

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 executive management officers for the division.

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

4           (4) Alternative sources of funding.

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

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

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

13          (8) The development of a plan on the feasibility and wisdom and a method  
14          of financing, which places its police force under the supervision and direction of the  
15          state police.

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

18          (2)(a) Each of the state senators for Senate districts 1, 3, 5, 6, 7, and 8, and  
19          each of the state representatives from House districts 83, 84, 85, 86, 87, 102, 104,  
20          and 105 shall submit the names of three persons to the governor. The enumerated  
21          legislators shall select their three names from members of any of the following  
22          organizations:

23               (i) The Algiers Economic Development Association.

24               (ii) The Friends of the Ferry.

25               (iii) The Harvey Canal Industrial Association.

26               (iv) The Jefferson Business Council.

27               (v) The Jefferson Parish Economic Development Commission.

28               (vi) The West Bank Council of the Jefferson Chamber of Commerce.

29               (vii) The West Bank Rotary Club.

1           (viii) The Westwego Rotary Club.

2           (ix) The St. Bernard Chamber of Commerce.

3           (b) One of the three names submitted may also be of a person who may not  
4 be a member of any of the organizations listed above.

5           (c) The governor shall appoint one person from each of the lists submitted  
6 by the legislators of the enumerated Senate and House districts, subject to  
7 confirmation by the Senate.

8           (d) The list of names shall be submitted to the governor no later than August  
9 31, 2009. If the list is not timely submitted, the governor shall make the  
10 appointments at large. The terms of the appointees shall commence on October 1,  
11 2009, and shall terminate on December 31, 2012. The governor shall appoint one  
12 member at large, who shall also be subject to confirmation by the Senate. The  
13 secretary of the Department of Transportation and Development or his designee shall  
14 serve as chairman of the commission.

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

21           E. Members of the commission shall be subject to the provisions of R.S.  
22 42:1124.2.1.

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

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

- 1           Section 3. This Act shall become effective on July 1, 2009; if vetoed by the governor  
2   and subsequently approved by the legislature, this Act shall become effective on July 1,  
3   2009, or on the day following such approval by the legislature, whichever is later.

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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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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 Crescent City Connection Division (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 that the each senator from Senate districts 1, 3, 5, 6, 7, and 8, and each representative from House districts 83, 84, 85, 86, 87, 102, 104, and 105 shall submit three names of persons from certain business and civic organizations. Provides that of those three names, one can be of a person who is a resident of La., but not necessarily a member of any of the enumerated organizations. Provides that the governor shall select one from each of the three names submitted. 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 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 the list of names shall be submitted to the governor no later than Aug. 31, 2009. If the list is not timely submitted, the governor shall make the appointments at large. The terms of the appointees shall commence on Oct. 1, 2009, and shall terminate on Dec. 31, 2012.

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

Effective July 1, 2009.

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

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill.

1. Changes the appointment process.
2. Removes qualifications required to be considered for appointment.