

2015 Regular Session

SENATE BILL NO. 123

BY SENATOR ADLEY

FUNDS/FUNDING. Constitutional amendment to provide, beginning Fiscal Year 2016-2017, for certain dedications from the Transportation Trust Fund. (2/3-CA13s1(A))

A JOINT RESOLUTION

Proposing to amend Article VII, Section 27(B) of the Constitution of Louisiana, relative to the Transportation Trust Fund; to provide for dedication of monies in the fund; to provide for the uses of monies in the fund; to provide for a limitation on the dedication of monies to the Parish Transportation Fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 27(B) of the Constitution of Louisiana, to read as follows:

§27. Transportation Trust Fund

Section 27.

* * *

(B) The monies in the trust fund shall be appropriated or dedicated solely and exclusively for the costs for and associated with construction and maintenance of the roads and bridges of the state and federal highway systems, the Statewide Flood-Control Program or its successor, ports, airports, transit, ~~state police for traffic~~

1 ~~control purposes~~, and the Parish Transportation Fund or its successor and for the
2 payment of all principal, interest, premium, if any, and other obligations incident to
3 the issuance, security, and payment in respect of bonds or other obligations payable
4 from the trust fund as authorized in Paragraph (D) hereof. Unless pledged to the
5 repayment of bonds authorized in Paragraphs (C) or (D) of this Section, the monies
6 in the trust fund allocated to ports, airports, flood control, parish transportation, and
7 state highway construction shall be appropriated annually by the legislature only
8 pursuant to programs established by law which establish a system of priorities for the
9 expenditure of such monies, except that the Transportation Infrastructure Model for
10 Economic Development, which shall include only those projects enumerated in
11 House Bill 17 of the 1989 First Extraordinary Session of the Legislature and US
12 Highway 61 from Thompson Creek to the Mississippi Line, in lieu of "US 61-Bains
13 to Mississippi Line", and US Highway 165 from I-10 to Alexandria to Monroe to
14 Bastrop and thence on US Highway 425 from Bastrop to the Arkansas Line, in lieu
15 of "US 165-I-10 Alexandria-Monroe-Bastrop-Arkansas Line" and LA 15-Natchez,
16 Mississippi to Chase in lieu of "LA 15-Natchez, Mississippi to Monroe", shall be
17 funded as provided by law. ~~The~~ **Beginning in Fiscal Year 2016-2017**, state
18 generated tax monies appropriated **or dedicated solely and exclusively** for ports,
19 Parish Transportation Fund, or its successor, and the Statewide Flood-Control
20 Program, or its successor, ~~and state police for traffic control purposes~~ shall not
21 exceed twenty percent annually of the state generated tax revenues in the trust fund;
22 provided, however, that no ~~less~~ **more** than the avails of one cent of the tax on
23 gasoline and special fuels shall be appropriated **or dedicated** each year to the Parish
24 Transportation Fund, or its successor. The annual appropriation **or dedication** for
25 airports shall be a sum equal to, but not greater than, the annual estimated revenue
26 to be derived from the state taxes to be collected and received on aviation fuel.
27 Unencumbered and unexpended balances at the end of each fiscal year shall remain
28 in the trust fund. The earnings realized in each fiscal year on the investment of
29 monies in the trust fund shall be deposited in and credited to the trust fund.

* * *

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on October 24, 2015.

Section 3. Be it further resolved that on the official ballot to be used at said election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

Do you support an amendment that deletes state police for traffic control purposes as one of the eligible uses of monies in the Transportation Trust Fund; that beginning in Fiscal Year 2016-2017, the appropriation or dedication solely and exclusively to ports, the Parish Transportation Fund, and the Statewide Flood-Control Program shall not exceed twenty percent annually of the state generated tax revenues in the Transportation Trust Fund; provided, however, that no more than the avails of one cent of the tax on gasoline and special fuels in the trust fund shall be appropriated or dedicated each year to the Parish Transportation Fund?

(Amends Article VII, Section 27(B))

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jay R. Lueckel.

DIGEST

SB 123 Original

2015 Regular Session

Adley

Present constitution provides for the creation of the Transportation Trust Fund (trust fund), and the sources of monies to be deposited into the fund from the avails received in each year from taxes levied on gasoline and motor fuels and on special fuels.

Present constitution provides that after satisfying certain pledges for the payment of bonds or other evidences of indebtedness, the treasurer shall allocate excess revenues and all monies appropriated by the Federal Highway Administration or its successor and the Federal Aviation Administration or its successor, either reimbursed or paid directly, to the trust fund.

Proposed constitutional amendment retains present constitution.

Present constitution provides that the monies in the trust fund shall be appropriated or dedicated solely and exclusively for the costs for and associated with construction and maintenance of the roads and bridges of the state and federal highway systems, the Statewide Flood-Control Program, or its successor, ports, airports, transit, state police for traffic control

purposes, and the Parish Transportation Fund, or its successor, and the payment of bonds secured by the trust fund.

Proposed constitutional amendment deletes state police for traffic control purposes as one of the eligible uses of monies in the Transportation Trust Fund.

Present constitution provides that the state generated tax monies appropriated for ports, Parish Transportation Fund, the Statewide Flood-Control Program, and state police for traffic control purposes shall not exceed twenty percent annually of the state generated tax revenues in the trust fund; provided, however, that no less than the avails of one cent of the tax on gasoline and special fuels shall be appropriated each year to the Parish Transportation Fund, or its successor.

Proposed constitutional amendment provides that beginning in Fiscal Year 2016-2017, the appropriation or dedication to ports, the Parish Transportation Fund, and the Statewide Flood-Control Program shall not exceed twenty percent annually of the state generated tax revenues in the Transportation Trust Fund and that no more than the avails of one cent of the tax on gasoline and special fuels in the trust fund shall be appropriated or dedicated each year to the Parish Transportation Fund.

Specifies submission of the amendment to the voters at the statewide election to be held on October 24, 2015.

(Amends Const. Art. VII, Sec. 27(B))