

Regular Session, 2011

HOUSE BILL NO. 292

BY REPRESENTATIVES MORRIS AND ST. GERMAIN AND SENATOR MICHOT

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

ENVIRONMENT: Provides for litter abatement and enforcement and education programs

1 AN ACT

2 To amend and reenact R.S. 30:2506(A)(introductory paragraph) and (B) and 2507(A), R.S.
3 32:412(A)(1), (2), (5), and (6), (B)(1), (2), and (7)(e)(i)(cc) and (ee) and (ii)(cc) and
4 (ee), R.S. 36:605(B)(4)(a), and R.S. 47:463.43(A), (D), and (E), to enact R.S.
5 56:10(B)(14), and to repeal R.S. 30:2504 and 2511, R.S. 36:609(B)(4), Section 3 of
6 Act No. 527 of the 2003 Regular Session of the Legislature, Act No. 363 of the 2004
7 Regular Session of the Legislature, Act No. 190 of the 2007 Regular Session of the
8 Legislature, and R.S. 32:412(A)(1), (2), (5), (6), B(1), (2), (7)(e)(i)(aa), (dd)(I),
9 (e)(ii)(aa), and (dd)(I) as amended by Act No. __ of the 2011 First Extraordinary
10 Session of the Legislature, relative to litter abatement, enforcement, and education;
11 to provide for the Louisiana Environmental Education Commission; to provide for
12 the responsibility and duties of the Department of Wildlife and Fisheries; to provide
13 litter abatement and enforcement; to provide for education programs; to abolish the
14 environmental education division within the Department of Wildlife and Fisheries;
15 to provide for special license plates; to provide for the disposition of certain funds
16 collected from driver's license issuance and renewal and special license plates; and
17 to provide for related matters.

18 Be it enacted by the Legislature of Louisiana:

19 Section 1. R.S. 30:2506(A)(introductory paragraph) and (B) and 2507(A) are hereby
20 amended and reenacted to read as follows:

1 §2506. Curriculum framework

2 A. The commission ~~and the office of environmental education~~ shall work
3 with the Department of Education to develop a curriculum framework for
4 establishing environmental education programs in all public and private elementary
5 and secondary schools. The program shall integrate environmental concepts and
6 skills into regular curricula, which include:

7 * * *

8 B. The commission ~~and the office of environmental education~~ shall work
9 with the Department of Education to implement an environmental education program
10 in grades K through twelve.

11 * * *

12 §2507. Pre-service teacher education

13 A. The commission ~~and the office of environmental education~~ shall work
14 with members of teacher education institutions, colleges and universities, and the
15 Board of Regents to develop guidelines for incorporating environmental education
16 into teacher education requirements.

17 * * *

18 Section 2. R.S. 32:412(A)(1), (2), (5), and (6), (B)(1), (2), and (7)(e)(i)(cc) and (ee)
19 and (ii)(cc) and (ee) are hereby amended and reenacted to read as follows:

20 §412. Amount of fees; credit or refund; duration of license; disbursement of funds;
21 renewal by mail or electronic commerce of Class "D" or "E" drivers' licenses;
22 disposition of certain fees; exception

23 A.(1) Every applicant for a Class "D" driver's license, or for a renewal of a
24 Class "D" driver's license, except those bona fide residents of ~~cities having a~~
25 ~~population in excess of four hundred fifty thousand~~ the city of New Orleans, shall
26 pay for such basic license a fee of twenty-eight dollars and fifty cents. Seven dollars
27 and forty-three cents of the fee shall be paid to the State Police Pension and
28 Retirement Fund. One dollar of the fee shall be forwarded by the department to the

1 ~~office of environmental education~~ litter abatement and education account which is
2 created within the Conservation Fund through the provisions of R.S. 56:10(B)(14).

3 (2) The fee for Class "D" drivers' licenses, or renewal of a Class "D" driver's
4 license, issued to bona fide residents of ~~municipalities having a population in excess~~
5 ~~of four hundred fifty thousand~~ the city of New Orleans shall be thirty-six dollars, ten
6 dollars of which fee shall be payable by the department to the board of trustees of the
7 police pension fund of ~~such municipalities~~ the city of New Orleans. One dollar and
8 twenty-three cents of the fee shall be paid to the State Police Pension and Retirement
9 Fund. One dollar of the fee shall be forwarded by the department to the ~~office of~~
10 ~~environmental education~~ litter abatement and education account which is created
11 within the Conservation Fund through the provisions of R.S. 56:10(B)(14).

12 * * *

13 (5) Every applicant for a Class "E" driver's license, or for a renewal of a
14 Class "E" driver's license, except those bona fide residents of ~~cities having a~~
15 ~~population in excess of four hundred fifty thousand~~ the city of New Orleans, shall
16 pay for such basic license a fee of thirteen dollars and fifty cents, which shall be the
17 cost of such basic license. Three dollars and seventy-five cents of the fee shall be
18 paid to the State Police Pension and Retirement Fund. One dollar of the fee shall be
19 forwarded by the department to the ~~office of environmental education~~ litter
20 abatement and education account which is created within the Conservation Fund
21 through the provisions of R.S. 56:10(B)(14).

