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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

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DIGEST

SB 498 Original

2018 Regular Session

Cortez

Proposed law creates the Louisiana Board of Transportation, hereafter the "board", and vests in the board all the powers and duties now or hereafter imposed by law for administration of the Department of Transportation and Development, together with all powers necessary or proper to enable the board or any of its officers or employees to carry out fully and effectively the regulations and laws relative to the DOTD. Requires the governor, subject to Senate confirmation, to appoint nine board members not later than February 15, 2020. Requires the board to appoint the initial executive director of the DOTD not later than the convening of the 2020 Regular Session of the Legislature, subject to approval by majority vote of the Senate and the House of Representatives and upon recommendation by the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways and Public Works by a majority vote of each committee.

Proposed law amends present law to make DOTD the agency through which the state administers the functions of the board.

Proposed law provides for a board of eleven members with nine voting members and two ad hoc, nonvoting members.

Proposed law divides Louisiana into eight districts for the appointment of eight members of the board by the governor, subject to Senate confirmation, as follows:

- (1) District 02 is composed of the parishes of Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, and Terrebonne.
- (2) District 03 is composed of the parishes of Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, St. Mary, and Vermilion.
- (3) District 04 is composed of the parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Red River, and Webster.
- (4) District 05 is composed of the parishes of Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, and West Carroll.
- (5) District 07 is composed of the parishes of Allen, Beauregard, Calcasieu, Cameron, and Jefferson Davis.
- (6) District 08 is composed of the parishes of Avoyelles, Catahoula, Concordia, Grant, LaSalle, Natchitoches, Rapides, Sabine, Vernon, and Winn.

- (7) District 61 is composed of the parishes of Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Pointe Coupee, St. James, West Baton Rouge, and West Feliciana.
- (8) District 62 is composed of the parishes of Livingston, St. Helena, St. John the Baptist, St. Tammany, Tangipahoa, and Washington.

Proposed law provides for appointment of one board member from the state at large by the governor, subject to Senate confirmation.

Proposed law provides that the eight district members and the at-large members are voting members of the board.

Proposed law provides that the chairmen of the house and senate committees on transportation, highways and public works, or their designees, are ad hoc, nonvoting members of the board.

Proposed law requires that district members are residents of the district from which they are appointed and that the at-large member is a resident of Louisiana.

Proposed law requires the governor to appoint not later than February 15, 2020, the district members and the at-large member from nomination lists of one qualified nominee submitted by the executive directors of the Louisiana Municipal Association and the Police Jury Association of Louisiana from district nomination subcommittees for each district to the governor on or after January 14, 2020, but not later than February 1, 2020.

Proposed law provides that no board member or his immediate family shall be affiliated with a business or industry that does business with DOTD; that at least one board member is a civil engineer; and that at least one board member is a certified public accountant or expert in financial or lending services.

Proposed law provides for initial board members to serve two, three, and four-year terms determined by drawing lots. Provides that board members may serve no more than three consecutive four-year terms. Provides that board members serve without compensation.

Proposed law provides that a quorum is five voting members and that the ad hoc members are not counted to make a quorum.

Proposed law abolishes existing department district 58.

Proposed law changes present law titles of DOTD officers as follows:

- (1) From secretary to executive director.
- (2) From deputy secretary to deputy executive director.
- (3) From undersecretary to director of management and finance.

(4) From assistant secretary of planning to director of planning.

(5) From assistant secretary of operations to director of operations.

Proposed law adds the administrators of districts 02, 03, 04, 05, 07, 08, 61, and 62 as officers and unclassified positions in DOTD to be appointed by the executive director subject to approval by the board and subject to Senate confirmation.

Proposed law makes title changes in various titles of the Louisiana Revised Statutes to reflect the new titles of DOTD's officers, including but not limited to various boards, commissions, or authorities on which a DOTD officer serves as a member.

Proposed law makes technical corrections and corrects citations, including but not limited to R.S. 48:231(A)(6).

Proposed law repeals R.S. 48:190, 1001, 1002, and 1818(B) as out of date.

Section 13 of proposed law is effective August 1, 2018.

Sections 1 through 12 of proposed law are effective January 1, 2020.

(Amends R.S. 24:802(B)(7), R.S. 30:2000.6(A)(7), R.S. 33:4581(D)(1)(f), R.S. 34:2303(A)(1), 3107(B), and 3494(A), R.S. 36:501(B) and (C), 502, 503, 504(A)(intro para), 504(A)(1), (2), (5), (6), (7), (8), and (9)(b), (B)(intro para), (B)(1)(a) and (d), (2), and (4), 505, 506(A), (B), and (C), 507, 508(A), (B), (C), (E), (F), and (G), 508.1, 508.2, 508.3(A)(1) and (C)(1) and (3), 508.4(A)(3), and 509(F)(intro para), R.S. 38:330.12.1(C)(6), 3074(A)(4), and 3097.4(A)(8), R.S. 39:21.3(F)(2)(e) and 99.29(A), R.S. 40:600.91(A)(28)(b)(ii)(cc), R.S. 48:1(20), 11, 12, 13, 51, 52, 53, 54, 55, 57(A) and (B)(1) and (2)(a), 83(A)(1), 91(A) and (B), 92, 101(A), 105(F) and (G)(1), (2), (6), and (7), 105.1(B), 111, 112, 121, 131, 141, 143, 191(B) and (C), 201, 203(A), (C), and (D), 205(C), 206, 207, 208, 212(C), 214(A), 216, 220.1, 221(A)(2)(a), (4)(intro para), and (B), 224(A), (B), (C), and (D), 224.1(A) and (B), 225, 231(A)(6), 232, 232.1, 233, 234(A), (B), and (C), 250.1(A), 250.2(A), (B), and (C), 250.3(E)(1)(intro para), (2), and (G), 250.4(A), 251(B), 252.1, 255(E), 256.1(A)(2), 256.3(A)(3), 256.4(A), 256.5(B) and (D)(1), 256.6(A)(1), 256.7(C), 259, 260, 261(A)(1), 262(A), 264.1(A) and (B), 268, 274.1(D), 274.3(E), 275, 278, 279(B), 286(B)(1), (2), and (4), 291(A), 292(B)(intro para) and (D), 293(A)(2) and (C)(2), 295.1(3), 295.2(F)(2), 295.3(A), (B), (C), (D), and (F)(2), 295.4(B), 304, 307(B), 346(intro para), 348, 381(G) and (H), 381.1(B) and (E), 381.2(C)(intro para), (D), (G)(intro para) and (10), 390(A), 390.1(A)(4), 421, 425(A), 442(3)(a), 442.1(3)(a), 461.22, 512(C), 757(B), 1403, 1705, 1755, 1805(J), 1806, 1816(A)(5), 1820, 2024(A) and (B), 2073(25), 2074(D)(2) and (L), 2076(A), 2083, 2093(13), 2094(C)(5) and (J), 2102, 2133(12), 2134(C)(5) and (J), 2141, 2153(12), 2154(J), and 2162, R.S. 49:214.5.1(B)(5) and 1053(C)(13), R.S. 51:3136(A)(2), and R.S. 56:360.1(A)(6) and 1948.12(A)(1)(b) and (i); adds R.S. 36:500, 508.5, and R.S. 48:10; repeals R.S. 48:190, 1001, 1002, and 1818(B))