

Regular Session, 2010

SENATE BILL NO. 410

BY SENATOR CHAISSON

FUNDS/FUNDING. Changes allocation of deposits into the Millennium Trust and the Louisiana Fund. (See Act)

1 AN ACT

2 To amend and reenact R.S. 39:98.1(A)(3), relative to the Millennium Trust; to change the
3 amount of deposits into the Millennium Trust from monies received as a result of the
4 Master settlement; to provide for an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 39:98.1(A)(3) is hereby amended and reenacted to read as follows:

7 §98.1. Creation of Funds

8 A. There shall be established in the state treasury as a special permanent trust
9 fund the Millennium Trust. After allocation of money to the Bond Security and
10 Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of
11 Louisiana, the treasurer shall deposit in and credit to the Millennium Trust certain
12 monies received as a result of the Master Settlement Agreement, hereinafter the
13 "Settlement Agreement", executed November 23, 1998, and approved by Consent
14 Decree and Final Judgment entered in the case "Richard P. Ieyoub, Attorney
15 General, ex rel. State of Louisiana v. Philip Morris, Incorporated, et al.", bearing
16 Number 98-6473 on the docket of the Fourteenth Judicial District for the parish of
17 Calcasieu, state of Louisiana; and all dividend and interest income and all realized

1 capital gains on investment of monies in the Millennium Trust. The treasurer shall
 2 deposit in and credit to the Millennium Trust the following amounts of monies
 3 received as a result of the Settlement Agreement:

4 * * *

5 (3) Fiscal Year 2002-2003 ~~and each fiscal year thereafter~~, **through Fiscal**
 6 **Year 2009-2010**, seventy-five percent of the total monies received that year, **and**
 7 **Fiscal Year 2010-2011 and each fiscal year thereafter, twenty-five percent of the**
 8 **total monies received that year.**

9 * * *

10 Section 2. Section 1 of this Act shall take effect and become operative if the
 11 amendment of Article VII, Section 10.8(A)(1)(c) of the Constitution of Louisiana contained
 12 in the Act which originated as Senate Bill No. 434 of this 2010 Regular Session of the
 13 Legislature is adopted at the statewide election to be held on November 2, 2010 and at the
 14 same time as such proposed amendment becomes effective.

15 Section 3. Sections 2 and 3 of this Act shall become effective on July 1, 2010. If
 16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 17 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Martha S. Hess.

DIGEST

Chaisson (SB 410)

Present law provides for the establishment in the state treasury of the Millennium Trust as a special permanent trust, into which is deposited certain monies received as a result of the Master Settlement Agreement in the tobacco litigation, dividend and interest income and all realized capital gains on investment of monies in the Millennium Trust.

Present law further provides that the treasurer shall deposit in and credit to the Millennium Trust the following amounts of monies received as a result of the Settlement Agreement:

- (a) Fiscal Year 2000-2001, 45% of the total monies received that year.
- (b) Fiscal Year 2001-2002, 60% of the total monies received that year.
- (c) Fiscal Year 2002-2003 and each fiscal year thereafter, 75% of the total monies received that year.

Proposed law retains present law for Fiscal Years 2002-2003 through 2009-2010 but decreases deposits into the Millennium Trust of monies received as a result of the Settlement

Agreement from 75% to 25% beginning Fiscal Year 2010-2011 and each fiscal year thereafter.

Present law provides that the treasurer shall deposit in and credit to the Louisiana Fund all remaining monies received as a result of the Settlement Agreement after deposit into the Millennium Trust. Proposed law retains present law with the result that the amount deposited in the Louisiana Fund will increase from 25% to 75%.

Section 1 of the Act becomes effective and operative if the amendment of Article VII, Section 10.8(A)(1)(c) of the Constitution of Louisiana contained in the Act which originated as SB 434 of the 2010 RS is adopted at the statewide election to be held on November 2, 2010, and at the same time as such proposed amendment becomes effective. Sections 2 and 3 of the Act, which are the effective date provisions, become effective on July 1, 2010.

(Amends R.S. 39:98.1(A)(3))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Technical Amendment.