



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **HB 336** HLS 22RS 381
 Bill Text Version: **ENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 24, 2022 9:47 AM	Author: GOUDEAU
Dept./Agy.: Transportation, Public Safety/Office of State Police	Analyst: Patrice Thomas
Subject: Atchafalaya Basin Bridge Commission and Police	

BOARDS/COMMISSIONS EG SEE FISC NOTE GF EX See Note Page 1 of 2
 Creates the Atchafalaya Basin Bridge Commission and the Atchafalaya Basin Bridge Commission police

Proposed law creates the Atchafalaya Basin Bridge Commission and grants it certain rights and powers; provides for definitions and domicile in St. Martin Parish; provides for membership, duties and requirements; provides for general operations and staffing; authorizes the commission to procure necessary services through DOTD with consent of its secretary or from outside service providers as necessary; provides for Public Records and Open Meetings; authorizes the commission to construct projects under certain terms and conditions and after conducting an economic feasibility study; requires the St. Martin Parish Planning and Zoning Department to serve in an advisory capacity; authorizes the commission to make reasonable regulations; authorizes contracting for services with public or private entities; authorizes the issuance of bonds for commission purposes; requires any bonds issued not be considered a pledge of the full faith and credit of the state; provides bonding requirements; and provides for the transfer of prospective property to the state once bonds have been paid in full. Proposed law authorizes the creation of the Atchafalaya Basin Bridge Commission Police and grants it certain rights and powers; provides for employment requirements; provides for liability; provides for the disposition of arrested persons, returned warrants and processes; and authorizes the acquisition of private or public property and disposition of public property with certain qualifications.

EXPENDITURES	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						
REVENUES	<u>2022-23</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law will create significant state and/or local governmental expenditures associated with the establishment of the Atchafalaya Basin Bridge Commission (Commission) and the Atchafalaya Basin Bridge Commission Police (Bridge Police). Proposed law may result in increased expenditures for the Department of Transportation and Development if its secretary consents to perform certain services or portion of services necessary to fulfill the duties and obligations of the Commission, or if the Commission constructs infrastructure which is turned over to the department upon full payment of debt incurred in construction. As the creation of the Commission and Bridge Police are speculative and proposed law does not provide for a recurring revenue source, the expenditure impact and intended means of financing is indeterminable.

Atchafalaya Basin Bridge Commission

The Commission is created to promote, plan, finance, develop, construct, control, regulate, operate and maintain a transportation and utility corridor serving the urban and rural areas of Iberville and St. Martin parishes. The board of the Commission shall be comprised of three appointed directors who shall serve without compensation but who shall be reimbursed for mileage expenses incurred for attendance at meetings of the commission subject to the availability of funds and in an amount not to exceed the mileage allowance authorized under state travel regulations (currently \$0.56 per mile not to exceed a maximum of 99 miles per round trip and/or day).

Proposed law authorizes the Commission to construct projects under certain terms and conditions. The Commission may exercise powers necessary to: adopt rules and regulations; to plan, construct and maintain projects within its jurisdiction; to impose fees and charges in connection with its projects sufficient to pay all project costs, maintenance, etc.; to regulate speed limits on the Atchafalaya Basin Bridge; to manage directly or through contracts the use of a project, including the right of way; to acquire and dispose of property; to relocate certain roads; to procure insurance; to apply for and receive grants, loans, advances and contributions from any source; to open financial accounts; to borrow money and issue bonds; to enter into contracts and agreements; to employ personnel necessary to accomplish the purposes of the Commission; and other duties. Once the Commission is formulated, it may generate significant but indeterminable expenditures to carry out authorized duties. These activities are speculative and unknown, so the expenditure impact is indeterminable.

EXPENDITURE EXPLANATION CONTINUED ON PAGE TWO

REVENUE EXPLANATION

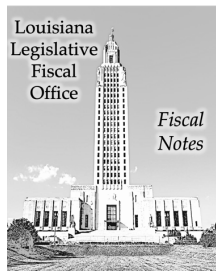
There is no anticipated direct material effect on governmental revenues as a result of this measure. Proposed law does not provide for a specific, recurring revenue source to fund the activities of the Commission and Police contemplated in this measure. Proposed law authorizes the Commission to apply for grants, loans, advances, and contributions from any source as well as to borrow money and issue bonds. The total potential revenue impact and means of financing are indeterminable.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

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 Interim Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

EXPENDITURE EXPLANATION CONTINUED FROM PAGE ONE

The Commission is authorized to employ personnel but the number and qualifications are also unknown until the formulation of the Commission.

