HLS 22RS-506 ENGROSSED

2022 Regular Session

HOUSE BILL NO. 397

1

BY REPRESENTATIVE BISHOP

ENVIRONMENT/LITTERING: Separates funding sources for environmental education and litter abatement

AN ACT

2	To amend and reenact R.S. 30:2531(C)(4) and 2532(Section heading) and (A)(5), R.S.
3	32:412(A)(1), (2), (5), and (6), and (B)(1), (2), and (7)(e)(i)(cc) and (ee) and (ii)(cc)
4	and (ee), R.S. 47:463.43(Section heading), (A), and (D), and R.S. 56:10(B)(15), to
5	enact R.S. 56:10(B)(17), and to repeal R.S. 30:2532(B), relative to funding for
6	environmental education and litter abatement; to separate the litter abatement and
7	education account into an account for litter abatement and an account for
8	environmental education; to redirect existing fines, fees, and donations dedicated for
9	these purposes into the separate accounts; and to provide for related matters.
0	Be it enacted by the Legislature of Louisiana:
1	Section 1. R.S. 30:2531(C)(4) and 2532(Section heading) and (A)(5) are hereby
12	amended and reenacted to read as follows:
13	§2531. Intentional littering prohibited; criminal penalties; simple littering
4	prohibited; civil penalties; special court costs
15	* * *
16	C. Whoever violates the provisions of this Section shall pay special court
17	costs of one hundred dollars in lieu of other costs of court and the special court costs
18	shall be disbursed as follows:
9	* * *

1	(4) Twenty-five dollars shall be paid to the state treasury for credit to the
2	Litter Abatement and Education Account.
3	* * *
4	§2532. Collection and distribution of fines; litter abatement and education account
5	A. All fines collected under the provisions of this Part shall be payable as
6	follows:
7	* * *
8	(5) The remainder shall be paid to the state treasury for credit to the litter
9	abatement and education account.
10	* * *
11	Section 2. R.S. 32:412(A)(1), (2), (5), and (6), and (B)(1), (2), and (7)(e)(i)(cc) and
12	(ee) and (ii)(cc) and (ee) are hereby amended and reenacted to read as follows:
13	§412. Amount of fees; credit or refund; duration of license; veteran designation;
14	disabled veteran designation; university logo; "I'm a Cajun" designation;
15	needs accommodation designation; autism spectrum disorder designation;
16	disbursement of funds; renewal by mail or electronic commerce of Class "D"
17	or "E" drivers' licenses; disposition of certain fees; exception
18	A.(1) Every applicant for a Class "D" driver's license, or for a renewal of a
19	Class "D" driver's license, except those bona fide residents of the city of New
20	Orleans, shall pay for such basic license a fee of forty-two dollars and seventy-five
21	cents. Eleven dollars and fifteen cents of the fee shall be paid to the Louisiana State
22	Police Retirement System Fund. One dollar and fifty cents of the fee shall be
23	forwarded by the department to the litter abatement and education account which is
24	created with within the Conservation Fund through the provisions of R.S.
25	56:10(B)(15).
26	(2) The fee for Class "D" driver's licenses, or renewal of a Class "D" driver's
27	license, issued to bona fide residents of the city of New Orleans shall be fifty-four
28	dollars, fifteen dollars of which shall be payable by the department to the board of
29	trustees of the police pension fund of the city of New Orleans. One dollar and

eighty-four cents of the fee shall be paid to the Louisiana State Police Retirement System Fund. One dollar and fifty cents of the fee shall be forwarded by the department to the litter abatement and education account which is created within the Conservation Fund through the provisions of R.S. 56:10(B)(15).

* * *

- (5) Every applicant for a Class "E" driver's license, or for a renewal of a Class "E" driver's license, except those bona fide residents of the city of New Orleans, shall pay for such basic license a fee of twenty dollars and twenty-five cents, which shall be the cost of such basic license. Five dollars and sixty-three cents of the fee shall be paid to the Louisiana State Police Retirement System Fund. One dollar and fifty cents of the fee shall be forwarded by the department to the litter abatement and education account which is created within the Conservation Fund through the provisions of R.S. 56:10(B)(15).
- (6) The fee for a Class "E" driver's license, or renewal of a Class "E" driver's license, issued to bona fide residents of the city of New Orleans shall be twenty dollars and twenty-five cents, three dollars and seventy-five cents of which shall be paid by the department to the board of trustees of the police pension funds of the city of New Orleans. Three dollars and seventy-five cents of the fee shall be paid to the Louisiana State Police Retirement System Fund. One dollar and fifty cents of the fee shall be forwarded by the department to the litter abatement and education account which is created within the Conservation Fund through the provisions of R.S. 56:10(B)(15).

