

Regular Session, 2013

HOUSE BILL NO. 31

BY REPRESENTATIVE MONTOUCET

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

TRANSPORTATION DEPT: Requires DOTD to present highway priority program information in a certain format and allows for deletions and substitutions of projects within proposed program

1 AN ACT

2 To amend and reenact R.S. 48:231(A), relative to the highway priority construction  
3 program; to provide for the presentation of the proposed program of construction to  
4 the Joint Highway Priority Construction Committee; to provide for a method of  
5 deletion and substitution of projects within the program of construction; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 48:231(A) is hereby amended and reenacted to read as follows:

9 §231. Final construction program for current fiscal year; public hearings; Joint  
10 Highway Priority Construction Committee; reports; review by legislature;  
11 restrictions on legislature

12 A.(1) Beginning on October 1, 2010, and not later than October ~~+~~ first of  
13 each year thereafter, the department shall provide a proposed program of  
14 construction for the coming fiscal year to the Joint Highway Priority Construction  
15 Committee.

16 (2)(a) The proposed program shall display proposed construction projects by  
17 each highway district, parish, House of Representatives district, and Senate district.

18 (b) The proposed program shall indicate how many miles of state, local, and  
19 federal roads are in each highway district, parish, House of Representatives district,

1 and Senate district and how many of those same miles will be improved or added in  
2 each highway district, parish, House of Representatives district, and Senate district  
3 pursuant to the proposed program.

4 (c) Any maps prepared in conjunction with the proposed program of  
5 construction shall present construction projects in a clear, concise, and easily  
6 discernable manner.

7 (3) The committee shall hold public hearings in each highway district for the  
8 purpose of reviewing priorities for the coming fiscal year. A report based on the  
9 testimony received at said hearings shall be sent to the department. The department  
10 then shall create the final construction program for the coming fiscal year for  
11 submission to the legislature.

12 (4) When this final construction program is communicated to the legislature  
13 for funding for the coming fiscal year, any project which the legislature determines  
14 is not in the proper order of priority in accordance with the factors stated in R.S.  
15 48:229 may be deleted by the legislature. However, except as provided in this  
16 Subsection, the legislature shall not add any projects to this final construction  
17 program, ~~nor shall the legislature make substitutions for projects which have been~~  
18 ~~removed.~~ If a project is deleted by the legislature, another project may be substituted  
19 in place of the deleted project if the following conditions are met:

20 (a) The cost of the substituted project does not exceed by more than twenty  
21 percent the total cost of the deleted project.

22 (b) The substituted project is within the boundaries of the same House of  
23 Representatives district as the deleted project.

24 (c) The representative, senator, and the department district administrator for  
25 the location of the substituted and deleted projects are in agreement on the deletion  
26 and substitution of projects.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Montoucet

HB No. 31

**Abstract:** Provides for presentation format by which DOTD shall present the proposed highway construction program to the Joint Highway Priority Construction Committee and allows for substitutions for deleted projects.

Present law provides that DOTD shall provide a proposed program of construction for the coming fiscal year to the Joint Highway Priority Construction Committee.

Proposed law requires that the proposed program shall display proposed construction projects in certain defined areas.

Proposed law provides that the proposed program shall indicate how many miles of state, local, and federal roads are in certain defined areas and how many of those same miles will be improved or added.

Proposed law provides that any maps provided with the proposed program shall be easily discernable.

Present law provides that when the final construction program is communicated to the legislature for funding for the coming fiscal year, any project which the legislature determines is not in the proper order of priority in accordance with certain provisions of law may be deleted by the legislature.

Present law provides that the legislature shall not make substitutions for projects which have been removed from the final construction program.

Proposed law removes present law and provides that if a project is deleted by the legislature, another project may be substituted in that project's place if certain conditions are met.

(Amends R.S. 48:231(A))