

CONFERENCE COMMITTEE REPORT

HB 286

2019 Regular Session

Henry

June 6, 2019

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. 286 by Representative Henry, recommend the following concerning the Reengrossed bill:

1. That the set of Senate Committee Amendments by the Senate Finance Committee (#2688) be adopted.
2. That the set of Senate Floor Amendments by Senator LaFleur (#2938) be adopted.
3. That Amendment Nos. 1 and 4 of the set of Senate Floor Amendments by Senator Fannin (#2859) be adopted.
4. That Amendment Nos. 2, 3 and 5 of the set of Senate Floor Amendments by Senator Fannin (#2859) be rejected.
5. That the following amendments be adopted:

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 by the Senate Finance Committee (#2688), on page 1, line 9, after "Legislature" and before "and to" delete "are hereby amended and reenacted"

AMENDMENT NO. 2

In Senate Committee Amendment No. 3 by the Senate Finance Committee (#2688), on page 1, line 15, change "\$2,681,921" to "\$3,161,921"

AMENDMENT NO. 3

On page 2, between lines 17 and 18 insert the following:

"(F) Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer \$1,094,092 into the Higher Education Initiatives Fund from state general fund (direct) for the projects authorized by R.S. 17:3394.3(C)(1)(n) and R.S. 17:3394.3(C)(2)(a)."

AMENDMENT NO. 4

On page 5, line 16, after "highways in" and before the period "." delete "the respective parishes" and insert "Jefferson Parish"

AMENDMENT NO. 5

On page 5, line 18, afer "R.S. 48:1161.2(D)." delete the remainder of the line, and delete lines 19 through 22 in their entirety.

Respectfully submitted,

Representative Cameron Henry

Senator Eric LaFleur

Representative Franklin J. Foil

Senator John A. Alario, Jr.

Representative Dustin Miller

Senator Jim Fannin

 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 286**2019 Regular Session****Henry**
Keyword and oneliner of the instrument as it left the House

FUNDS/FUNDING: Provides for the transfer, deposit, and use of monies among state funds

Report adopts Senate amendments to:

1. Reduce the transfer of state general fund (direct) to the Fiscal Administrator Fund from \$500,000 to \$450,000.
2. Reduce the transfer of state general fund (direct) to the Higher Education Initiatives Fund from \$4,000,000 to \$2,000,000.
2. Expand the uses of the Voting Technology Fund from to include general operating purposes.
3. Expand the uses of the Attorney General Debt Collection Fund to include general operating purposes.
4. Transfer \$3,400,000 of state general fund (direct) from land based casino revenues into the Overcollections Fund in the event HB 544 of the 2018 Regular Session is enacted.
5. Create the Oil and Gas Royalties Dispute Payments Fund to satisfy the obligation of the state for oil and gas royalties payments, of which 50% is reserved for the Lafourche Parish School Board and the remaining is reserved for other school boards.
6. Transfer \$445,000 of state general fund (direct) into the Oil and Gas Royalties Dispute Payments Fund in state fiscal year 2018-2019.
7. Transfer \$450,000 of state general fund (direct) into the Oil and Gas Royalties Dispute Payments Fund in state fiscal year 2019-2020.
8. Limit the Regional Maintenance and Improvement Fund to collections only from Jefferson Parish.
9. Create the Hunters for the Hungry Escrow Account and transfer collections from the Hunters from the Hungry Account within the Conservation Fund into this escrow account.
10. Make technical adjustments.

Report rejects Senate amendments which would have:

1. Reduced the portion of Highway Fund No. 2 funds from 50% of total collections to 25% of total collections in the respective parish.

2. Placed a termination date on the Regional Maintenance and Support Fund of June 30, 2020.
3. Made technical adjustments.

Report amends the bill to:

1. Transfer \$3,161,921 of state general fund (direct) into the Voting Technology Fund.
2. Transfer \$1,094,092 of state general fund (direct) into the Higher Education Initiatives Fund for projects authorized by R.S. 17:3394.3(C)(1)(n) and R.S. 17:3394.3(C)(2)(a).

Digest of the bill as proposed by the Conference Committee

Proposed law transfers 25% of the FY 2018 surplus (\$77,013,301) to the Budget Stabilization Fund.

Proposed law transfers \$55,000,000 of state general fund from the FY 2018 surplus into the Coastal Protection and Restoration Fund.

Proposed law transfers \$450,000 of state general fund (direct) into the Fiscal Administrator Revolving Loan Fund.

Proposed law transfers \$2,000,000 of state general fund (direct) into the Utility and Carrier Inspection and Supervision Fund.

Proposed law transfers \$1,500,000 of state general fund (direct) into the Motor Fuels Underground Storage Tank Trust Fund.

Proposed law transfers \$2,000,000 of state general fund (direct) into the Higher Education Initiatives Fund.

Proposed law transfers \$3,161,921 of state general fund (direct) into the Voting Technology Fund.

