by the legislature.

(e) Pay annually into a special fund created in the state treasury and designated as the "Crab Promotion and Marketing Fund", an amount equal to the fees specified for deposit in R.S. 56:305(B)(2) and (C)(1), 306(B)(6), and 306.1(B)(7). All expenditures and allocations of monies from this fund shall be administered by the Crab Task Force. The task force may contract with the Louisiana Seafood Promotion and Marketing Board to promote the Louisiana crab industry.

(f) Pay annually into the Conservation Fund, an amount equal to the additional charter fishing fees collected pursuant to R.S. 56:302.1(C)(2)(c) and 302.9(C)(2)(b) and paid into the treasury by the commission. Such funds shall be used by the department for the promotion of the charter boat industry, protection of the fishery, and to provide for administrative costs of the fund. Such funds are to be expended for such purposes through the Louisiana Charter Boat Association.

(g) Between June 1, 2014, and May 31, 2018, pay annually into the Conservation Fund, into a special account designated as the "Saltwater Fish Research and Conservation Fund", an amount equal to the fees collected pursuant to R.S. 56:302.1(C)(1)(c).

(2) The monies in the Conservation Fund shall be used solely for the programs and purposes and in the amounts appropriated each year to the commission by the legislature.

(3) The monies in the Seafood Promotion and Marketing Fund shall be used by the Seafood Promotion and Marketing Board to implement the duties and functions of that board relating to the promotion and marketing of seafood as provided in R.S. 56:578.3 in the amounts appropriated each year to the Department of Culture, Recreation and Tourism by the legislature for the use by the board.

(4) Repealed by Acts 1992, No. 984, §18.

(5) The monies in the Louisiana Duck License, Stamp, and Print Fund shall be used solely for the programs and purposes associated with the Louisiana Duck License, Stamp, and Print Program as provided by R.S. 56:151 et seq. in the amounts appropriated each year to the department by the legislature.

(6)(a) There is hereby created within the Conservation Fund a special account known as the "natural heritage account" which shall consist of those revenues collected from the sale of "Wild Louisiana" stamps and prints provided for in R.S. 56:1832 and those funds donated or allocated for the protection and stewardship of Louisiana's wild lands and waters to support the functions of the Louisiana Natural Heritage Program. The revenues shall be subject to the same requirements as provided for other revenues placed in the Conservation Fund in Paragraph (1) of this Subsection. The funds in this account shall be used solely for the implementation and administration of Parts I, II, III, and IV of Chapter 8 of this Title and the natural heritage and nongame programs within the department.

(b)(i) Five percent of the net proceeds derived from the fifty dollar fee imposed by R.S. 47:463.45(B) for the black bear prestige license plate shall be used to promote the existence of the black bear prestige license plate and its availability for use on passenger cars, pickup trucks, and vans.

(ii) Five percent of the net proceeds derived from the fifty dollar fee imposed by R.S. 47:463.46(B) for the Louisiana Quail Forever prestige plate shall be used to promote the existence of the Louisiana Quail Forever prestige plate and its availability for use on passenger cars, pickup trucks, recreational vehicles, and vans.

(c) Notwithstanding any other provision of the law to the contrary, every hunting and fishing license issued by the Department of Wildlife and Fisheries shall include a notice with a telephone number and mailing address for information on how to acquire a black bear prestige license plate for use on one's passenger car, pickup truck, or van.

(7)(a) The monies in the Louisiana Wild Turkey Fund shall be used solely for the programs and purposes associated with the Louisiana Wild Turkey Program as provided by R.S. 56:161 et seq. in the amounts appropriated each year to the department by the legislature.

(b) The revenues collected from the sale of the Louisiana Wild Turkey Federation license plate provided for in R.S. 47:463.54 shall be used solely for turkey restocking and research purposes in the amounts appropriated each year to the commission by the legislature, with the exception of five dollars per plate sold to be used for the purpose of advertising the license plates.

(8) There is hereby created within the Conservation Fund a special account known as the "waterfowl account" which shall consist of those revenues collected from the sale of the Ducks Unlimited license plates provided for in R.S. 47:463.53. The revenues shall be subject to the same requirements as provided for other revenues placed in the Conservation Fund in Paragraph (1) of this Subsection. The funds in this account shall be used solely for the purpose of conserving, restoring, and enhancing migratory waterfowl habitat in Louisiana. Specific expenditures of the proceeds shall be made in consultation with Louisiana Ducks Unlimited, provided that Louisiana Ducks Unlimited contributes an amount each fiscal year equal to the amount of funds collected from the sale of the license plates placed into the "waterfowl account".

(9) There is hereby created within the Conservation Fund a special account known as the "black bear account" which shall consist of those revenues collected from the sale of the black bear unlimited license plates provided for in R.S. 47:463.45. The revenues shall be subject to the same requirements as provided for other revenues placed in the Conservation Fund in Paragraph (1) of this Subsection. The funds in this account shall be used solely for the purpose of conserving, restoring, and enhancing black bear habitat in Louisiana.

