

CONFERENCE COMMITTEE REPORT

HB 374

2022 Regular Session

Beaulieu

June 6, 2022

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 374 by Representative Beaulieu, recommend the following concerning the Engrossed bill:

1. That the set of Senate Committee Amendments by the Senate Committee on Environmental Quality (#3354) be adopted.
2. That the set of Senate Floor Amendments by Senator Hensgens (#3745) be rejected.
3. That the following amendment to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 30:2418(I)(1)(a)(i), 2418.1(C) and (E), and 2531.1(D)(1), (2), and (3) and to enact R.S. 30:2418(P), relative to"

AMENDMENT NO. 2

On page 1, line 5, after "tires;" insert "to provide for fees; to provide for the Waste Tire Management Fund;"

AMENDMENT NO. 3

On page 1, delete lines 7 and 8 in their entirety and in lieu thereof insert the following:

"Section 1. R.S. 30:2418(I)(1)(a)(i), 2418.1(C) and (E), and 2531.1(D)(1), (2), and (3) are hereby amended and reenacted and R.S. 30:2418(P) is hereby enacted to read as follows:

§2418. Waste tires

* * *

I.(1)(a) The fee on tires authorized to be levied pursuant to R.S. 30:2413(A)(8) shall not exceed the following:

(i) ~~Beginning October 1, 2018, through July 31, 2022, two~~ Two dollars and twenty-five cents per passenger/light truck/small farm service tire. ~~Beginning on August 1, 2022, two dollars per passenger/light truck/small farm service tire.~~

* * *

P. The department shall be responsible for the removal of tires on any property containing more than one thousand tires, located in a historic district in a municipality with a population between twenty-eight and twenty-nine thousand according to the latest decennial census; however, in no event shall the department be responsible for the removal of more than three thousand tires from such property. The owner of any such property shall notify the secretary of the existence and need for removal of tires by certified mail. The department shall be responsible for the cost of labor, transportation, and disposal of any tires removed pursuant to this Subsection and shall have the removal of any such tires complete by September 30, 2022."

Respectfully submitted,

Representative Gerald "Beau" Alphonse Beaulieu, IV

Senator Eddie J. Lambert

Representative Jean-Paul P. Coussan

Senator Bob Hensgens

Representative John R. Illg, Jr.

Senator Michael "Big Mike" Fesi

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 374

2022 Regular Session

Beaulieu

Keyword and oneliner of the instrument as it left the House

ENVIRONMENT/WASTE TIRES: Increases the fine for gross littering of tires and failure to obtain a generator identification number

Report adopts Senate amendments to:

1. Limit the fine for violating the valid generator identification number requirement to \$5,000.

Report rejects Senate amendments which would have:

1. Authorized the secretary to use monies in the Waste Tire Management Dedicated Fund Account for purposes of emergency cleanup after required payments are made to waste tire processors.
2. Made technical changes.

Report amends the bill to:

1. Reauthorize the fee on tires for funding the Waste Tire Management Dedicated Fund Account and removes the original implementation and sunset dates.
2. Require the department to remove tires on any property containing more than 1,000 tires, located in a historic district in a municipality with a population between 28,000 and 29,000 according to the latest decennial census, but limit the removal to no more than 3,000 tires. Require the owner of any such property to notify the secretary of the existence and need for removal of tires by certified mail. Further require the department to pay the cost of labor, transportation, and disposal of any tires removed pursuant to proposed law and to have the removal of any such tires complete by September 30, 2022.
3. Make technical changes.

Digest of the bill as proposed by the Conference Committee

Present law provides that the penalty for failure to obtain a generator identification number is a fine of not less than \$300 but not more than \$500, or imprisonment for six months, or both.

Proposed law increases the monetary fine from not less than \$300 but not more than \$500 to \$5,000. Retains the present law penalty relative to imprisonment. Exempts persons operating a vehicle fleet, and performing on-site maintenance on their own vehicles from the penalties contained in present and proposed law.

Present law establishes the penalties for gross littering upon first, second, and third or subsequent conviction.

Proposed law retains present law penalties for gross littering and adds the following penalties specific to gross littering involving tires:

- (1) First conviction - fined \$1,800 and is responsible for the cost of removal, transportation, and processing of the tires.
- (2) Second conviction - fined not less than \$4,000 and not more than \$10,000 and is responsible for the cost of removal, transportation, and processing of the tires.
- (3) Third or subsequent conviction - fined not less than \$6,000 and not more than \$20,000 and is responsible for the cost of removal, transportation, and processing of the tires.

Present law authorizes a fee of \$2.25 to be levied per passenger, light truck, or small farm service tires beginning on Oct. 1, 2018 and ending July 31, 2022.

Proposed law reauthorizes the collection of the fee and removes the original implementation and sunset dates.

Proposed law requires the department to remove tires on any property containing more than 1,000 tires, located in a historic district in a municipality with a population between 28,000 and 29,000 according to the latest decennial census. Requires the owner of any such property to notify the secretary of the existence and need for removal of tires by certified mail. Further requires the department to pay the cost of labor, transportation, and disposal of any tires removed pursuant to proposed law and to have the removal of any such tires complete by Sept. 30, 2022.

(Amends R.S. 30:2418(I)(1)(a)(i), 2418.1(C) and (E), and 2531.1(D)(1), (2), and (3); Adds R.S. 30:2418(P))