

2014 REGULAR LEGISLATIVE SESSION

SB573 by Senator Norby Chabert

PUBLIC TRANSPORTATION: Creates the office of multimodal commerce in the Department of Transportation and Development. (See Act) (RR1 SEE FISC NOTE GF EX)

Current Status (as of 6/23/2014 1:28 pm): Signed by the Governor - Act 719

<u>Date</u>	<u>Chamber</u>	<u>Page</u>	<u>Action</u>
06/18	S		Effective date: See Act.
06/18	S		Signed by the Governor. Becomes Act No. 719.
06/02	S	116	Sent to the Governor by the Secretary of the Senate.
06/02	H	77	Signed by the Speaker of the House.
06/02	S	111	Enrolled. Signed by the President of the Senate.
06/01	S	33	Rules suspended. Amendments proposed by the House read and concurred in by a vote of 35 yeas and 2 nays.
06/01	S	2	Received from the House with amendments.
05/30	H	82	Read third time by title, amended, roll called on final passage, yeas 98, nays 0. Finally passed, ordered to the Senate.
05/30	H	82	Called from the calendar.
05/30	H	73	Read by title, returned to the calendar.
05/28	H		Scheduled for floor debate on 5/30/2014.
05/28	H	64	Read by title, passed to 3rd reading.
05/28	H	63	Reported without Legislative Bureau amendments.
05/28	H	61	Referred to the Legislative Bureau.
05/28	H	61	Read by title.
05/28	H	61	Discharged from the Committee on Appropriations.
05/22	H	19	Read by title, amended, recommitted to the Committee on Appropriations.
05/21	H	58	Reported with amendments (7-0). To be recommitted to the Committee on Appropriations.
04/30	H	2	Received in the House from the Senate, rules suspended, read by title, referred to the Committee on House and Governmental Affairs.
04/29	S	31	Senate floor amendments read and adopted. Read by title and passed by a vote of 27 yeas and 10 nays; ordered re-reengrossed and sent to the House. Motion to reconsider tabled.
04/28	S	16	Read by title; Committee amendments read and adopted. Ordered reengrossed and passed to third reading and final passage.
04/24	S	10	Reported with amendments.
04/21	S	17	Read by title. Committee amendments read and adopted; ordered engrossed and recommitted to the Committee on Finance.
04/16	S	7	Reported with amendments.
03/31	S	2	Read second time by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.
03/26	S	22	

Date Chamber Page Action

Rules suspended. Introduced in the Senate. Read by title and placed on the Calendar for a second reading.

Authors:

Norby Chabert

Walt Leger, III

Available Documents:**Text**

SB573 Enrolled <http://www.legis.la.gov/legis/ViewDocument.aspx?d=911760>
 SB573 Re-Reengrossed <http://www.legis.la.gov/legis/ViewDocument.aspx?d=898675>
 SB573 Reengrossed <http://www.legis.la.gov/legis/ViewDocument.aspx?d=896808>
 SB573 Engrossed <http://www.legis.la.gov/legis/ViewDocument.aspx?d=894340>
 SB573 Original <http://www.legis.la.gov/legis/ViewDocument.aspx?d=885870>

Amendments

Senate Floor Legislative Bureau Amendment, #2673, Martiny, Proposed <http://www.legis.la.gov/legis/ViewDocument.aspx?d=894781>
 House Floor Amendment, #6120, Leger, Adopted <http://www.legis.la.gov/legis/ViewDocument.aspx?d=911141>
 House Floor Amendment, #6111, St. Germain, Withdrawn <http://www.legis.la.gov/legis/ViewDocument.aspx?d=911024>
 House Committee Amendment, #5659, H&G, Adopted <http://www.legis.la.gov/legis/ViewDocument.aspx?d=907217>
 Senate Floor Amendment, #3348, Long, Withdrawn <http://www.legis.la.gov/legis/ViewDocument.aspx?d=898537>
 Senate Floor Amendment, #3330, LaFleur, Withdrawn <http://www.legis.la.gov/legis/ViewDocument.aspx?d=898304>
 Senate Floor Amendment, #3320, Long, Rejected <http://www.legis.la.gov/legis/ViewDocument.aspx?d=898190>
 Senate Floor Amendment, #3318, Gallot, Adopted <http://www.legis.la.gov/legis/ViewDocument.aspx?d=898188>
 Senate Floor Amendment, #3285, Chabert, Adopted <http://www.legis.la.gov/legis/ViewDocument.aspx?d=898064>
 Senate Floor Legislative Bureau Amendment, #3101, Martiny, Adopted <http://www.legis.la.gov/legis/ViewDocument.aspx?d=897078>
 Senate Committee Amendment, #2979, FNCE, Adopted <http://www.legis.la.gov/legis/ViewDocument.aspx?d=896481>
 Senate Committee Amendment, #2536, COM, Adopted <http://www.legis.la.gov/legis/ViewDocument.aspx?d=894101>

