

CONFERENCE COMMITTEE REPORT
House Bill No. 420 By Representative Gallot

June 22, 2008

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. 420 by Representative Gallot, recommend the following concerning the Re-Reengrossed bill:

1. That Amendments 1, 3, and 5 of the set Senate Floor Amendments consisting of five Senate Floor Amendments proposed by Senator Marionneaux and adopted by the Senate on June 12, 2008, be adopted.
2. That Amendments 2 and 4 of the set Senate Floor Amendments consisting of five Senate Floor Amendments proposed by Senator Marionneaux and adopted by the Senate on June 12, 2008, be rejected.
3. That Amendment Number 1 of the set of Senate Floor Amendments consisting of two Senate Floor Amendments proposed by Senator Marionneaux and adopted by the Senate on June 12, 2008, be adopted.
4. That Amendment Number 2 of the set of Senate Floor Amendments consisting of two Senate Floor Amendments proposed by Senator Marionneaux and adopted by the Senate on June 12, 2008, be rejected.
5. That all of the set of Senate Floor Amendments consisting of one Senate Floor Amendment proposed by Senator Marionneaux and adopted by the Senate on June 12, 2008, be rejected.
6. That the following amendments to the re-reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 3, delete "maximum"

AMENDMENT NO. 2

On page 1, line 4, after "authorities" insert "and to a certain special fund"

AMENDMENT NO. 3

On page 1, line 10, after "(D)(4)" insert "and (5)"

AMENDMENT NO. 4

On page 2, line 1, after "(3)" insert "(a)"

AMENDMENT NO. 5

On page 2, line 7, after "exceed" change "two" to "one"

AMENDMENT NO. 6

On page 2, line 7, after "dollars." insert the following:

"Effective July 1, 2010, the maximum amount remitted to the parish in which severance or production occurs shall not exceed two million eight hundred fifty thousand dollars."

AMENDMENT NO. 7

On page 2, delete lines 12 and 13 and insert the following:

"(b) At least fifty percent of the excess severance tax remitted to a parish in a fiscal year shall only be used within the parish in the same manner and for the same purposes as money received by the parish from the Parish Transportation Fund or its successor."

(4) The term "excess severance tax" shall mean the amount of severance tax remitted to a parish pursuant to the provisions of Paragraph (3) which is in excess of the amount of severance tax remitted to the parish for the fiscal year prior to July 1, 2009."

AMENDMENT NO. 8

In Amendment Number 3 of the of the set Senate Floor Amendments consisting of five Senate Floor Amendments proposed by Senator Marionneaux and adopted by the Senate on June 12, 2008, on page 1, delete lines 7 through 24 and insert the following:

"(5)(a)(i)(aa) Notwithstanding any other provision of this constitution, after deposit to the Bond Security and Redemption Fund as required in Article VII, Section 9 of this constitution, and the allocations required in this Paragraph, Paragraph (E) of this Section, and Article VII, Section 10-A of this constitution, beginning July 1, 2009, fifty percent of the revenues received from severance taxes on state lands in the Atchafalaya Basin each fiscal year, but not to exceed ten million dollars each fiscal year, shall be deposited by the treasurer into the Atchafalaya Basin Conservation Fund hereby created as a special fund in the state treasury. The money in the fund shall be appropriated to the Department of Natural Resources to be used exclusively to fund projects contained in the state or federal Basin master plans or an annual Basin plan developed by an Atchafalaya Basin Research and Promotion Board and other such advisory or approval boards, all of which the legislature shall create and provide for by law within the Atchafalaya Basin Program, or to provide match for the Atchafalaya Basin Floodway System, Louisiana Project, all as the secretary of the Department of Natural Resources shall direct."

(bb) The money in the fund shall be invested by the treasurer in the same manner as money in the state general fund, and interest earnings shall be deposited in and credited to the fund. All unexpended or unencumbered money remaining in the fund at the end of the fiscal year shall remain in the fund."

(ii) Of the money allocated in any one 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, a maximum of five percent of the money allocated in any one fiscal year may be used for the operational costs of the program or the department."

AMENDMENT NO. 9

On page 2, line 25, after "dollars to" change "two" to "one"

AMENDMENT NO. 10

On page 2, line 26, after "dollars" delete the remainder of the line and insert the following:

"for Fiscal Year 2009-2010 and to two million eight hundred fifty thousand dollars for Fiscal Year 2010-2011 and thereafter; to require at least fifty percent of the excess severance tax remitted to a parish because of this constitutional amendment to be used within the parish only in the same manner and for the same purposes as money received by the parish from the Parish Transportation Fund; to increase the amount of such severance taxes collected by the state, not to exceed ten million dollars each fiscal year, which is to be deposited to a special fund created in the state treasury to be known as the Atchafalaya Basin Conservation Fund, in order to fund projects contained in the state or federal Basin master plans or an annual Basin plan developed by an Atchafalaya Basin Research and Promotion Board and other such advisory or approval boards, all of which the legislature must create and provide for by law within the Atchafalaya Basin Program, or to provide match for the Atchafalaya Basin Floodway System, Louisiana Project, all as the secretary of the Department of Natural Resources shall direct, provided that eighty-five percent must 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, further provided, however, that up to five percent of the money allocated in any one fiscal year may be used for the operational costs of the program or the department; all to become effective July 1, 2009. (Amends Article VII, Section"

Respectfully submitted,

Representative Richard "Rick" Gallot, Jr.

Senator Robert "Rob" Marionneaux, Jr.

Representative Hunter Greene

Senator Michael J. "Mike" Michot

Representative Karen Gaudet St. Germain

Senator Troy Hebert