23 * * *

B.(1) Every applicant for a Class "A", "B", or "C" commercial driver's license, or for a renewal of a basic Class "A", "B", or "C" commercial driver's license, except for those bona fide residents of the city of New Orleans, shall pay for such basic license a fee of sixty-one dollars and fifty cents. Sixteen dollars and twenty cents of the fee shall be paid to the Louisiana State Police Retirement System Fund. One dollar and fifty cents of the fee shall be forwarded by the department to

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2	Fund through the provisions of R.S. 56:10(B)(15).
3	(2) The fee for a basic Class "A", "B", or "C" commercial driver's license,
4	or for the renewal of a basic Class "A", "B", or "C" commercial driver's license,
5	issued to bona fide residents of the city of New Orleans shall be seventy-six dollars
6	and fifty cents, fifteen dollars of which fee shall be paid by the department to the
7	board of trustees of the police pension fund of the city of New Orleans. Fifteen
8	dollars of the fee shall be paid to the Louisiana State Police Retirement System Fund.
9	One dollar and fifty cents of the fee shall be forwarded by the department to the litter
10	abatement and education account which is created with the Conservation Fund
11	through the provisions of R.S. 56:10(B)(15).
12	* * *
13	(7)
14	* * *
15	(e)(i)
16	* * *
17	(cc) Seventy-five cents of the fee shall be paid to the office of state police.
18	Two dollars and seventy-five cents of the fee shall be paid to the Louisiana State
19	Police Retirement System Fund. One dollar and fifty cents of the fee shall be
20	forwarded by the department to the litter abatement and education account which is
21	created within the Conservation Fund through the provisions of R.S. 56:10(B)(15).
22	* * *
23	(ee) Five dollars and fifty-six cents of the fee shall be paid to the Louisiana
24	State Police Pension and Retirement System Fund. One dollar and fifty cents of the
25	fee shall be forwarded by the department to the litter abatement and education
26	account which is created within the Conservation Fund through the provisions of
27	R.S. 56:10(B)(15).
28	* * *

the litter abatement and education account which is created within the Conservation

1 (ii) 2 * * *

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(cc) One dollar and fifty cents of the fee shall be paid to the Board of Trustees of the Police Pension Fund of the city of New Orleans. One dollar and fifty cents of the fee shall be paid to the State Police Pension and Retirement Fund. One dollar and fifty cents of the fee shall be forwarded by the department to the litter abatement and education account which is created within the Conservation Fund through the provisions of R.S. 56:10(B)(15).

9 * * *

(ee) Seven dollars and fifty cents of the fee shall be payable by the department to the board of trustees of the police pension fund of the city of New Orleans. Ninety-two cents of the fee shall be paid to the State Police Pension and Retirement Fund. One dollar and fifty cents of the fee shall be forwarded by the department to the litter abatement and education account which is created within the Conservation Fund through the provisions of R.S. 56:10(B)(15).

16 * * *

Section 3. R.S. 47:463.43(Section heading), (A), and (D) are hereby amended and reenacted to read as follows:

§463.43. Special license plates; environmental education and litter reduction section account

A. The Department of Public Safety and Corrections shall establish a special prestige motor vehicle license plate for environmental education by the Department of Wildlife and Fisheries for the purposes provided in R.S. 56:10(B)(15)(17). The license plates shall be restricted to use on passenger cars, pickup trucks, vans, and recreational vehicles.

26 * * *

D. The department shall collect the donation for each license plate and forward the donation as provided in Subsection C of this Section to the Department of Wildlife and Fisheries. The one dollar handling fee as provided in Subsection C

1	of this Section shall be retained by the department to offset the administrative costs.
2	The funds received by the Department of Wildlife and Fisheries pursuant to this
3	Section shall be deposited in the litter abatement and environmental education
4	account which is created within the Conservation Fund through the provisions of
5	R.S. $56:10(B)(15)(17)$, and used solely for the purposes of that fund.
6	* * *
7	Section 4. R.S. 56:10(B)(15) is hereby amended and reenacted and R.S.
8	56:10(B)(17) is hereby enacted to read as follows:
9	§10. Annual report to governor; estimate of proposed expenditures; particular funds;
10	limitations on purposes for use of monies in particular funds and accounts;
11	warrants; vouchers; surplus funds
12	* * *
13	B.
14	* * *
15	(15)(a) There is hereby created within the Conservation Fund a special
16	account known as the "litter abatement and education account" which shall consist
17	of donations collected from the sale of the environmental education license plate
18	provided for in R.S. 47:463.43; revenue received by the Conservation Fund from the
19	Department of Public Safety and Corrections, office of motor vehicles as provided
20	in R.S. 32:412; revenue received by the Conservation Fund from fines for violations
21	of the provisions of Part I of Chapter 21 of Subtitle II of Title 30 as provided in R.S.
22	30:2531 and 2532; funds from public or private donations and any other source
23	which may specify deposit to this account; and any remaining balance in the litter
24	abatement and education account as of August 1, 2022. The revenues shall be
25	subject to the same requirements as provided for other revenues placed in the
26	Conservation Fund in Paragraph (1) of this Subsection.
27	(b) The funds in this account shall be used solely for the following:
28	(i) To develop, review, approve, and implement a plan for statewide
29	environmental education.

