



1 or other obligations payable from the trust fund as authorized in Paragraph (D) of  
2 this Section.

3 (2) In Fiscal Year 2021-2022, monies in the fund that are appropriated by the  
4 legislature to the Department of Transportation and Development, or its successor,  
5 shall not be utilized by the department for the payment of more than seventy-five  
6 percent of the cost of benefits for retired employees.

7 (3) In Fiscal Year 2022-2023, monies in the fund that are appropriated by the  
8 legislature to the Department of Transportation and Development, or its successor,  
9 shall not be utilized by the department for the payment of more than fifty percent of  
10 the cost of benefits for retired employees.

11 (4) In Fiscal Year 2023-2024, monies in the fund that are appropriated by the  
12 legislature to the Department of Transportation and Development, or its successor,  
13 shall not be utilized by the department for the payment of more than twenty-five  
14 percent of the cost of benefits for retired employees.

15 (5) Beginning in Fiscal Year 2024-2025, and each fiscal year thereafter,  
16 monies in the fund that are appropriated by the legislature to the Department of  
17 Transportation and Development, or its successor, shall not be utilized by the  
18 department for the payment of any of the cost of benefits for retired employees.

19 (6) Unless pledged to the repayment of bonds authorized in Paragraphs (C)  
20 or (D) of this Section, the monies in the trust fund allocated to ports, airports, flood  
21 control, parish transportation, and state highway construction shall be appropriated  
22 annually by the legislature only pursuant to programs established by law which  
23 establish a system of priorities for the expenditure of such monies, except that the  
24 Transportation Infrastructure Model for Economic Development, which shall include  
25 only those projects enumerated in House Bill 17 of the 1989 First Extraordinary  
26 Session of the Legislature and US Highway 61 from Thompson Creek to the  
27 Mississippi Line, in lieu of "US 61-Bains to Mississippi Line", and US Highway 165  
28 from I-10 to Alexandria to Monroe to Bastrop and thence on US Highway 425 from  
29 Bastrop to the Arkansas Line, in lieu of "US 165-I-10 Alexandria-Monroe-Bastrop-

1 Arkansas Line" and LA 15-Natchez, Mississippi to Chase in lieu of "LA 15-Natchez,  
 2 Mississippi to Monroe", shall be funded as provided by law. The state-generated tax  
 3 monies appropriated for ports, Parish Transportation Fund, or its successor, and the  
 4 Statewide Flood-Control Program, or its successor shall not exceed twenty percent  
 5 annually of the state-generated tax revenues in the trust fund; provided, however, that  
 6 no less than the avails of one cent of the tax on gasoline and special fuels shall be  
 7 appropriated each year to the Parish Transportation Fund, or its successor. The  
 8 annual appropriation for airports shall be a sum equal to, but not greater than, the  
 9 annual estimated revenue to be derived from the state taxes to be collected and  
 10 received on aviation fuel. Unencumbered and unexpended balances at the end of  
 11 each fiscal year shall remain in the trust fund. The earnings realized in each fiscal  
 12 year on the investment of monies in the trust fund shall be deposited in and credited  
 13 to the trust fund.

14 ~~(2)~~(7) There is hereby established in the Transportation Trust Fund a special  
 15 subfund to be known as the "Construction Subfund", hereinafter referred to as "the  
 16 subfund", in which shall be deposited the avails of any new taxes that become  
 17 effective and are levied on gasoline, motor fuels, or special fuels on or after July 1,  
 18 2017. The monies in the subfund shall be appropriated and dedicated solely for the  
 19 direct costs associated with actual project delivery, construction, and maintenance  
 20 of transportation and capital transit infrastructure projects of the state and local  
 21 government. The monies in the subfund that are appropriated by the legislature to  
 22 the Department of Transportation and Development, or its successor, shall not be  
 23 utilized by the department for the payment of employee wages and related benefits  
 24 or employee retirement benefits.

25 \* \* \*

26 Section 2. Be it further resolved that this proposed amendment shall be submitted  
 27 to the electors of the state of Louisiana at the statewide election to be held on November 3,  
 28 2020.

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

5 Do you support an amendment to provide for incremental reductions and an  
6 eventual prohibition on the Department of Transportation and Development's  
7 use of Transportation Trust Fund monies for the payment of benefits for  
8 retired employees? (Amends Article VII, Section 27(B))

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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)]

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HB 446 Original

2020 Regular Session

Stefanski

**Abstract:** Beginning in Fiscal Year 2021-2022, limits Transportation Trust Fund monies from being used by Dept. of Transportation and Development for benefits for retired employees.

Present constitution requires monies deposited in the Transportation Trust Fund (TTF) to be appropriated or dedicated solely and exclusively for costs associated with construction and maintenance of roads and bridges of the state and federal highway systems, the Statewide Flood-Control Program, ports, airports, transit, and the Parish Transportation Fund.

Proposed constitutional amendment adds the following limitations to utilization of the fund by the Dept. of Transportation and Development (DOTD):

- (1) In FY 2021-2022, DOTD shall not use TTF monies to pay for more than 75% of the cost of benefits for retired employees.
- (2) In FY 2022-2023, DOTD shall not use TTF monies to pay for more than 50% of the cost of benefits for retired employees.
- (3) In FY 2023-2024, DOTD shall not use TTF monies to pay for more than 25% of the cost of benefits for retired employees.
- (4) Beginning in FY 2024-2025, and each fiscal year thereafter, DOTD shall not use TTF monies to pay for any of the cost of benefits for retired employees.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 3, 2020.

(Amends Const. Art. VII, §27(B))