

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 215 By Senator Heitmeier**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

WATER/WATERWAYS. Provides for ferries on the Mississippi River. (7/1/13)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Enacting clause is constitutionally defective in that it does not include R.S. 47:25.2 which is being enacted by proposed law.
2. Removes the Regional Transit Authority's prohibition on operating ferries except to develop a transit system, provide concessions, off-street parking and other facilities for the comfort, safety and convenience of transit passengers, and otherwise accomplish the purpose and policies expressed and contemplated in law.
3. Adds provision for deposit of monies into the ferry fund created in proposed law after making the allocation for state highway fund No. 2 for the Greater N. O. Expressway Commission.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

Present law provides for DOTD to take over, operate, and regulate the ferries formerly operated by the Crescent City Connection Division (CCCD) and authorizes it to collect fees, tolls, fares, or ferry charges it deems necessary to operate, maintain, and replace the ferry service; provides that DOTD may privatize, franchise, or enter into contracts for ferry service alone or jointly with parishes or municipalities; requires any contract or franchise agreement with a non-public entity to contain a provision which appoints the New Orleans Regional Planning Commission (RPC) as advisor to the ferry service contractor; authorizes RPC to follow its customary procedures to satisfy the advisory function; provides that if DOTD enters into such a contract or agreement with a non-public entity the provisions of law which provide free passage on toll ferries for the Boy and Girls Scouts, the Camp Fire Girls, and all employees of parish governing authorities in official vehicles in their passage to and from work on an official project shall not apply.

Proposed law requires DOTD to own, and provide insurance and contribute not more than \$4,000,000 annually from its operating budget for the continued operation of the Chalmette ferry; authorizes DOTD to enter a cooperative endeavor agreement (CEA) with a political subdivision of the state to provide for continued operation of the Chalmette ferry; authorizes CEA to include the use of marine assets and associated maritime properties formerly operated by the CCCD to be managed and operated as a ferry system; requires the political subdivision to establish ferry fares and to contract with a public or private ferry service operator; requires political subdivision to use best practices to operate and manage ferry service and collect ferry fares; requires that all ferry fares collected be used to operate and maintain ferry service.

Proposed law creates New Orleans Ferry Fund and requires the state treasurer, after making the allocation from state highway fund No. 2 for the Greater New Orleans Expressway Commission, to deposit into the Fund an amount equal to the total of all funds derived from registration and license fees and taxes on trucks and trailers which are collected in Orleans Parish, subject to appropriation, to DOTD for operation of the Chalmette ferry and to provide ferry service formerly operated by the CCCD until June 30, 2018; provides that these funds are in addition to but not less than \$4,000,000 DOTD contributes from its operating budget.

Present law provides that the Regional Transit Authority shall have no power or authority to operate taxicabs, or facilities designed exclusively for the transportation of property for hire,

nor ferries, sightseeing limousines and buses, or school buses, nor shall it engage in other activities commonly regarded as private enterprise, except to develop a transit system, provide concessions, off-street parking and other facilities for the comfort, safety and convenience of transit passengers, and otherwise accomplish the purpose and policies expressed and contemplated in law.

Proposed law removes the word "ferries" from present law.

(Amends R.S. 47:481, R.S. 48:25.1, 196(A)(intro para) and 1656(20); Adds R.S. 48:25.2)

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