

CONFERENCE COMMITTEE REPORT

HB 514

2021 Regular Session

Magee

June 10, 2021

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. 514 by Representative Magee, recommend the following concerning the Reengrossed bill:

1. That the set of Senate Committee Amendments by the Senate Committee on Revenue and Fiscal Affairs (#1810) be adopted.
2. That the set of Senate Floor Amendments by Senators Ward, Peacock, and Cathey (#2709) be adopted.
3. That the set of Senate Committee Amendments by the Senate Committee on Finance (#3197) be adopted.
4. That the set of Legislative Bureau Amendments (#3264) be adopted.
5. That the set of Senate Floor Amendments by Senator Ward (#3568) be adopted.
6. That the set of Senate Floor Amendments by Senator Ward (#3573) be adopted.
7. That the following amendments be adopted:

AMENDMENT NO. 1

In Senate Floor Amendment No. 7 by Senator Ward (#3568), on page 1, delete lines 25 and 26 in their entirety and insert the following:

"A. Beginning Fiscal Year ~~2017-2018~~ 2023-2024 and each year thereafter, ~~from thirty percent of~~ the avails of the taxes imposed by Chapters 2, 2-A, and 2-B of Subtitle"

AMENDMENT NO. 2

In Senate Floor Amendment No. 7 by Senator Ward (#3568), on page 2, at the end of line 1 after "subfund" delete the comma "," and delete "as" and delete lines 2 through 8 in their entirety and insert a period " ."

AMENDMENT NO. 3

In Senate Floor Amendment No. 7 by Senator Ward (#3568), on page 2, at the beginning of line 9 after "B." insert the following:

"During any fiscal year beginning with Fiscal Year 2024-2025, if the Revenue Estimating Conference revises the Official Forecast resulting in a decrease in recurring state general fund revenue for the current year of one hundred million dollars or more from the Official Forecast at the beginning of the current fiscal year, the amount of avails deposited into the subfund pursuant to the provisions of this Section, may not exceed one hundred fifty million dollars for that fiscal year. The remainder of the avails collected for that fiscal year in excess of one hundred fifty million dollars may be deposited into the state general fund. Any avails previously

deposited into the subfund in that fiscal year in excess of one hundred fifty million dollars shall be transferred to the state general fund. In no event shall the aggregate amount of any transfers or deposits into the state general fund pursuant to this Subsection exceed the amount of the decrease in recurring state general fund revenue for that fiscal year.

C."

AMENDMENT NO. 4

In Senate Floor Amendment No. 7 by Senator Ward (#3568), on page 2, delete lines 42 and 43 in their entirety and insert the following:

"(c) Widening of LA 28 East to four lanes from Libuse to Hollway."

AMENDMENT NO. 5

In Senate Floor Amendment No. 7 by Senator Ward (#3568), on page 2, delete line 49 in its entirety and insert the following:

"(f) Widening of I-10 to eight lanes from Williams Blvd. to Veterans Blvd.

(g) Widening of I-10 to three lanes from LA 30 to LA 22.

D. The Department of Transportation and Development shall utilize an amount not less than twenty-five percent of"

AMENDMENT NO. 6

In Senate Floor Amendment No. 7 by Senator Ward (#3568), on page 2, at the end of line 52 insert the following:

"Of the monies utilized by the Department of Transportation and Development pursuant to this Subsection, an amount of five percent, not to exceed ten million dollars, shall be utilized for projects authorized pursuant to the provisions of R.S. 48:224.1.

E. In any fiscal year, neither the state nor any agency shall issue debt in the aggregate in excess of one hundred fifty million dollars that is secured by any monies deposited into the subfund pursuant to the provisions of this Section."

Respectfully submitted,

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Representative Tanner D. Magee

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Senator Rick Ward III

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Representative Clay Schexnayder

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Senator Patrick Page Cortez

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Representative Stuart J. Bishop

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Senator Stewart Cathey Jr.

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 514**

**2021 Regular Session**

**Magee**

**Keyword and oneliner of the instrument as it left the House**

TAX/SALES & USE: Levies a state tax on raw or crude marijuana recommended for therapeutic use and provides for the disposition of the collections of the tax

**Report adopts Senate amendments to:**

1. Remove provisions of proposed law related to the levy of a state sales and use tax on the sale of raw or crude marijuana recommended for therapeutic use and the dedication of such taxes.
2. Add provisions which require specified amount of the avails from certain sales, use, or lease taxes of motor vehicles to be deposited into the Construction Subfund of the Transportation Trust Fund.
3. Add provisions that require the Dept. of Transportation and Development to utilize a certain amount of the monies deposited into the subfund pursuant to proposed law on certain enumerated construction projects.
4. Make technical changes.