(10) There is hereby created within the Conservation Fund a special account known as the "quail account" which shall consist of those revenues collected from the sale of the Louisiana Quail Forever license plates provided for in R.S. 47:463.46. The revenues shall be subject to the same requirements as provided for other revenues placed in the Conservation Fund in Paragraph (1) of this Subsection. The funds in this account shall be used solely for the purpose of conserving, restoring, and enhancing quail habitat in Louisiana.

(11) There is hereby created within the Conservation Fund a special account known as the "white tail deer account" which shall consist of those revenues collected from the sale of the white tail deer license plates provided for in R.S. 47:463.86. The revenues shall be subject to the same requirements as provided for other revenues placed in the Conservation Fund in Paragraph (1) of this Subsection. The funds in this account shall be used solely for programs pertaining to the white tail deer in Louisiana.

(12) There is hereby created within the Conservation Fund a special account known as the "enforcement emergency situation response account," which shall consist of funds received from federal grant reimbursements, contracts or cooperative agreements, interagency transfers, other grants or other resources to recoup monies for services which are designated for deposit into this account, and those revenues as provided in R.S. 56:40.9(A). All revenues to this account shall be subject to the same requirements as provided for other revenues placed in the Conservation Fund pursuant to Paragraph (1) of this Subsection. The funds in this account shall be used solely by the enforcement division of the Department of Wildlife and Fisheries for emergency situation preparedness, operations in emergency situations, responses to emergency situations, and emergency search and rescue operations, as appropriated annually by the legislature.

(13) There is hereby created within the Conservation Fund a special account known as the "Derelict Crab Trap Removal Program Account", which shall consist of funds received from revenues as provided in R.S. 56:302.3(B)(1) and (C) and 305(B)(2) and (C)(1), donations, and from any other source which may specify deposit to this account. The revenues in the account shall be subject to the same requirements as other revenues in the Conservation Fund. All expenditures and allocations of funds from this account shall be for the administration and implementation of the derelict crab trap removal program.

(14) There is hereby created within the Conservation Fund a special account known as the "Rare and Endangered Species Account", which shall consist of revenues collected from the sale of the "Rare and Endangered Species" special prestige license plate provided for in R.S. 47:463.150, donations, and any other source which may specify deposit to this account. The revenues in the account shall be subject to the same requirements as other revenues in the Conservation Fund. All expenditures and allocations of funds from this account shall be used solely for purposes of conserving, restoring, and enhancing rare and endangered species habitats in Louisiana.

(15) There is hereby created within the Conservation Fund a special account known as the "litter abatement and education account" which shall consist of donations collected from the sale of the environmental education license plate provided for in R.S. 47:463.43; revenue received by the Conservation Fund from the Department of Public Safety and Corrections, office of motor vehicles as provided in R.S. 32:412; revenue received by the Conservation Fund from fines for violations of the provisions of Part I of Chapter 21 of Subtitle II of Title 30 as provided in R.S. 30:2532; funds from public or private donations and any other source which may specify deposit to this account; and any remaining balance in the Louisiana Environmental Education Fund as of August 15, 2011. The revenues shall be subject to the same requirements as provided for other revenues placed in the Conservation Fund in Paragraph (1) of this Subsection. The funds in this account shall be used solely for litter abatement and enforcement; public service announcements; develop, review, approve, and implement a plan for statewide environmental education; for the

training of operators of vehicles regarding littering; to finance local littering enforcement activities in order to promote public safety, order, and general welfare by making the streets, roads, rivers, streams, bayous, lakes, waterways, and highways of Louisiana clean, safe, and free of debris, litter, and other material falling from or being thrown from vehicles; and to award grants to nonprofit organizations and public agencies for the development, dissemination, and assessment of such education programs.

(16)(a) The monies in the Saltwater Fish Research and Conservation Fund shall be used solely for the administration and conducting of the Louisiana Recreational Creel Survey (LACREEL) and the Recreational Offshore Landing Permit program (ROLP).

(b) The monies allocated to the programs described in Subparagraph (a) of this Paragraph shall not be used on or for any of the following purposes:

(i) To create any exempted fishing permit program or pilot program as recognized and granted by the United States Department of Commerce through the National Oceanic and Atmospheric Administration - National Marine Fisheries Service, that establishes a limited access or entry program for licensed fishermen, either voluntarily or required, fishing in territorial waters, including the boundary from the shoreline to a distance nine miles into the Gulf of Mexico, as established by federal law.

(ii) To create limited entry programs, including but not limited to lotteries, established for any of the following:

(aa) The issuance of fish harvest tags.

(bb) The issuance of fish harvest tags on a "first-come, first-served basis" for more than eighty percent of the total allowable catch of an individual species of fish.

