

Regular Session, 2014

SENATE BILL NO. 457

BY SENATOR CHABERT

TRANSPORTATION/DEV DEPT. Provides relative to the structure of the Department of Transportation and Development. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 36:508.2, relative to the Department of Transportation and  
3 Development; to provide for the structure of the department; and to provide for  
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 36:508.2 is hereby amended and reenacted to read as follows:

7 §508.2. Office of operations; functions; assistant secretary, powers and duties

8 A. There is hereby created within the ~~Department of Transportation and~~  
9 ~~Development~~ **department**, the office of operations, which shall administer all  
10 matters related to the operations of the department's district offices, the Crescent City  
11 Connection Bridge, the Sunshine Bridge, and other matters as may be directed by the  
12 secretary.

13 B. The office of operations shall be under the immediate supervision of the  
14 assistant secretary, who shall be appointed by the governor and shall serve at the  
15 pleasure of the secretary. The assistant secretary shall be a competent engineer of  
16 recognized ability and standing who is experienced in the operations of the  
17 department. He shall be licensed to practice engineering in Louisiana **this state**. The

1 assistant secretary shall give his whole time to the duties of his office.

2 C. The assistant secretary shall have authority, subject to approval of the  
3 secretary and in accordance with applicable rules and regulations of the ~~civil service~~  
4 ~~commission~~ **State Civil Service Commission**, to employ, appoint, transfer, assign,  
5 and promote such personnel as is necessary for the efficient administration of the  
6 office of operations.

7 D. The assistant secretary shall receive an annual salary fixed by the  
8 governor, which salary shall not exceed the amount approved for ~~such~~ **the** position  
9 by the legislature while in session, payable monthly out of funds appropriated  
10 therefor and shall be allowed his actual and necessary traveling expenses incurred  
11 in the discharge of his official duties.

12 E. The assistant secretary shall administer all department functions and duties  
13 for which the office of operations is responsible. He shall also have such other duties  
14 as may be assigned to him by the secretary, ~~by the provisions of this Chapter~~, or by  
15 ~~the laws of this state~~ **law**. He shall report the proceedings of his office annually to  
16 the secretary ~~of the department~~ and at such other times as the secretary may  
17 designate, and he shall make any additional reports as are required by the secretary.

18 F. The secretary ~~is specifically authorized and empowered to~~ **may** perform  
19 any of the duties of the assistant secretary when the assistant secretary is absent or  
20 incapacitated or when in the opinion of the secretary it would be in the best interest  
21 of the department. The assistant secretary with approval of the secretary may  
22 designate a licensed engineer in the office of operations to perform any duties  
23 required of the assistant secretary.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Jerry J. Guillot.

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#### DIGEST

Chabert (SB 457)

Present law, relative to DOTD, creates the office of operations, to administer all matters related to operations of DOTD's district offices, the Crescent City Connection Bridge, the Sunshine Bridge, and other matters as may be directed by the secretary.

Provides that the office is under the immediate supervision of the assistant secretary, who

shall be appointed by the governor and serve at the pleasure of the secretary. Requires that the assistant secretary be a competent engineer of recognized ability and standing who is experienced in DOTD operations. Requires that he be licensed to practice engineering in Louisiana and that he give his whole time to the duties of the office.

Provides that the assistant secretary may, subject to approval of the secretary and in accordance with applicable rules and regulations of the civil service commission, employ, appoint, transfer, assign, and promote such personnel as is necessary for the efficient administration of the office.

Provides that the assistant secretary shall receive an annual salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session, payable monthly out of funds appropriated therefor and shall be allowed his actual and necessary traveling expenses incurred in the discharge of his official duties.

Provides that the assistant secretary shall administer all DOTD functions and duties for which the office is responsible. Provides that he shall also have such other duties as may be assigned to him by the secretary or by law. Requires that he report the proceedings of his office annually to the secretary and at such other times as the secretary may designate, and he make any additional reports as are required by the secretary.

Provides that the secretary is specifically authorized and empowered to perform any of the duties of the assistant secretary when the assistant secretary is absent or incapacitated or when in the opinion of the secretary it would be in the best interest of the department. Provides that the assistant secretary with approval of the secretary may designate a licensed engineer in the office of operations to perform any duties required of the assistant secretary.

Proposed law make technical revisions. Otherwise retains present law.

Effective August 1, 2014.

(Amends R.S. 36:508.2)