22 (6) The fee for a Class "E" driver's license, or renewal of a Class "E" driver's
23 license, issued to bona fide residents of ~~municipalities having a population in excess~~
24 ~~of four hundred fifty thousand~~ the city of New Orleans shall be thirteen dollars and
25 fifty cents, two dollars and fifty cents of which fee shall be paid by the department
26 to the board of trustees of the police pension funds of ~~such municipalities~~ the city of
27 New Orleans. Two dollars and fifty cents of the fee shall be paid to the State Police
28 Pension and Retirement Fund. One dollar of the fee shall be forwarded by the
29 department to the ~~office of environmental education~~ litter abatement and education

1 account which is created within the Conservation Fund through the provisions of
2 R.S. 56:10(B)(14).

3 * * *

4 B.(1) Every applicant for a Class "A", "B", or "C" commercial driver's
5 license, or for a renewal of a basic Class "A", "B", or "C" commercial driver's
6 license, except for those bona fide residents of ~~cities having a population in excess~~
7 ~~of four hundred fifty thousand~~ the city of New Orleans, shall pay for such basic
8 license a fee of forty-one dollars. Ten dollars and eighty cents of the fee shall be
9 paid to the State Police Pension and Retirement Fund. One dollar of the fee shall
10 be forwarded by the department to the ~~office of environmental education litter~~
11 abatement and education account which is created within the Conservation Fund
12 through the provisions of R.S. 56:10(B)(14).

13 (2) The fee for a basic Class "A", "B", or "C" commercial driver's license,
14 or for the renewal of a basic Class "A", "B", or "C" commercial driver's license,
15 issued to bona fide residents of ~~municipalities having a population in excess of four~~
16 ~~hundred fifty thousand~~ the city of New Orleans shall be fifty-one dollars, ten dollars
17 of which fee shall be paid by the department to the board of trustees of the police
18 pension fund of ~~such municipalities~~ the city of New Orleans. Ten dollars of the fee
19 shall be paid to the State Police Pension and Retirement Fund. One dollar of the fee
20 shall be forwarded by the department to the ~~office of environmental education litter~~
21 abatement and education account which is created within the Conservation Fund
22 through the provisions of R.S. 56:10(B)(14).

23 * * *

24 (7)

25 * * *

26 (e)(i)

27 * * *

28 (cc) Fifty cents of the fee shall be paid to the office of state police. One
29 dollar and fifty cents of the fee shall be paid to the State Police Pension and

1 Retirement Fund. One dollar of the fee shall be forwarded by the department to the
2 ~~office of environmental education~~ litter abatement and education account which is
3 created within the Conservation Fund through the provisions of R.S. 56:10(B)(14).

4 * * *

5 (ee) Three dollars and seventy-one cents of the fee shall be paid to the State
6 Police Pension and Retirement Fund. One dollar of the fee shall be forwarded by the
7 department to the ~~office of environmental education~~ litter abatement and education
8 account which is created within the Conservation Fund through the provisions of
9 R.S. 56:10(B)(14).

10 * * *

11 (ii)

12 * * *

13 (cc) One dollar of the fee shall be paid to the Board of Trustees of the Police
14 Pension Fund of ~~said municipalities~~ the city of New Orleans. One dollar of the fee
15 shall be paid to the State Police Pension and Retirement Fund. One dollar of the fee
16 shall be forwarded by the department to the ~~office of environmental education~~ litter
17 abatement and education account which is created within the Conservation Fund
18 through the provisions of R.S. 56:10(B)(14).

19 * * *

20 (ee) Five dollars of the fee shall be payable by the department to the board
21 of trustees of the police pension fund of ~~such municipalities~~ the city of New Orleans.
22 Sixty-one cents of the fee shall be paid to the State Police Pension and Retirement
23 Fund. One dollar of the fee shall be forwarded by the department to the ~~office of~~
24 ~~environmental education~~ litter abatement and education account which is created
25 within the Conservation Fund through the provisions of R.S. 56:10(B)(14).

26 * * *

1 Section 3. R.S. 36:605(B)(4)(a) is hereby amended and reenacted to read as follows:

2 §605. Powers and duties of the secretary of wildlife and fisheries

3 * * *

4 B. The secretary shall have authority to:

5 * * *

6 (4)(a) Enforce the laws of the state and rules and regulations relative to
7 wildlife and fisheries, including but not limited to laws, rules, and regulations
8 relative to illegal hunting, fishing, and trapping, boating safety regulations, and the
9 prohibited methods, times, or seasons, and locations therefor, including the illegal
10 transportation, shipping, and sale of wildlife, fish, and other aquatic life and fur-
11 bearing animals and alligators, and including the illegal possession of wildlife, game,
12 or fish and other aquatic life, and develop and implement litter abatement,
13 enforcement, and awareness programs and toward these ends shall appoint not less
14 than twenty-five wildlife agents, whose entire time, under the direction of the
15 secretary, shall be devoted to the performance of their official duties as prescribed
16 by law. Notwithstanding R.S. 40:5, the secretary shall have authority to enforce the
17 laws specifically assigned by statute to the Department of Health and Hospitals and
18 any rules or regulations promulgated thereunder for the purpose of regulating the
19 harvesting, processing, or distribution of molluscan shellfish.