(cc) The limitation of the days at sea that further restrict access to a number of days that differs from seasons established for all licensed fishermen by the department or the Gulf of Mexico Fishery Management Council.

(dd) The creation of fisheries unit efforts or effort units or any other program that limits access for licensed fishermen to fish other than the beginning and end dates of established seasons as determined by the secretary in consultation with the commission or seasons set by the Gulf of Mexico Fishery Management Council.

(ee) The creation or enforcement of any individual fishing quota or individual transferrable quota systems for licensed fishermen, licensed charter boat fishing guides, and federally permitted licensed charter boat operations in which vessels used in that operation are registered in the state.

(ff) The establishment of any mandatory reporting programs by licensed fishermen, including required advanced notification of any department personnel prior to commencement of a fishing trip by licensed fishermen.

(gg) The creation of any mandatory reporting program in which licensed fishermen are required to report their catch immediately upon returning to port after fishing unless during a dockside intercept conducted by department personnel conducting dockside intercept surveys on behalf of LACREEL or ROLP.

(c) If the department violates Subparagraph (b) of this Paragraph, the treasurer shall not release any more monies credited to the Saltwater Fish Research and Conservation Fund to the department, until such time as the department ceases its violation.

C. The commission shall keep a set of books showing from whom every dollar is received and for what purpose and to whom every dollar is paid and for what purpose. It also shall keep in its file vouchers or receipts for all moneys paid out.

D. All unexpended and unencumbered monies in the Louisiana Seafood Promotion and Marketing Fund, the Oyster Development Fund, the Shrimp Marketing and Promotion Fund, the Crab Promotion and Marketing Fund, the Louisiana Duck License, Stamp, and Print Fund, the Louisiana Wild Turkey Fund, and the Conservation Fund at the end of the fiscal year shall remain in the respective funds. The monies in the funds shall be invested by the treasurer in the same manner as monies in the state general fund. All interest earned on monies invested by the treasurer shall be deposited in the respective funds. The state treasurer shall prepare and submit to the department on a quarterly basis a printed report showing the amount of money contained in the funds from all sources.

Amended by Acts 1972, No. 494, §1; Acts 1974, No. 717, §1; Acts 1975, No. 343, §1; Acts 1983, No. 602, §1; Acts 1984, No. 230, §1, eff. June 29, 1984; Acts 1984, No. 883, §1, eff. Aug. 1, 1985; Acts 1986, No. 904, §§3, 4; Acts 1988, No. 632, §§1, 2, eff. Sept. 1, 1989; Acts 1992, No. 193, §1; Acts 1992, No. 984, §§17, 18; Acts 1995, No. 225, §1; Acts 1995, No. 448, §1; Acts 1995, No. 535, §2; Acts 1997, No. 70, §2; Acts 1997, No. 660, §2; Acts 1997, No. 962, §2; Acts 1997, No. 1158, §2; Acts 1999, No. 735, §2; Acts 1999, No. 772, §1; Acts 2001, No. 270, §1; Acts 2001, No. 663, §2; Acts 2003, No. 357, §1; Acts 2003, No. 784, §1; Acts 2004, No. 904, §1, eff. July 12, 2004; Acts 2005, No. 172, §1; Acts 2008, No. 722, §1, eff. November 15, 2008; Acts 2010, No. 100, §1, eff. August 15, 2010; Acts 2010, No. 606, §2, eff. August 15, 2010; Acts 2010, No. 991, §2, eff. August 15, 2010; Acts 2011, No. 375, §1, eff. July 1, 2011; Acts 2011, No. 265, §5, eff. July 1, 2011; Acts 2013, No. 40, §1, eff. August 1, 2013; Acts 2013, No. 228, §2, eff. July 1, 2013; Acts 2014, No. 804, §1, eff. June 1, 2014; Acts 2017, No. 81, §2, eff. August 1, 2017; Acts 2017, No. 404, §1, eff. August 1, 2017.

Hunters for the Hungry Account — R.S. 56:644

§644. Fishing and hunting license checkoff; donation for Hunters for the Hungry

A. Each individual who purchases a fishing or hunting license may donate to Hunters for the Hungry. The donation shall be made at the time of the purchase of the license and shall be made upon the license form as prescribed by the secretary.

B. There is hereby created within the Conservation Fund a special account known as the "Hunters for the Hungry Account". The account is created to receive deposits of donations for the benefit of Hunters for the Hungry made when an individual purchases a fishing and hunting license. Subject to the exception contained in Article VII, Section 9(A) of the Constitution of Louisiana, all funds collected from the donations made under the provisions of this Section shall be paid into the state treasury and shall be credited to the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall, prior to placing such remaining funds in the state general fund, pay into the Hunters for the Hungry Account an amount equal to the amount of funds collected under the provisions of this Section. The account shall be administered by the

treasurer who shall every three months remit the balance of the monies in the account to Hunters for the Hungry. The monies in the account shall be used solely as provided by Subsection C of this Section. All unexpended and unencumbered monies in this account at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund.