Digests

Summary of House Amendments to SB573 <http://www.legis.la.gov/legis/ViewDocument.aspx?d=911532>
 House Committee Redigest of SB573 <http://www.legis.la.gov/legis/ViewDocument.aspx?d=907767>
 Digest of SB573 Re-Reengrossed <http://www.legis.la.gov/legis/ViewDocument.aspx?d=898800>
 Digest of SB573 Reengrossed <http://www.legis.la.gov/legis/ViewDocument.aspx?d=897865>
 Digest of SB573 Engrossed <http://www.legis.la.gov/legis/ViewDocument.aspx?d=895411>
 Digest of SB573 Original <http://www.legis.la.gov/legis/ViewDocument.aspx?d=885872>

Notes

Fiscal Note - SB573 ReReEngrossed With House Cmte Amendments	http://www.legis.la.gov/legis/ViewDocument.aspx?d=908783
Fiscal Note - SB573 ReReEngrossed	http://www.legis.la.gov/legis/ViewDocument.aspx?d=906103
Fiscal Note - SB573 Engrossed	http://www.legis.la.gov/legis/ViewDocument.aspx?d=895615
Fiscal Note - SB573 Original With Proposed Senate Cmte Amendments	http://www.legis.la.gov/legis/ViewDocument.aspx?d=893767

Votes

Senate Vote on SB 573, CONCUR (#1669)	http://www.legis.la.gov/legis/ViewDocument.aspx?d=911674
House Vote on SB 573, FINAL PASSAGE (#1510)	http://www.legis.la.gov/legis/ViewDocument.aspx?d=911326
Senate Vote on SB 573, FINAL PASSAGE (#569)	http://www.legis.la.gov/legis/ViewDocument.aspx?d=898572
Senate Vote on SB 573, AMENDMENT # 3318 BY GALLOT, SB 573 BY CHABERT (#568)	http://www.legis.la.gov/legis/ViewDocument.aspx?d=898567
Senate Vote on SB 573, AMENDMENT # 3320 BY LONG, SB 573 BY CHABERT (#567)	http://www.legis.la.gov/legis/ViewDocument.aspx?d=898544

SENATE BILL NO. 573

BY SENATOR CHABERT AND REPRESENTATIVE LEGER

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AN ACT

To amend and reenact R.S. 36:501(C)(1), 502, and 508.1(A), (B), (E), and (F) and to enact R.S. 36:508.3 and 508.4, relative to the creation of an office of multimodal commerce in the Department of Transportation and Development; to provide for powers and duties of the office and the commissioner; to create a Multimodal Commerce Advisory Commission; to provide for the creation of an operational plan by such commission; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:501(C)(1), 502, and 508.1(A), (B), (E), and (F) are hereby amended and reenacted and R.S. 36:508.3 is hereby enacted to read as follows:

§501. Department of Transportation and Development; creation; domicile; composition; purposes and functions

* * *

C.(1) The Department of Transportation and Development shall be composed of the executive office of the secretary, the office of management and finance, the office of engineering, the office of ~~multimodal~~ planning, the office of operations, the office of multimodal commerce, and such other offices as shall be created by law.

* * *

§502. Officers of the department; compensation for one office only

A.(1) The officers of the department shall be the secretary, undersecretary, deputy secretary, chief engineer, assistant secretary of ~~multimodal~~ planning, commissioner of multimodal commerce, and assistant secretary of operations, each of whom shall be selected and shall perform functions as provided in this Title.