**Report amends the bill to:**

1. Changes the first year in which monies are deposited into the subfund from FY 2022-2023 to FY 2023-2024.
2. Change Senate amendments providing for the amount of avails from certain sales, use, or lease taxes of motor vehicles to be deposited into the Construction Subfund of the Transportation Trust Fund to 30% beginning FY 2023-2024 and each fiscal year thereafter.
3. Remove project for Alexandria-Pineville Beltway Segments E, F, G, H, and I from LA 28 East to LA 28 West.
4. Add project to widen LA 28 East to four lanes from Libuse to Hollway.
5. Add project to widen I-10 to eight lanes from Williams Blvd. to Veterans Blvd.
6. Add project to widen I-10 to three lanes from LA 30 to LA 22.
7. Add provisions that require the Dept. of Transportation and Development to utilize an amount not less than 25% of the remaining monies deposited into the subfund pursuant to proposed law on highway and bridge preservation projects included in the highway priority program.
8. Add provisions that require 5%, not to exceed \$100 million, of the monies deposited into the construction subfund pursuant to proposed law for the purpose of highway

and bridge preservation projects included in the highway priority program shall be used for projects authorized pursuant to present law (R.S. 48:224.1).

9. Add provisions that provide beginning with Fiscal Year 2024-2025, during any fiscal year, if the Revenue Estimating Conference revises the Official Forecast resulting in a decrease in recurring state general fund revenue for the current year of \$100 million or more from the Official Forecast at the beginning of the current fiscal year, the amount of avails deposited into the subfund pursuant to the provisions of this Section, shall not exceed \$150 million for that fiscal year. The remainder of the avails collected for that fiscal year in excess of \$150 million shall be deposited into the state general fund. Any avails previously deposited into the subfund in that fiscal year in excess of \$150 million shall be transferred to the state general fund.
10. Make technical changes.

**Digest of the bill as proposed by the Conference Committee**

Present law provides that beginning in Fiscal Year 2017-2018 and each fiscal year thereafter, from the avails of certain sales and use taxes and inventory tax, the treasurer shall deposit an amount equal to the increase in general fund revenues certified by the Revenue Estimating Conference as being attributable to the provisions of the Act that originated as SB 122 of the 2015 R.S., but not in excess of \$100 million each fiscal year.

Present law provides that the first \$70 million of the monies shall be deposited into the Transportation Trust Fund to be used exclusively for state highway pavement and bridge sustainability projects. Thereafter, 93% of the monies shall be deposited into the Transportation Trust Fund to be allocated as follows: not less than 30% for highway priority program projects classified as capacity projects; 25% for port construction and development priority program projects; and the remaining monies for state highway pavement and bridge sustainability projects.

Present law provides that the remaining seven percent shall be deposited into the La. State Transportation Infrastructure Fund as provided in the Act which originated as HB 767 of the 2015 R.S. for final design and construction and shall not be used for studies.

Present law specifies that none of the monies deposited into the Transportation Trust Fund pursuant to present law shall be appropriated to the office of state police.

Proposed law repeals present law and provides that beginning FY 2023-2024 30% the avails of the taxes from the sale, use, or lease of motor vehicles taxable pursuant to present law shall be deposited into the Construction Subfund of the Transportation Trust Fund (subfund).

Proposed law provides that beginning with Fiscal Year 2024-2025, during any fiscal year, if the Revenue Estimating Conference revises the Official Forecast resulting in a decrease in recurring state general fund revenue for the current year of \$100 million or more from the Official Forecast at the beginning of the current fiscal year, the amount of avails deposited into the subfund pursuant to the provisions of this Section, shall not exceed \$150 million for that fiscal year. Further provides that the remainder of the avails collected for that fiscal year in excess of \$150 million shall be deposited into the state general fund.

Proposed law further provides that the Dept. of Transportation and Development (DOTD) shall utilize up to 75% of the monies deposited into the subfund pursuant to proposed law on certain enumerated capital construction road and bridge projects.

Proposed law requires DOTD to utilize an amount not less than 25% of the remaining money deposited into the subfund pursuant to proposed law on highway and bridge preservation projects included in the present law highway priority program.

Proposed law provides that of the money used on the highway and bridge preservation projects shall be utilized on projects authorized pursuant to present law (R.S. 48:224.1).

Proposed law provides that in any fiscal year, neither the state nor any agency shall issue debt in in excess of \$150 million that is secured by any monies deposited into the subfund pursuant to the provisions of proposed law.

(Amends R.S. 48:77)