

2015 Regular Session

HOUSE BILL NO. 756

BY REPRESENTATIVES OURSO AND LAMBERT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TRANSPORTATION: Provides relative to Grant Anticipation Revenue Vehicles (GARVEE) Bonds

1 AN ACT

2 To amend and reenact R.S. 48:27(A), (B), (C), (D)(1)(a), (E), (H)(12), and (J), relative to  
3 Grant Anticipation Revenue Vehicles Bonds; to provide for technical corrections; to  
4 provide for the definitions of certain terms; to provide relative to the authority of the  
5 State Bond Commission; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 48:27(A), (B), (C), (D)(1)(a), (E), (H)(12), and (J) are hereby  
8 amended and reenacted to read as follows:

9 §27. Grant Anticipation Revenue Vehicles

10 A. Short title. This ~~Act~~ Section shall be known and cited as the "Grant  
11 Anticipation Revenue Vehicle Act of 2002".

12 B. Legislative findings and determinations. (1) The Legislature of  
13 Louisiana hereby finds and determines that the rapid growth of the economy of this  
14 state has prompted new and ever-increasing uses of public highways, roads, and  
15 other transportation infrastructure, and it is critical to the well-being and quality of  
16 life of the citizens of this state that the state address, on an accelerated basis, the  
17 long-term transportation needs of this state. The Legislature of Louisiana further  
18 determines that current transportation funding mechanisms do not provide adequate  
19 revenues to keep pace with the increasing demands of the state's transportation  
20 system.

1           (2) By utilizing revenue anticipation bonds for the financing of state  
2 transportation projects that may be financed, in whole or in part, with federal  
3 transportation funds, a significant amount of up-front revenues can be generated for  
4 such transportation projects. This will enable the design and construction of  
5 transportation projects on an accelerated basis. Utilizing revenue anticipation bonds  
6 to finance federal-aid transportation projects and state transportation projects will  
7 result in significant cost savings to the state, since such transportation projects can  
8 be completed at present day costs and at an accelerated pace.

9           (3) The Legislature of Louisiana further finds and declares that the bonds  
10 authorized herein constitute revenue bonds as provided in Article VII, Section 6 of  
11 the Constitution of Louisiana and the payment of the bonds with the amounts  
12 authorized herein is permitted under Article VII, Section 27 of the Constitution of  
13 Louisiana as part of the department's program for state highway construction.

14           (4) It is hereby determined that the issuance of the bonds and the program  
15 as herein authorized are in all respects public and governmental purposes for the  
16 improvement of the health, safety, welfare, comfort, and security of the people of the  
17 state, and that said purposes are public purposes and that the State Bond Commission  
18 on behalf of the state of Louisiana will be performing an essential governmental  
19 function and meeting a public obligation in the exercise of the powers conferred  
20 upon it by this ~~Act~~ Section.

21           C. Definitions. Whenever used in this ~~Act~~ Section, unless a different  
22 meaning clearly appears in the context, the following terms shall mean the following:

23           (1) ~~"Act" means this Act.~~

24           (2) "Bonds" means bonds, notes, or other evidences of indebtedness.

25           (3)(2) "Constitution" means the ~~constitution of the state, as amended~~  
26 Louisiana Constitution of 1974.

27           (4)(3) "Department" means the Department of Transportation and  
28 Development ~~of the state of Louisiana~~.

1           ~~(5)~~(4) "Federal transportation funds" means funds paid or reimbursed to the  
2           department by the United States Department of Transportation including, without  
3           limitation, future Federal Highway Administration obligational authority or Federal  
4           Highway Administration reimbursement funds and any other monies payable under  
5           Title 23 of the United States Code, as amended ~~from time to time~~.

6           ~~(6)~~(5) "Qualified federal-aid transportation project" ~~means any state project~~  
7           ~~that may be financed, pursuant to Article VII, Section 27(B) of the Constitution of~~  
8           ~~Louisiana, in whole or in part, with federal transportation funds~~ means any project  
9           to be constructed, in whole or in part, with monies appropriated out of the  
10          Transportation Trust Fund, Article VII, Section 27 of the Constitution of Louisiana,  
11          including, but not limited a new bridge across the Mississippi River connecting  
12          Louisiana Highway 1 to Louisiana Highway 30.

13          ~~(7)~~(6) "State" means the state of Louisiana.

14          ~~(8)~~(7) "State Bond Commission" means the State Bond Commission of the  
15          state, acting on behalf of the state.

16          ~~(9)~~(8) "State matching funds" means fees, rates, rentals, taxes, tolls, charges,  
17          grants, or other receipts or income derived by or in connection with a transportation  
18          project or undertaking, other than federal transportation funds, that may be used by  
19          the department to pay the costs of any qualified federal-aid transportation projects  
20          or state transportation projects.

21          ~~(10)~~(9) "State transportation project" means any state transportation project  
22          other than the projects enumerated in Act No. 16 of the 1989 First Extraordinary  
23          Session of the Louisiana Legislature, including, but not limited a new bridge across  
24          the Mississippi River connecting Louisiana Highway 1 to Louisiana Highway 30.

25          D. Power to issue bonds; repayment; principal amount of bonds.

26          (1)(a) The State Bond Commission, or its successor, on behalf of the state,  
27          is hereby authorized to issue bonds for the purpose of financing any qualified  
28          federal-aid transportation project or state transportation project, including, but not  
29          limited a new bridge across the Mississippi River connecting Louisiana Highway 1





Present law provides that such bonds shall be issued by the State Bond Commission but only after the issuance has been approved by the Joint Committee on Transportation, Highways and Public Works. The Joint Legislative Committee on the Budget also approves expenditures of the proceeds held by trustee banks. Further provides that the aggregate amount of principal and interest on all bonds issued under this authority shall not exceed 10% of annual federal highway funds.

Proposed law provides for technical corrections.

(Amends R.S. 48:27(A), (B), (C), (D)(1)(a), (E), (H)(12), and (J))