(2) The secretary, undersecretary, deputy secretary, assistant secretary of

1 multimodal planning, assistant secretary of operations, executive director of the
 2 Offshore Terminal Authority, **commissioner of multimodal commerce**, and such
 3 other positions which may be authorized by the State Civil Service Commission or
 4 the state constitution shall be the only unclassified positions in the Department of
 5 Transportation and Development. All other positions in the department shall be in
 6 the classified state service. The secretary shall fill such positions as in his opinion
 7 and judgment are necessary to the operation of the department in accordance with
 8 applicable rules and regulations of the State Civil Service Commission and
 9 applicable law.

10 B. No person serving as a secretary, undersecretary, deputy secretary, chief
 11 engineer, assistant secretary of multimodal planning, assistant secretary of
 12 operations, **commissioner of multimodal commerce**, or in any other office in the
 13 department shall receive any additional salary from the state other than that salary
 14 which he receives by virtue of serving in any one of such offices. Any statewide
 15 elected official appointed to serve as a secretary or deputy secretary shall not receive
 16 any additional salary from the state other than that salary which he receives as a
 17 statewide elected official.

18 C. Notwithstanding any provision herein to the contrary, subject to approval
 19 of the governor, any person, including any statewide elected official, serving or
 20 appointed to serve as a secretary or deputy secretary may receive additional
 21 compensation for part-time services rendered as an instructor in postsecondary
 22 educational institutions, or as a member of the National Guard.

23 * * *

24 §508.1. Office of multimodal planning; functions; assistant secretary; powers and
 25 duties

26 A. There is hereby created within the Department of Transportation and
 27 Development, the office of multimodal planning, which shall administer the planning
 28 and programming matters of the department related to strategic and intermodal
 29 issues, highways, bridge and pavement management, data collection and analysis,
 30 congestion, safety, aviation, public transportation, public mass transit, **and** railroad

1 and water transportation systems, and related matters, and any other special
2 programs as may be directed by the secretary.

3 B. The office of ~~multimodal~~ planning shall be under the immediate
4 supervision of the assistant secretary, who shall be appointed by the governor and
5 shall serve at the pleasure of the secretary. The assistant secretary shall be a
6 competent engineer or an urban or regional transportation planner of recognized
7 ability and standing who is familiar with the operations of public transportation
8 departments and who, at a minimum, has earned a bachelor's degree. The assistant
9 secretary shall give his whole time to the duties of his office.

10 * * *

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

18 F. The secretary is specifically authorized and empowered to perform any of
19 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 member of the senior staff in the office of ~~multimodal~~ planning to
23 perform any duties required of the assistant secretary.

24 * * *

25 **§508.3. Office of multimodal commerce; functions; commissioner; deputy**
26 **commissioner; powers and duties**

27 **A.(1) There is hereby created within the Department of Transportation**
28 **and Development, the office of multimodal commerce, which shall administer**
29 **the planning and programming functions of the department related to strategic**
30 **and intermodal issues, aviation, commercial trucking, intercity public mass**

1 transit, railroad expansion and development, port and water transportation
2 systems, and related matters, and any other special programs as may be
3 directed by the governor.

4 (2) The office shall advise the office of planning on intermodal issues and
5 implement the master plan as it relates to intermodal transportation.

6 (3) Notwithstanding Paragraph (1) of this Subsection, any powers, duties,
7 responsibilities and corresponding department employees, equipment, facilities,
8 and funding of the Department of Transportation and Development with
9 respect to federal programs on rail safety and the administration of federal rail
10 safety and hazard mitigation funds and the like shall remain with the office of
11 engineering of the Department of Transportation and Development.

12 B. The office of multimodal commerce shall be vested with the powers,
13 duties, responsibilities, budgetary authority, and department employees,
14 equipment, facilities, and funding necessary to carry out the functions conferred
15 upon it by the provisions of Paragraphs (1) and (2) of Subsection (A) of this
16 Section.

17 C. (1) The office of multimodal commerce shall be under the supervision
18 of a commissioner of multimodal commerce, who shall administer all
19 department functions and duties for which the office of multimodal commerce
20 is responsible. The commissioner shall be appointed by the governor, subject to
21 Senate confirmation, and shall serve at the pleasure of the governor.