1	(ii) To provide for environmental education <u>litter abatement</u> grant programs
2	in the state.
3	(iii) To develop an environmental education curriculum framework.
4	(iv) To develop guidelines for incorporating environmental education into
5	teacher education requirements.
6	(v) To develop environmental education teacher professional development.
7	(vi) To provide for formal environmental education.
8	(vii)(ii) To provide for litter abatement and enforcement.
9	(viii)(iii) To support community-based litter abatement programs.
10	(ix) To develop, disseminate, and assess litter education and awareness
11	programs and materials.
12	* * *
13	(17)(a) There is hereby created within the Conservation Fund a special
14	account known as the "environmental education account" which shall consist of
15	donations collected from the sale of the environmental education license plate
16	provided for in R.S. 47:463.43 and funds from public or private donations and any
17	other source which may specify deposit to this account. The revenues shall be
18	subject to the same requirements as provided for other revenues placed in the
19	Conservation Fund in Paragraph (1) of this Subsection.
20	(b) The funds in this account shall be used solely for the following:
21	(i) To develop, review, approve, and implement a plan for statewide
22	environmental education.
23	(ii) To provide for environmental education grant programs in the state.
24	(iii) To develop an environmental education curriculum framework.
25	(iv) To develop guidelines for incorporating environmental education into
26	teacher education requirements.
27	(v) To develop environmental education teacher professional development.
28	(vi) To provide for formal environmental education.

1 (vii) To develop, disseminate, and assess litter education and awareness
2 programs and materials.
3 * * * *
4 Section 5. R.S. 30:2532(B) is hereby repealed in its entirety.

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)]

HB 397 Engrossed

2022 Regular Session

Bishop

Abstract: Creates separate accounts for environmental education and litter abatement and redirects existing funding between these two accounts.

<u>Present law</u> creates within the Conservation Fund an account entitled the "litter abatement and education account" to be used towards certain environmental education and litter abatement programs and goals. <u>Present law</u> further directs donations from certain prestige license plates, a portion of littering fines and court costs paid, and a portion of fees collected for the issuance and renewal of driver's licenses into this account.

<u>Proposed law</u> creates the "litter abatement account" within the Conservation Fund and directs that a portion of littering fines and court costs paid and a portion of the fees collected for the issuance and renewal of driver's licenses into this account. <u>Proposed law</u> further specifies that funds in the account be used for litter abatement grants, litter abatement and enforcement, and to support community-based litter abatement programs.

<u>Proposed law</u> creates the "environmental education account" within the Conservation Fund and directs that donations from the environmental education special prestige license plate be credited to the account. <u>Proposed law</u> specifies that funds in the account be used for statewide environmental education, environmental education grant programs, development of environmental education curriculum and teacher education and professional development requirements, and litter education and awareness programs and materials.

<u>Present law</u> provides fines and special court costs for intentional littering and directs portions of those fines and special court costs to the litter abatement and education account.

<u>Proposed law</u> retains the fines and special court costs for intentional littering under <u>present law</u>, but directs the portions dedicated to the litter abatement and education account under <u>present law</u> to the litter abatement account instead.

<u>Present law</u> provides for fees to be charged for the issuance or renewal of driver's licenses and directs a portion of those fees to the litter abatement and education account.

<u>Proposed law</u> retains the same fees, but directs the portions dedicated to the litter abatement and education account under <u>present law</u> to the litter abatement account instead.

<u>Present law</u> provides for a special prestige license plate for environmental education and dedicates a portion of the donation received for such plates to the litter abatement and education account.

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<u>Proposed law</u> retains the special prestige license plate and the donation required for the plate, but directs the portions dedicated to the litter abatement and education account under <u>present</u> law to the environmental education account instead.

<u>Present law</u> creates a litter abatement and education account within the state treasury and directs fines from littering violations into this account.

Proposed law repeals present law.

(Amends R.S. 30:2531(C)(4) and 2532(Section heading) and (A)(5), R.S. 32:412(A)(1), (2), (5), and (6), and (B)(1), (2), and (7)(e)(i)(cc) and (ee) and (ii)(cc) and (ee), R.S. 47:463.43(Section heading), (A), and (D), and R.S. 56:10(B)(15); Adds R.S. 56:10(B)(17); Repeals R.S. 30:2532(B))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Natural Resources and</u> Environment to the original bill:

1. Make technical changes.