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 DIGEST

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SB 362 Reengrossed

2018 Regular Session

Ward

Proposed law creates the Capital Area Road and Bridget District as a political subdivision of the state comprised of the territory in East Baton Rouge, Ascension, Livingston, Iberville, and West Baton Rouge parishes to finance road and bridge projects including a new bridge over the Mississippi River.

Proposed law provides that the management and control of the district shall be vested in a board of commissioners composed of seven members, including the secretary of the Dept. of Transportation and Development or his designee, the president of each of the parishes in the district or their designees, and one gubernatorial appointee who shall be a resident of the district and serve at the pleasure of the governor. Proposed law allows for members to be state or local elected officials or employees of the state or of a parish or municipality.

Proposed law provides for meetings of the board, the selection of officers, and quorums.

Proposed law provides for the powers of the district, which include the following:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To initiate or coordinate research, studies, and gathering of information on the projects, including but not limited to the following:
  - (a) Engineering studies.
  - (b) Traffic flow and pattern studies.
  - (c) Environmental impact studies.
  - (d) Location of proposed routes.
  - (e) Economic development impacts and benefits.
  - (f) Utility relocation.
  - (g) Right-of-way acquisition.
  - (h) Project construction cost/benefit ratio studies.
- (4) To be designated an official depository for information relating to and about the road or bridge projects.
- (5) To receive money from any public or private body which may desire to appropriate or donate such funds to be used to defray the expenses of the district.

Proposed law authorizes the commission to apply for and accept grants or contributions. Proposed law provides that the commission shall have the advice and service of Dept. of Transportation and Development. Proposed law further provides that the district is permitted to use alternative competitive procurement and delivery methods for the award of any contracts for a major project.

Proposed law regarding financing of road and bridge projects, authorizes the district to:

- (1) Levy ad valorem taxes.
- (2) Impose a parcel fee not to exceed an annual fee of \$500 per parcel.
- (3) Levy a sales and use tax not to exceed 1%.
- (4) Issue bonds secured by ad valorem and sales and use taxes.

Proposed law provides that the levy of any tax, the imposition of a parcel fee, and the issuance of bonds is subject to approval of the voters in each parish comprising the district.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 48:771-780)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill

1. Specifies that the ad valorem or sales taxes or the parcel fee levied by the district shall include a new Mississippi River bridge in the boundaries of the district.
2. Changes the number of members of the board, not including the secretary of DOTD, from 10 appointed by the governor to 5 appointed, one by each parish governing authority.
3. Removes the 20 year term of the tax and the parcel fee.
4. Removes the authority to levy a tax on gasoline, motor fuels, and special fuels in the event the La. Const. is amended to allow a local gasoline tax.

Senate Floor Amendments to engrossed bill

1. Makes Legislative Bureau technical changes.
2. Adds notice of local advertisement language.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the reengrossed bill:

1. Change the composition of the district's board; specifically, remove a member appointed by the governing authority of each parish in the district and add the president of each parish or his designee. Also add a gubernatorial appointee.
2. Add requirement that the voter approval of tax and bond propositions requires approval of a majority voting *in each parish*.