Proposed law directs that any bonds issued shall not be deemed to constitute a pledge of the full faith and credit of the state or of any governmental unit thereof.

Atchafalaya Basin Bridge Commission Police

Proposed law authorizes the Commission to appoint, fix salaries of, and pay bridge police in accordance with Department of State Civil Service regulations and provides for minimum qualifications and training of each officer. The Bridge Police shall have the same powers to make arrests and the power to execute and return all warrants and processes as sheriffs of the parishes of Iberville and St. Martin. In an emergency situation, at the request of certain local officials, the Bridge Police shall have conferred powers throughout the geographic limits of the parish or city requesting such assistance. Any person appointed as a police officer pursuant to this measure shall receive state supplemental pay.

Proposed law does not specify the operational capacity of the proposed Bridge Police. This entity will realize significant expenditures to capitalize a new police force including personnel, training, personal equipment, vehicles, and the acquisition and/or renovation of any facilities that may be necessary to carry out its prescribed duties. While the total cost of such capitalization, as well as ongoing annual operating costs, are unknown, the following information is provided for illustrative purposes:

- 1) The Office of State Police reports the initial cost of a vehicle (and upfitting), weapons, equipment, etc. is \$66,000 per trooper. Initial uniforms are \$1,800 and then \$375 annually.
2) The Department of State Civil Service reports a pay schedule for police officers in the classified service (there is no bridge police job classification). The pay scales below reflect minimum-maximum salaries only and do not include related benefits. The total cost of employment cannot be estimated without knowing the size of the proposed police force, which is not specified in proposed law.

Table with 2 columns: Position and Salary Range. Rows include Police Officer 1-3, Police Investigator, Police Sergeant, Police Lieutenant, Police Captain, Police Major, and Police Chief.

- 3) The Greater New Orleans Expressway Commission reports the estimated annual operating costs for its existing police force as follows:

Table with 2 columns: Category and Amount. Rows include Salaries for 28 officers, Parochial and Taxes, Benefits, Operating Expenditures, and Capital Acquisitions.

- 4) The average Peace Officer Standards and Training Council (POST) training cost is approximately \$835 per officer, if such training is necessary (i.e. officer candidates do not enter service with existing POST credentials).

The LFO assumes that additional personnel will be required by the Police to provide support activities such as accounting, payroll, dispatch, and other operational duties. The number of personnel that may be necessary is indeterminable but will likely result in a material expenditure impact. To the extent the Bridge Police may be able to contract with another state or local governmental entity to provide back-office functions, these expenditures may be somewhat mitigated.

Proposed law provides that Bridge Police will receive state supplemental pay but does not specify whether officers will receive supplemental pay through Municipal Police Supplemental Pay (R.S. 40:1667.1) or Deputy Sheriff's Supplemental Pay (R.S. 40:1667.7). Regardless of the mechanism, each officer will be eligible to receive supplemental pay from the state in the amount of \$500/month (\$6,000 SGF annually). For purposes of this fiscal note, the LFO assumes 17 newly created positions will be eligible for state supplemental pay for a net expenditure increase of \$102,000. To the extent the number of police positions is more or less than 17, the total expenditure would adjust accordingly.

Department of Transportation and Development

Proposed law authorizes the Commission to procure necessary services through DOTD with the consent of the department's secretary. To the extent this procurement may occur, both the Commission and DOTD will realize expenditures associated with the provision of such services. The nature and volume of such services are unknown and speculative.

Proposed law provides that when bonds issued for any project constructed by the commission and the interest thereon have been paid in full, and when the project meets department standards, said project and any property acquired may be transferred by the commission in full ownership to the state. DOTD would assume jurisdiction and control of the project as part of the state highway system provided that the legislature authorizes a corresponding increase in mileage of the state highway system. To the extent that any such transfer may occur in the future, DOTD would realize increased operational and capital maintenance costs. Proposed law authorizes DOTD to continue collecting any fee for the purpose of maintenance of the project at the discretion of its secretary.

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[] 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
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