Proposed law transfers an additional \$1,094,092 of state general fund (direct) into the Higher Education Initiatives Fund for the projects authorized by R.S. 17:3394.3(C)(1)(n) and R.S. 17:3394.3(C)(2)(a).

Present law provides for the uses of the monies within the Voting Technology Fund for the acquisition and maintenance of voting machine technology. Proposed law expands present law to include the use of the fund for general operating expenses.

Present law provides for the annual royalty fee collected for the Hunters for the Hungry Louisiana license plate. Proposed law places 90% of these fee collections into the Hunters for the Hungry Escrow Account. Proposed law places the remaining 10% of these fee collections into the Conservation Fund for administrative costs for the Department of Wildlife and Fisheries. Proposed law specifies that no public funds shall be deposited into the Hunters for the Hungry Escrow Account and limits the donations deposited into the account that received by the department for the Hunters of the Hungry to a maximum of 75%.

Proposed law transfers the balance of the Hunters for the Hungry Account in the Conservation Fund to the department to be deposited into the Hunters for the Hungry Escrow Account.

Present law provides for uses of monies within the Department of Justice Debt Collection Fund for debt collection activities. Proposed law expands present law to include the use of the fund for general operating expenses.

Proposed law transfers \$3,400,000 of state general fund (direct) from land-based casino receipts into the Overcollections Fund in the event HB 544 of the 2019 Regular Session is enacted.

Proposed law creates the Oil and Gas Royalties Dispute Payments Fund to satisfy the obligation of the state pursuant to R.S. 41:342(A)(2) for oil and gas royalties payments. Proposed law further requires that beginning July 1, 2019, 50% of the monies in the fund be reserved for the Lafourche Parish School Board with the remaining funds to be reserved for other eligible school boards.

Proposed law transfers \$445,000 of state general fund (direct) into the Oil and Gas Royalties Dispute Payments Fund.

Proposed law transfers \$450,000 of Fiscal Year 2019-2020 state general fund (direct) into the Oil and Gas Royalties Dispute Payments Fund.

Present law provides for the credit of collected monies for fees and taxes provided for in the vehicle registration license taxes to the Transportation Trust Fund, the State Highway Improvement Fund, state highway fund No. 2, and the New Orleans Ferry Fund.

Proposed law retains present law and adds the Regional Maintenance and Improvement Fund for disposition of the collections.

Proposed law re-establishes the New Orleans Ferry Fund which expired on July 1, 2018, and requires the state treasurer, after making the allocation from state highway fund No. 2 for the Greater New Orleans Expressway Commission, to deposit into the fund an amount equal to the total of all funds derived from registration and license fees and taxes on trucks and trailers which are collected in Orleans Parish, to DOTD for ferry services.

Present law provides for the allocation of monies from the State Highway Improvement Fund, after the compliance with the requirements of Article VII, Section 9(B) for bonds, to the state highway fund No. 2 and the New Orleans Ferry Fund.

Proposed law retains present law and adds the Regional Maintenance and Improvement Fund for the allocation of monies.

Present law provides that after the compliance with the requirements of Article VII, Section 9(B) for bonds, and after the allocation of monies to the state highway fund No. 2, the treasurer shall deposit 50% of all funds derived from the collection of registration and licenses fees and taxes collected in the parishes of Orleans, Jefferson, St. John the Baptist, St. Charles, Tangipahoa, and St. Tammany into the Transportation Trust Fund.

Proposed law sunsets present law on June 30, 2019. Proposed law begins July 1, 2019, and provides that after the compliance with the requirements of Article VII, Section 9(B) for bonds, after the allocation of monies to the state highway fund No. 2, and after the allocation to the New Orleans Ferry Fund, the treasurer shall allocate 50% of the remaining monies collected from the registration and license fees and taxes for the parishes of Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany to the Transportation Trust Fund.

Proposed law further requires the creation of the Regional Maintenance and Improvement Fund and places 50% of the remaining monies derived from the collection of the registration and license fees and taxes for Jefferson Parish. Proposed law provides that the monies in the fund shall be annually appropriated by the legislature and invested by the treasurer. The proposed law distributes the monies collected for Jefferson Parish appropriated to the Regional Planning Commission for purposes pursuant to R.S. 48:1161.2(D).

The transfers to the Overcollections Fund and the FY 2019-2020 state general fund (direct) and into the Oil and Gas Royalties Dispute Payments Fund are effective July 1, 2019.

The remainder of the bill is effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 18:21(C)(3), R.S. 47:463.167(E), 463.167(E) as amended by Section 15 of Act No. 612 of the 2018 Regular Session of the Legislature, and 481, R.S. 48:196(A)(introductory paragraph), and 197, R.S. 49:257(G)(2), R.S. 56:644(B), (C)(introductory paragraph), (D), and (E), and R.S. 56:644(B) and (C)(introductory paragraph) as amended by Section 18 of Act No. 612 of the 2018 Regular Session of the Legislature; Adds R.S. 48:25.2 and R.S. 56:644(G))