C. No more than twenty-five percent of the monies in the account shall be used for administrative costs. The balance shall be used solely by Hunters for the Hungry to pay for the following:

(1) Processing and distribution of commercial or game fish, migratory or resident game bird, game quadruped, alligator, or feral hog when any of these shall be used by a not-for-profit entity or a charitable organization in food or meal distribution at no cost to an individual.

(2) Advertising, promotion, or marketing costs incurred to make the general public aware of the mission of Hunters for the Hungry, including the option to donate money when purchasing a fishing or hunting license.

D. All monies used pursuant to the Hunters for the Hungry Account shall be subject to audit by the legislative auditor.

E. At the end of each calendar year, Hunters for the Hungry shall submit to the House Natural Resources and Environment Committee and the Senate Committee on Natural Resources a report that at a minimum contains a detailed explanation of the revenues and expenditures of the account, as well as a description of the organization's activities related to the account. The committee may summon any person employed by or associated with Hunters for the Hungry to provide testimony with respect to the report.

Added by Acts 2013, No. 366, §1, eff. June 1, 2014; Acts 2015, No. 271, §1, eff. August 1, 2015.

Lifetime License Endowment Trust Fund — R.S. 56:650

§650. Lifetime License Endowment Trust Fund

A.(1) Subject to the exception contained in Article VII, Section 9(A) of the Constitution of Louisiana, all funds collected by the commission under the provisions of this Part shall be credited to the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall deposit as provided in Paragraph (2) of this Subsection, an amount equal to the revenues collected under the provisions of this Part. The funds credited to the Lifetime License Endowment Trust Fund shall be expended as provided in this Section.

(2)(a) Of the revenues received from the issuance of each lifetime license other than a senior lifetime license, one hundred dollars shall be credited to the Lifetime License Endowment Trust Fund, and the remaining funds shall be credited to the Conservation Fund to be used for the purpose of administering and enforcing the provisions of this Chapter or for such other purposes as may be determined by the Department of Wildlife and Fisheries, in accordance with requirements of the hunting and fishing or other special

license fees that would have been required for the hunting and fishing privileges covered by the provisions of R.S. 56:649.1, 649.2, 649.3, or 649.4.

(b) Of the revenues received from the issuance of each senior lifetime combination license, five dollars shall be credited to the Conservation Fund, and the remaining revenues shall be credited to the Lifetime License Endowment Trust Fund.

(c) Of the revenues received from the additional gear license fees levied in R.S. 56:649.3(B), one-tenth shall be deposited to the Conservation Fund to be used by the department for its fiscal operations. The remaining nine-tenths of the revenues collected shall be deposited to the Lifetime License Endowment Trust Fund.

B.(1) The Lifetime License Endowment Trust Fund is hereby established as a public trust fund, the principal of which shall be invested at interest in perpetuity and shall not be expended. The state treasurer shall, on a monthly basis, credit the Conservation Fund with all interest revenues generated by investment of the principal of the Lifetime License Endowment Trust Fund.

(2) The state treasurer shall credit to the Lifetime License Endowment Trust Fund such additional funds as are received from private contributions, grants, and donations made to the Lifetime License Endowment Trust Fund.

C. The state treasurer shall invest the principal and the undistributed return on the principal deposited in the Lifetime License Endowment Trust Fund for the purpose of achieving perpetual financing of said fund. Such investments may include, among others authorized by law the following:

(1) Equity investments in stocks, common and preferred, or corporations listed on the New York Stock Exchange, the American Stock Exchange, or quoted on the National Association of Securities Dealers Automated Quotations System, provided that the total investment in such securities at any one time shall not exceed thirty-five percent of the market value of all funds held by the fund. The treasurer may hire, on a contract basis, investment managers or consultants as deemed appropriate to provide for the equity investments of the fund. Such contracts shall be on a fee, together with minimum exchange fee, basis or on a commission basis only, with payment for such fees being appropriated from the fund.

(2) Direct general obligations of, or obligations on, which the timely payment of the principal and interest is unconditionally guaranteed by the United States of America.

(3) Bonds, debentures, notes, or other evidences of indebtedness issued by any of the following agencies of the United States government: Government National Mortgage Association; Rural Development Administration; Export-Import Bank of the United States; Federal National Mortgage Association; Federal Home Loan Mortgage Corporation; Federal Home Loan Bank; and Student Loan Marketing Association.

(4) Bonds, debentures, notes, or other evidences of indebtedness issued by any of the following agencies of the United States government, or any other like governmental or government-sponsored agencies which are hereafter created, including the Bank of Cooperatives, Federal Financing Bank, Small Business Administration, and Bank for Reconstruction and Development.