22 (2) The commissioner shall have authority, in accordance with applicable
23 rules and regulations of the civil service commission, to employ, appoint,
24 transfer, assign, and promote such personnel as is necessary for the efficient
25 administration of the office of multimodal commerce.

26 (3) The commissioner shall receive an annual salary fixed by the
27 governor, which salary shall not exceed the amount approved for such position
28 by the legislature while in session, and shall be allowed his actual and necessary
29 traveling expenses incurred in the discharge of his official duties.

30 D. The powers, duties, responsibilities, budgetary authority, employees,

1 equipment, facilities, and funding of the office of multimodal commerce shall
2 be allocated among the following divisions of such office:

3 (1) Commercial trucking.

4 (2) Ports and harbors.

5 (3) Aviation.

6 (4) Rail.

7 (5) Maritime.

8 (6) Intercity public mass transit.

9 Section 2. R.S. 36:508.4 is hereby enacted to read as follows:

10 §508.4. Multimodal Commerce Advisory Commission

11 A. The Multimodal Commerce Advisory Commission is hereby
12 established within the office of multimodal commerce. It shall be composed of
13 the following:

14 (1) The commissioner of administration, or his designee, who shall be
15 chair of the commission.

16 (2) The secretary of the Department of Economic Development, or his
17 designee.

18 (3) The secretary of the Department of Transportation and Development,
19 or his designee.

20 (4) The chairs of the Senate and House committees on Transportation,
21 Highways, and Public Works, or their designees.

22 (5) The chairs of the Senate Committee on Commerce, Consumer
23 Protection, and International Affairs and the House Committee on Commerce,
24 or their designees.

25 (6) A representative of the Ports Association of Louisiana selected by its
26 board of directors.

27 (7) A representative of the Louisiana Association of Waterway Operators
28 and Shipyards selected by its board of directors.

29 (8) The president of the Louisiana Airport Managers and Associates, or
30 his designee.

1 (9) A representative of the Louisiana Motor Transport Association
2 selected by its board of directors.

3 (10) A representative of the Louisiana Railroad Association selected by
4 its board of directors.

5 (11) The chairman of the Louisiana Board of International Commerce,
6 or his designee.

7 (12) The chairman of the board of the Offshore Marine Service
8 Association, or his designee.

9 (13) A Louisiana representative of the Southern Rail Commission
10 appointed by the governor.

11 (14) A representative at-large selected by the president of the Senate.

12 (15) A representative at-large selected by the speaker of the House of
13 Representatives.

14 B. The Multimodal Commerce Advisory Commission shall meet and
15 develop an operational plan for the 2015 Regular Session of the Legislature for
16 the following:

17 (1) An allocation of the department employees, equipment, facilities, and
18 funding the commission finds necessary to carry out the functions conferred
19 upon the office of multimodal commerce by the provisions of R.S. 36:508.3 to
20 become effective on July 1, 2016.

21 (2) The organizational structure of the office of multimodal commerce,
22 with a further initial allocation of the office's powers, duties, responsibilities,
23 officers, equipment, and employees among the specific divisions provided for in
24 R.S. 36:508.3(D), to become effective on July 1, 2016.

25 (3) Proposed legislation for the 2015 Regular Session of the Legislature
26 necessary to implement the operational plan on July 1, 2016.

27 C. The operational plan of the Multimodal Commerce Advisory
28 Commission shall be presented to the Senate and House committees on
29 Transportation, Highways, and Public Works for their review, amendment, and
30 approval no later than February 1, 2015.

1 D. A majority of the members of the commission shall constitute a
2 quorum for the purpose of taking any action, and actions of the commission
3 may be taken by an affirmative vote of the members of the commission present.

4 E. Members of the commission shall serve without compensation, except
5 per diem or expenses reimbursement to which they may be individually entitled
6 as members of the constituent organizations.

7 F. After July 1, 2016, the commission shall continue to exist in an
8 advisory capacity to the commissioner.

9 Section 3. The provisions of Section 1 of this Act shall become effective on July 1,
10 2016.

11 Section 4. This Section and Sections 2 and 3 of this Act shall become effective upon
12 signature by the governor or, if not signed by the governor, upon expiration of the time for
13 bills to become law without signature by the governor, as provided by Article III, Section
14 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
15 by the legislature, this Section and Sections 2 and 3 of this Act shall become effective on the
16 day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____