20 * * *

21 Section 4. R.S. 47:463.43(A), (D), and (E) are hereby amended and reenacted to read
22 as follows:

23 §463.43. Special license plates; environmental education division

24 A. The Department of Public Safety and Corrections shall establish a special
25 prestige motor vehicle license plate for ~~the environmental education division within~~
26 by the Department of Wildlife and Fisheries, office of wildlife, R.S. 30:2503 et seq
27 for the purposes provided in R.S. 56:10(B)(14). The license plates shall be restricted
28 to use on passenger cars, pickup trucks, vans, and recreational vehicles.

29 * * *

1 specify deposit to this account; and any remaining balance in the Louisiana
2 Environmental Education Fund as of August 15, 2011. The revenues shall be subject
3 to the same requirements as provided for other revenues placed in the Conservation
4 Fund in Paragraph (1) of this Subsection. The funds in this account shall be used
5 solely for litter abatement and enforcement; public service announcements; develop,
6 review, and approve a plan for statewide environmental education and training of
7 operators of vehicles regarding littering; to finance local littering enforcement
8 activities in order to promote public safety, order, and general welfare by making the
9 streets, roads, rivers, streams, bayous, lakes, waterways, and highways of Louisiana
10 clean, safe, and free of debris, litter, and other material falling from or being thrown
11 from vehicles; and to award grants to nonprofit organizations and public agencies for
12 the development, dissemination, and assessment of such education programs.

13 * * *

14 Section 6. R.S. 30:2504 and 2511 and R.S. 36:609(B)(4) and Section 3 of Act No.
15 527 of the 2003 Regular Session of the Legislature, Act No. 363 of the 2004 Regular Session
16 of the Legislature, Act No.190 of the 2007 Regular Session of the Legislature, and R.S.
17 32:412(A)(1), (2), (5), (6), (B)(1), (2), (7)(e)(i)(aa), (dd)(I), (e)(ii)(aa), and (dd)(I) as
18 amended by Act No. __ of the 2011 First Extraordinary Session of the Legislature are hereby
19 repealed in their entirety.

20 Section 7. This Act shall become effective on July 1, 2011; if vetoed by the governor
21 and subsequently approved by the legislature, this Act shall become effective on July 1,
22 2011, or on the day following such approval by the legislature, whichever is later.

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)]

Morris

HB No. 292

Abstract: Provides for the Environmental Education Commission and the litter abatement and education account in the Conservation Fund.

Present law provides for the Environmental Education Commission in the Dept. of Wildlife and Fisheries, provides for the commission's powers and duties, and creates the office of environmental education within the office of wildlife, Dept. of Wildlife and Fisheries.

Proposed law retains present law except repeals the office of environmental education.

Present law provides for a \$1 fee on the fee charged for driver's licenses to be deposited into the La. Environmental Education Fund and to be used for public service announcements and for the education and training of drivers of motor vehicles regarding littering or to finance local littering enforcement activities until Aug. 15, 2011.

Present law creates a prestige motor vehicle environmental education license plate for the Dept. of Wildlife and Fisheries. Revenues received from the donations from the plates are deposited into the La. Environmental Education Fund to be used for the purposes of the Environmental Education Commission.

Proposed law repeals La. Environmental Education Fund and replaces the fund with the "litter abatement and education account" within the Conservation Fund.

Proposed law retains present law except the funds from both sources, along with any public or private donations, shall be deposited into the "litter abatement and education account" within the Conservation Fund, and repeals driver's license fee sunset date.

Proposed law provides that funds in the account shall be used solely for litter abatement and enforcement; public service announcements; develop, review, and approve a plan for statewide environmental education and training of operators of vehicles regarding littering; to finance local littering enforcement activities in order to promote public safety, order, and general welfare by making the streets, roads, rivers, streams, bayous, lakes, waterways, and highways of La. clean, safe, and free of debris, litter, and other material falling from or being thrown from vehicles; and to award grants to nonprofit organizations and public agencies for the development, dissemination, and assessment of such education programs.

Act No. __ of the 2011 First Extraordinary Session amended various provisions of R.S. 32:412, of which are being repealed by the proposed law.

Effective July 1, 2011.

(Amends R.S. 30:2506(A)(intro. para.) and (B) and 2507(A), R.S. 32:412(A)(1), (2), (5), and (6), (B)(1), (2), and (7)(e)(i)(cc) and (ee) and (ii)(cc) and (ee), R.S. 36:605(B)(4)(a), and R.S. 47:463.43(A),(D), and (E); Adds R.S. 56:10(B)(14); Repeals R.S. 30:2504 and 2511, R.S. 36:609(B)(4), §3 of Act No. 527 of the 2003 R.S., Act No. 363 of the 2004 R.S., Act No.190 of the 2007 R.S., and R.S. 32:412(A)(1), (2), (5), (6), (B)(1), (2), (7)(e)(i)(aa), (dd)(I), (e)(ii)(aa), and (dd)(I) as amended by Act No. __ of the 2011 1st E.S.)