(5) Investment grade commercial paper, investment grade corporate bonds, and money market funds consisting solely of securities otherwise eligible for investment by the treasurer pursuant to this Section.

Acts 1991, No. 184, §1, eff. Jan. 1, 1992; Acts 1992, No. 859, §1, eff. July 1, 1992; Acts 2004, No. 835, §1, eff. July 12, 2004; Acts 2005, No. 206, §1; Acts 2011, No. 375, §1, eff. July 1, 2011.

Louisiana Alligator Resource Fund — R.S. 56:279

§279. Louisiana Alligator Resource Fund

A. Recognizing that the Louisiana alligator industry is a vital aspect of Louisiana's economic base and that in recent years worldwide markets and prices have expanded at a tremendous rate; and recognizing the rapid expansion of Louisiana alligator farming industry statewide; and recognizing the uniqueness of the state's alligator farming industry, one state agency, the Department of Wildlife and Fisheries, has provided the impetus for inception and development of the total alligator conservation program; and recognizing the many beneficial influences that Louisiana's alligator program has had on crocodylian conservation worldwide; and recognizing world trends questioning the consumptive utilization of wildlife species, and recognizing that those trends, by adversely affecting economic conditions, could have a severe impact on the alligator industry; and recognizing that raw and finished alligator skins and products are largely consumed outside the United States; and recognizing the need to educate the public concerning alligator hunting as a sound wildlife management practice; and recognizing the urgent need to support the alligator industry with a comprehensive research and development program; and recognizing the need to staff and fund the Department of Wildlife and Fisheries with adequate personnel in order to service this industry's needs, the Legislature of Louisiana does hereby establish the Louisiana Alligator Resource Fund within the Louisiana Wildlife and Fisheries Conservation Fund. The Alligator Resource Fund is intended to help defray the cost of alligator programs within the office of wildlife of the Department of Wildlife and Fisheries.

B. The specific goals of this Section are:

(1) To provide salaries and financial support including associated indirect cost for the following positions, to provide a minimum of two full-time technical positions (biologists) and eight nontechnical positions such as computer operators, secretaries, and wildlife specialists existing within the office of wildlife of the Department of Wildlife and Fisheries.

(2) To assist with funding for law enforcement activities associated with the alligator farm industry when surplus funds are available and recommended by the Louisiana Alligator Advisory Council.

(3) To assist with funding marketing programs recommended by the Louisiana Alligator Advisory Council when surplus funds are available.

(4) To actively fund research on all aspects involved with alligator conservation and to develop the techniques needed to enhance the commercial alligator industry.

(5) To assist in funding management of the alligator population through proper management, harvest, and farm facility management.

C.(1) Except as otherwise provided by law, all revenues received by the state from the sale of licenses as provided in R.S. 56:251(A)(2), from tag fees imposed on alligator hunters, alligator farmers, alligator shipping label fees on the sale of alligators, all revenues

derived from the sale of alligators, alligator skins, or alligator eggs harvested from department-administered lands, all fees derived from alligator lottery harvest programs on department-administered lands and public waters, and all revenues derived from any other alligator-related fees and from the severance tax on alligator skins provided for in R.S. 56:256 shall be credited by the state treasurer to a special fund designated as the "Louisiana Alligator Resource Fund" after those revenues have been deposited in the Bond Security and Redemption Fund. Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state that become due and payable within each fiscal year, the treasurer, prior to placing such funds in the state general fund, shall pay into the Louisiana Alligator Resource Fund an amount equal to the revenues generated from collection from those sources provided for in this Section and other sources as provided by law.

(2) The state treasurer shall invest the monies in this fund in the same manner as monies in the state general fund. Any surplus monies remaining to the credit of the fund, after all appropriations of the preceding fiscal year have been made, shall remain to the credit of the fund. The state treasurer shall prepare and submit to the department on a quarterly basis a printed report showing the amount of money contained in the fund from all sources.

(3) Any amounts earned through investment of the monies in the fund shall remain to the credit of the fund and shall not revert to the state general fund.

D.(1) The monies made available by the legislature from the fund as provided in this Section or from any other source shall be used solely for the programs, purposes, and specific goals enumerated in this Section.

(2) The Department of Wildlife and Fisheries shall maintain records of the sources of money received and the purposes therefor, as well as the person or persons to whom money is paid and the purpose therefor. Vouchers or receipts shall be kept for all money paid out. Money appropriated or otherwise made available to the department for authorized purposes shall be withdrawn from the treasury on warrant of the secretary of the department.

(3) The Department of Wildlife and Fisheries in utilizing monies from the fund shall contract, only with the approval of the Louisiana Alligator Advisory Council, for any services relating to specific goals enumerated in this Section. The secretary is hereby authorized and empowered to carry out any and all contracts entered into in order to achieve these goals.

