

Regular Session, 2009

HOUSE BILL NO. 828

BY REPRESENTATIVE CONNICK

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

BRIDGES/FERRIES: Creates the Crescent City Connection Commission

1 AN ACT

2 To enact R.S. 47:820.5.5 and to repeal R.S. 47:820.5.3, relative to the Crescent City
3 Connection; to create the Crescent City Connection Commission; to provide for
4 membership, powers, and duties of the commission; to abolish the Crescent City
5 Connection Oversight Authority; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:820.5.5 is hereby enacted to read as follows:

8 §820.5.5. Crescent City Connection Commission; creation; membership; duties; and
9 terms

10 A. The Crescent City Connection Commission is hereby created, and
11 hereinafter referred to as "the commission".

12 B. The object and purpose of the commission shall be to advise and
13 recommend to the secretary of the Department of Transportation and Development,
14 hereinafter referred to as "the department", on issues relative to the operations and
15 management of the Crescent City Connection Division, hereinafter referred to as "the
16 division".

17 C. The commission shall have the authority to advise and recommend on
18 issues relative to the following:

19 (1) The improvement and maintenance of the marine operations and the
20 Crescent City Connection bridges and those projects enumerated in R.S. 47:820.5.

1 (2) The appointment of such officers, agents, employees and servants,
2 engineers, financial experts, directors, managers, and other employees and agents of
3 the division.

4 (3) The implementation of an efficient toll and toll collection system and
5 routes for the marine division, including tolls on marine pedestrian passengers.

6 (4) Alternative sources of funding.

7 (5) The implementation of a plan for the cessation of tolls or continuation
8 of the tolls, alternative means of financing of any unfinished projects enumerated in
9 R.S.47:820.5, and the scheduled return of the marine and bridge operations of the
10 division to the department.

11 (6) The feasibility of the consolidation of the operations of the Crescent
12 City Connection Division into the Louisiana Transportation Authority.

13 (7) A cost reduction plan which consolidates the division's resources, staff
14 and efforts with the department.

15 (8) The implementation of a plan, including an implementation date of
16 January 1, 2010, and a method of financing, which places its police force under the
17 supervision and direction of the state police.

18 D.(1) The commission shall be composed of the following members, who
19 shall be appointed in accordance with the provisions of this Subsection.

20 (2) Each member of the House of Representatives may submit one nominee
21 for election to the commission. By mail ballot, the members of the House of
22 Representatives shall elect three persons from those nominees submitted. Each
23 member of the Senate may submit one nominee for appointment to the commission.
24 By mail ballot, the members of the Senate shall elect three persons from those
25 nominees submitted. If, in either chamber, there are no more than three nominees
26 submitted for election to the commission, then such persons shall be deemed elected
27 to serve, without the necessity of a mail ballot. The governor shall appoint one
28 member at large. The secretary of the Department of Transportation and
29 Development or his designee shall serve as chairman of the commission. If the

1 legislators fail to timely submit their nominees for election, the governor shall
2 appoint such members at large, who shall be subject to senate confirmation.

3 (3) All members shall, at a minimum, possess a college degree or
4 postgraduate degree from an accredited university with preference given to those
5 with a degree in business, finance, law, or management.

6 (4) Members of the commission, except the secretary or his designee, may
7 be paid a per diem of one hundred fifty dollars for attending meetings of the
8 commission and may be reimbursed any expenses incurred in performing the duties
9 imposed upon them by virtue of their serving as members of the commission.
10 Commission members, other than the secretary or his designee, shall not hold any
11 public office nor serve on any other state board, commission, or authority.

12 (5) Nominees shall be submitted to the clerk of the House of Representatives
13 and the secretary of the Senate within thirty days of June 30, 2009. The clerk and
14 the secretary shall mail the ballots no later than thirty days after all nominees have
15 been submitted. All ballots must be returned within fourteen days of receipt. The
16 terms of the appointees shall commence on October 1, 2009, and shall terminate on
17 December 31, 2012.

18 E. Members of the commission shall be subject to the provisions of
19 R.S.42:1124.2.1.

20 F. The commission shall meet at least once a month and on the call of the
21 chairman, at its offices located in Algiers, Louisiana, and shall report its business and
22 status to the Joint Legislative Committee on Transportation, Highways and Public
23 Works, and to the Joint Legislative Committee on the Budget at least once a year.

24 Section 2. R.S. 47:820.5.3 is hereby repealed in its entirety.

25 Section 3. This Act shall become effective on July 1, 2009; if vetoed by the governor
26 and subsequently approved by the legislature, this Act shall become effective on July 1,
27 2009, 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)]

Connick

HB No. 828

Abstract: Terminates the Crescent City Connection Oversight Authority and replaces it with the Crescent City Connection Commission.

Present law provides for the Crescent City Connection Oversight Authority (CCCOA), which shall establish priorities of projects from remaining funds after all operation and maintenance expenses of the bridges and ferries of the CCCD have been paid. The CCCOA shall consider the funding of projects approved by the legislature in accordance with R.S. 47:820.5 and shall have access to the accounting of all expenditures, revenues, project priorities, status of ongoing projects, and any other matters which relate to the Crescent City Connection, its operations, and related projects.

Present law further provides that the CCCOA shall be comprised of 13 members appointed by the governor and subject to confirmation by the Senate from a list of three nominees submitted by each of the state senators from Senate districts 1, 3, 5, 6, 7, and 8, and each of the state representatives from House districts 83, 84, 85, 86, 87, 102, and 105. Members shall serve terms of four years; however, the first term shall commence on July 1, 1998, and terminate on June 30, 2000. Requires the CCCOA to report to the Senate and House Committee on Transportation, Highways and Public Works.

Proposed law repeals present law and instead creates the Crescent City Connection Commission.

Proposed law provides that the commission shall advise and recommend to the secretary of DOTD on issues relative to the operations and management of the Crescent City Connection Division. Provides for the mail ballot election of six members to the commission, three from the House and three from the Senate. Provides that the governor shall appoint one member at large and the secretary of DOTD or his designee shall be a member and shall serve as chairman.

Proposed law provides that commission members, at a minimum, shall possess a college degree or postgraduate degree, with preference given to those with a degree in business, finance law or management. Provides that members, except the secretary or his designee may receive a per diem of \$150 for each meeting attended and shall not hold any public office nor serve on any other state board, commission, or authority.

Proposed law provides that if state legislators do not timely submit their nominees, the governor shall appoint these members at large. Provides that terms shall commence on October 1, 2009 and terminate on December 31, 2012.

Proposed law subjects commission members to the disclosure requirements of R.S. 42:1124.2.1.

Effective June 30, 2009.

(Adds R.S. 47:820.5.5; Repeals R.S. 47:820.5.3)