E. The Department of Wildlife and Fisheries shall make a written operating report to the legislature at the end of each fiscal year. This report shall contain a summary of revenues received, expenditures made, and the status of achievement of specific goals. This report shall be submitted to the House Committee on Natural Resources and Environment and the Senate Committee on Natural Resources by the end of the calendar year.

Acts 1991, No. 1041, §1, eff. July 26, 1991; Acts 1993, No. 294, §1, eff. Sept. 1, 1993; Acts 2008, No. 272, §2; Acts 2008, No. 580, §7; Acts 2012, No. 131, §1.

Louisiana Help Our Wildlife Fund — R.S. 56:70.3

§70.3. Louisiana Help Our Wildlife Fund; creation; composition of fund; uses of fund

A. The Louisiana Help Our Wildlife Fund, hereinafter referred to as "the fund", is hereby created within the Louisiana Wildlife and Fisheries Conservation Fund in the state treasury.

B. The fund shall be composed of:

(1) Monies from appropriations by the legislature.

(2) All monies paid as a cost levied on class violations as provided in Subsection C of this Section.

(3) Any federal monies made available to the state for enforcement of anti-poaching laws.

C.(1) In addition to any other costs otherwise imposed by law, and notwithstanding any provision of law to the contrary, a cost of five dollars for any class violation as provided in R.S. 56:31 through 37.1 is hereby levied in each criminal action which results in conviction or guilty plea. The recipient of such costs shall remit them upon collection to the state treasurer.

(2) Notwithstanding any other provision of law to the contrary, in addition to any fine imposed under R.S. 30:2531 and 2531.1 or fine imposed pursuant to any parish or municipal ordinance prohibiting littering, an additional fine of five dollars is hereby imposed for each violation of said statutes or ordinances which results in a conviction, guilty plea, or plea of nolo contendere. The recipient of such fines shall, notwithstanding any other law to the contrary, remit them to the state treasurer upon collection.

D.(1) After complying with the requirements of Article VII, Section 9 (B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, the treasurer each fiscal year, prior to placing the remaining funds in the state general fund, shall pay the same amount of funds as was paid into the state treasury pursuant to Subsections B and C of this Section into a special fund hereby created within the Louisiana Wildlife and Fisheries Conservation Fund in the state treasury and known as the Louisiana Help Our Wildlife Fund.

(2) The monies in the Louisiana Help Our Wildlife Fund shall be used solely for the purposes set forth in this Subpart and only in the amounts appropriated each year by the legislature.

(3) All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

(4) The monies in the fund shall be invested by the treasurer in the same manner as monies in the Louisiana Wildlife and Fisheries Conservation Fund. All interest earned on monies invested by the treasurer shall be deposited in the Louisiana Help Our Wildlife Fund.

E. The Louisiana Help Our Wildlife Fund may be used solely for the following purposes:

(1) Rewards for information leading to the arrest and conviction of poachers and litterers.

- (2) A promotional and educational campaign to inform the general public on:
 - (a) The harm and danger of poaching and littering.
 - (b) The reward for information which leads to the arrest and conviction of poachers and litterers.
 - (3) Toll free telephone numbers.
 - (4) All expenses necessary to implement the provisions of this Subpart as determined by the secretary of the Department of Wildlife and Fisheries.
- Acts 1995, No. 77, §1; Acts 1998, 1st Ex. Sess., No. 148, §8.

MC Davis Conservation Fund — R.S. 56:799

§799. MC Davis Conservation Fund

A. There is hereby created and established within the Louisiana Wildlife and Fisheries Conservation Fund, a special fund designated as the MC Davis Conservation Fund, hereinafter referred to as the "fund", as mandated by Vendor in the MC Davis Property transfer to the Louisiana Department of Wildlife and Fisheries, which shall consist of management fees, certain revenues generated on and from the MC Davis Property and those monies donated or allocated for the protection, preservation, and stewardship of the forested wetlands in the Maurepas Swamp, Joyce, and Manchac Wildlife Management Areas. Monies in the fund shall be used solely for the implementation and administration of Subparts A, E, and F of this Part and R.S. 56:109 and for the preservation and management of the forested wetlands in the Maurepas Swamp, Joyce, and Manchac Wildlife Management Areas.

B. After allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall deposit in and credit to the fund all of the following:

(1) All compensation received by the state for management and operation fees for the enhancement of the habitat conditions of the forested wetlands for wildlife and fishery resources and public users on the MC Davis Property.

(2) All compensation and fees charged by the state or the Louisiana Wildlife and Fisheries Commission for the use of the MC Davis Property.

(3) All mineral revenues received by the state and revenues derived from other surface use activities on the MC Davis Property, except for revenues derived from an integrated coastal protection project as defined in R.S. 49:214.2, including revenues from the sale of carbon credits, which shall be deposited into the Coastal Protection and Restoration Fund.

(4) All monies received by the state and derived from any sale of assets produced by the MC Davis Property, except for revenues derived from an integrated coastal protection project as defined in R.S. 49:214.2, including revenues from the sale of carbon credits, which shall be deposited into the Coastal Protection and Restoration Fund.

(5) All donations of private funds or public contributions made to the state, department, or commission for the preservation, administration, management, and development of the forested wetlands in the Maurepas Swamp, Joyce, and Manchac Wildlife

Management Areas, including the MC Davis Property, or for the activities conducted thereon.

C. The monies in the fund shall be invested by the state treasurer in the same manner as the state general fund and the interest earned on the investment of these monies shall be credited to the fund, after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana, relative to the Bond Security and Redemption Fund. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

D. The monies in the fund shall be available only for the preservation, acquisition, administration, management, operation, enhancement, and development of the forested wetlands in the Maurepas Swamp, Joyce, and Manchac Wildlife Management Areas, including the MC Davis Property, or for the activities conducted thereon.

E. The monies in the fund shall be appropriated only for the purposes set forth in Subsection D of this Section. The legislature shall make no appropriation from the fund which is inconsistent with Subsection A of this Section.

Acts 2011, No. 404, §1, eff. July 1, 2011.

Public Oyster Seed Ground Development Account — R.S. 56:434.1

§434.1. Public Oyster Seed Ground Development Account

A. There is hereby created in the Conservation Fund an account to be known as the Public Oyster Seed Ground Development Account.

B. The secretary is authorized to accept and receive funds or materials as compensation for impacts associated with activities occurring on or over the public oyster seed grounds, seed reservations, and tonging areas. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and after a sufficient amount is allocated from that fund to pay all of the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall pay into the Public Oyster Seed Ground Development Account an amount equal to funds received by the secretary under the provisions of this Subsection. The monies in this account shall be used solely as provided in Subsection C of this Section and only in the amount appropriated by the legislature. All unexpended and unencumbered monies in this account at the end of the fiscal year shall remain in the account. The monies in the account shall be invested by the state treasurer in the same manner as monies in the Conservation Fund, and any interest earned shall be credited to the account.

C. Subject to appropriation by the legislature, the monies in the Public Oyster Seed Ground Development Account shall be used solely to enhance the state's public oyster seed grounds through siting, designing, permitting, constructing, monitoring, and cultch deposition on the public seed grounds, and research into oyster propagation and habitat, oyster hatchery operations, and the administrative functions of the oyster lease and survey section of the department.

D. The department shall maintain records of the sources of funds received and the activity which resulted in the payment of the funds to the secretary. In addition, the

department shall maintain records of payments made from the account, the person to whom the funds were paid, and the purpose of each payment. The department shall annually report such information to the Louisiana Oyster Task Force.

Acts 2003, No. 920, §1, eff. July 1, 2003; Acts 2016, No. 134, §1.

Reptile and Amphibian Research Fund — R.S. 56:633

§633. Reptile and Amphibian Research Fund

A. In order to insure that the necessary and proper funds are available to qualified and legitimate herpetologists, there is hereby established the Reptile and Amphibian Research Fund in the state treasury.

B. Funds received by the Reptile and Amphibian Research Fund in the form of fees shall be deposited immediately upon receipt into the state treasury.

C. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and prior to monies being placed in the state general fund, an amount equal to that deposited as required by Subsection B of this Section shall be credited to a special fund hereby created in the state treasury to be known as the "Reptile and Amphibian Research Fund". The monies in this fund shall be used solely as provided by Subsection D of this Section and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in this fund at the end of the fiscal year shall remain in such fund. The monies in this fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to this fund, again, following compliance with the requirement of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund.

D. The monies in the Reptile and Amphibian Research Fund shall be used solely for administration of this Subpart and legitimate herpetological research. Such grants shall be made in accordance with the rules and regulations adopted by the commission pursuant to the Administrative Procedure Act.

E. The Reptile and Amphibian Research Fund shall be funded by the assessment of a one percent fee on the gross out-of-state sales of native reptiles and amphibians. The one percent fee on the gross out-of-state sales of native reptiles or amphibians shall be payable to the department on or before the tenth day of the month following the date of sale and shall be due each quarter beginning July 1, 1995. Upon failure to pay the assessment when due, a penalty of ten percent of the assessment due per quarter shall be levied and collected by the department in addition to the one percent assessment due. Any quarterly report submitted with false information or nonpayment of the one percent assessment for two consecutive quarters will be cause for license revocation or suspension.

F. The expenditure of funds from the Reptile and Amphibian Research Fund shall be made at the discretion of the department.

Acts 1992, No. 256, §1, eff. July 1, 1993; Acts 1995, No. 604, §1; Acts 2013, No. 184, §14(A); Acts 2014, No. 791, §19.

Saltwater Fishery Enforcement Fund — R.S. 56:14

§14. Saltwater Fishery Enforcement Account; creation; use of monies in the account

A. The "Saltwater Fishery Enforcement Account" is hereby created as a special account in the Conservation Fund. The monies in this account shall be used solely as provided in Subsection D of this Section and only in the amounts appropriated by the legislature. The monies in this account shall be invested by the state treasurer in the same manner as monies in the state general fund. Monies deposited into the account and interest earned on the investment of monies in the account shall be credited to the account, following compliance with the requirement of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund.

B. The monies in the "Saltwater Fishery Enforcement Account" shall be obtained and allocated pursuant to Subsection C of this Section. Monies deposited into the account, and the revenues derived from investment of monies in the account, shall be used to supplement enforcement efforts related to saltwater fishery and fishery related laws, rules, and regulations in the coastal parishes of the state.

C. Funds received by the department from contributions or donations and court awards made specifically to the Saltwater Fishery Enforcement Account shall be deposited to the account. The monies in the Saltwater Fishery Enforcement Account shall be used solely as provided for in this Section. The state treasurer shall prepare and submit to the department, on a quarterly basis, a printed report showing the amount of money contained in the fund from all sources.

D. It is the purpose of this Section to provide financial assistance in any manner to the enforcement division of the department for the purpose of enforcing regulations governing, protecting, managing, and conserving saltwater fishery species and providing public safety while in the performance of those duties. It is specifically provided herein that any violation of gear limits or gear regulations in conjunction with shoreline trawling shall be strictly enforced.

E. It is specifically provided that the intent of the legislature in the enactment of the Louisiana Marine Resources Conservation Act of 1995 (Act No. 1316 of the 1995 Regular Session) is to promote the enhancement of Louisiana's marine resources by the removal of indiscriminate entanglement nets from coastal waters.

Acts 1999, No. 804, §1, eff. July 2, 1999; Acts 2004, No. 835, §1, eff. July 12, 2004.

White Lake Property Fund — R.S. 56:799.3

§799.3. White Lake Property Fund

A. Effective January 1, 2005, there shall be established in the state treasury, as a special fund within the Louisiana Wildlife and Fisheries Conservation Fund, the White Lake Property Fund, hereinafter referred to as the "fund". After allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall deposit in and credit to the fund all of the following:

(1) All revenues received by the state derived from agricultural leases and from mineral revenues from royalty payments, bonus payments, and rentals from the properties

owned by the state in and around White Lake, located in Vermilion Parish which were donated to the state in "Act of Donation by BP America Production Company to the State of Louisiana", dated July 8, 2002, and recorded July 11, 2002, in the conveyance records of Vermilion Parish, bearing entry number 20208337, hereinafter referred to as the "White Lake Property".

(2) All fees charged by the Louisiana Wildlife and Fisheries Commission or the Department of Wildlife and Fisheries for use of the White Lake Property.

(3) All monies received by the state and derived from any sale of assets produced by the White Lake Property.

(4) All donations of private funds or public contributions made to the state, commission, or department for the conservation, administration, control, management, development, or operation of the White Lake Property or the activities conducted thereon.

B. The monies in the fund shall be invested by the state treasurer in the same manner as the state general fund and the interest earned on the investment of these monies shall be credited to the fund, after compliance with the requirements of Article VII, Section 9(B) of the constitution, relative to the Bond Security and Redemption Fund. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

C. The monies in the fund shall be available only for the operation, maintenance, administration, control, management, or enhancement of the White Lake Property and to enhance the White Lake Property and to promote its wildlife and ecosystem conservation and for education and research purposes associated directly with the White Lake Property.

D. The monies in the fund shall be appropriated only for the purposes set forth in Subsection C of this Section.

Acts 2004, No. 613, §2, eff. Jan. 1, 2005; Acts 2016, No. 203, §1.

Wildlife Habitat and Natural Heritage Trust — R.S. 56:1923

§1923. Wildlife Habitat and Natural Heritage Trust

A. There is hereby established within the treasury a special fund to be known as the "Wildlife Habitat and Natural Heritage Trust", hereinafter referred to as the "trust", the funds of which may be used solely for the purposes of this Part. The secretary of the Department of Wildlife and Fisheries may use the funds deposited to the trust for the purpose of acquiring and managing lands pursuant to this Part. The secretary may accept funds from any source including public and private donations and grants which are to be deposited into the trust.

B. Monies in the trust shall be invested as provided by law. All interest earned on investment of monies in the fund shall be deposited in and credited to the trust. The monies in the trust shall be used solely in accordance with the terms and conditions of the trust and only in the amounts appropriated each year by the legislature. At the end of each fiscal year, all unexpended and unencumbered monies in the trust shall remain in the trust.

Acts 1989, No. 290, §1.