

2019 Regular Session

SENATE BILL NO. 30

BY SENATOR WARD

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

PORTS/HARBORS/TERMINALS. Adds Pointe Coupee Parish to the territorial limits and jurisdiction of the Greater Baton Rouge Port Commission. (2/3 - CA6s43(2)) (1/1/20)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

AN ACT

To amend and reenact R.S. 34:1221(A), 1223(A), and 1224(A) and to repeal Chapter 29 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:2451 through 2458, relative to ports, harbors, and terminal districts; to provide relative to the Greater Baton Rouge Port Commission; to provide for representation of Pointe Coupee Parish on the commission; to add the parish of Pointe Coupee to the territorial limits and jurisdiction of the Greater Baton Rouge Port Commission; to abolish the Pointe Coupee Port, Harbor, and Terminal District; to abolish the Pointe Coupee Port Commission; to provide relative to bond obligations of the commission; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:1221(A), 1223(A), and 1224(A) are hereby amended and reenacted to read as follows:

§1221. Creation of Greater Baton Rouge Port Commission; members

A. There is hereby created a commission to be known as the Greater Baton Rouge Port Commission which shall be composed of ~~fifteen~~ **seventeen** members

1 appointed by the governor who shall serve at the pleasure of the governor. Members
2 shall be appointed as follows:

3 (1) Three commissioners shall be appointed by the governor from a panel of
4 six names submitted by the legislative delegation of the parish of West Baton Rouge.

5 (2) Six commissioners shall be appointed by the governor from a panel of
6 eighteen names submitted by the East Baton Rouge Parish legislative delegation.

7 (3) Two commissioners shall be appointed by the governor from a panel of
8 six names submitted by the legislative delegation of the parish of Iberville.

9 (4) Two commissioners shall be appointed by the governor from a panel of
10 six names submitted by the legislative delegation of the parish of Ascension.

11 (5) **Two commissioners shall be appointed by the governor from a panel**
12 **of six names submitted by the legislative delegation of the parish of Pointe**
13 **Coupee.**

14 (6) Two commissioners shall be appointed by the governor from a panel of
15 six names submitted by Louisiana Farm Bureau Federation, Inc. Of the six names
16 submitted, three shall reside on the east side of the Mississippi River in Ascension,
17 East Baton Rouge, or Iberville Parishes and three shall reside on the west side of the
18 Mississippi River in Ascension, Iberville, or West Baton Rouge Parishes and the
19 governor shall appoint one of the nominees from the east side and one from the west
20 side of the Mississippi River.

21 * * *

22 §1223. Rights and powers of the board

23 A. The commission shall exercise the powers herein conferred upon it within
24 the port area consisting of the parishes of East Baton Rouge, West Baton Rouge,
25 Iberville, ~~and~~ Ascension, **and Pointe Coupee** as the boundaries and limits are
26 presently fixed by law, except the industrial areas created in the parish of East Baton
27 Rouge by the provisions of Section 1.08(b) of the Plan of Government for the parish
28 of East Baton Rouge and the city of Baton Rouge.

29 * * *

1 §1224. Authority for issuance of bonds; ad valorem tax

2 A. The commission, with the approval of the State Bond Commission, is
3 authorized to incur debt for its lawful purposes and to issue in its name, negotiable
4 bonds or notes therefor, and to pledge, for the payment of the principal and interest
5 of such negotiable bonds or notes, the revenues derived from the operation of
6 properties and facilities maintained and operated by it, or received by the
7 commission from other sources; however, the amount of such bonds and notes
8 outstanding at any one time shall not exceed one hundred million dollars. Such
9 bonds, when authorized to be issued, shall constitute, first, a general obligation of the
10 commission, and secondly, the full faith and credit of the parish of East Baton
11 Rouge, the parish of West Baton Rouge, the parish of Iberville, and thirdly, the state
12 of Louisiana, and shall be and are hereby pledged. The full faith and credit of the
13 parish of Ascension is hereby irrevocably pledged on a parity with that of the
14 parishes of East Baton Rouge, West Baton Rouge, and Iberville in respect to the
15 ~~Commission's~~ **commission's** bonds, notes, and obligations presently outstanding, as
16 well as to all bonds, notes, and obligations hereafter authorized, sold, and incurred
17 by the ~~Commission~~ **commission. The full faith and credit of the parish of Pointe**
18 **Coupee is hereby irrevocably pledged on a parity with that of the parishes of**
19 **East Baton Rouge, West Baton Rouge, Iberville, and Ascension in respect to the**
20 **commission's bonds, notes, and obligations presently outstanding, as well as to**
21 **all bonds, notes, and obligations hereafter authorized, sold, and incurred by the**
22 **commission.** In addition to the pledge of revenues to secure said bonds and notes,
23 the commission may further secure their payment by a conventional mortgage upon
24 any or all of the properties constructed or acquired, or to be constructed and acquired
25 by it. The commission is further authorized to receive, by gift, grant, donation, or
26 otherwise any sum of money, aid or assistance from the United States, the state of
27 Louisiana, or any political subdivision thereof, and unless otherwise provided by the
28 terms of such gift, grant, or donation, in its discretion, to pledge all or any part of
29 such monies for the further securing of the payment of the principal and interest of

1 its bonds or notes.

2 * * *

3 Section 2. The expansion of the boundaries of the Port of Greater Baton Rouge to
4 include the jurisdictional boundaries of Pointe Coupee Parish is backed by the full faith and
5 credit of the state, and to recognize the existing authority of and functions performed by the
6 established ports and harbors of Louisiana established pursuant to Article 14, Section 31 of
7 the Louisiana Constitution of 1921, and others established by specific constitutional
8 provision, it is hereby recognized that the legislature may consolidate or abolish any such
9 commission or district or diminish, reduce, or withdraw from any such commission or
10 district any of its powers and functions and affect the structure and organization, distribution,
11 and redistribution of the powers and functions of any such commission or district, including
12 additions to or reductions of its territorial jurisdiction, only by law enacted by the favorable
13 vote of two-thirds of the elected members of each house pursuant to Article 6, Section 43
14 of the Louisiana Constitution. Further, on the effective date of this Act, all existing assets,
15 debts, obligations, and contracts of the Pointe Coupee Port, Harbor and Terminal District and
16 the Pointe Coupee Port Commission are given full force and effect and are hereby
17 transferred to the Greater Baton Rouge Port Commission and the Port of Greater Baton
18 Rouge.

19 Section 3. R.S. 34:2451 through 2458 are hereby repealed.

20 Section 4. The terms of the members of the Pointe Coupee Port Commission in
21 office on or after twelve o'clock noon April 8, 2019, shall terminate on December 31, 2019.

22 Section 5. This Act will become effective on January 1, 2020.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

SB 30 Original 2019 Regular Session Ward

Present law creates the Greater Baton Rouge Port Commission composed of 15 members.

Proposed law changes the total number of members on the commission from 15 to 17, and adds two commissioners appointed by the governor from a panel of six names submitted by the legislative delegation of the parish of Pointe Coupee.

Present law provides that the commission shall exercise its powers within the port area

consisting of the parishes of East Baton Rouge, West Baton Rouge, Iberville, and Ascension.

Proposed law adds the parish of Pointe Coupee to the port area.

Present law authorizes the commission, with approval from the State Bond Commission, to incur debt for its lawful purposes and to issue in its name, negotiable bonds or notes, and to pledge the revenues derived from the operation of properties and facilities maintained and operated by it, or received by it from other sources, for the payment of such negotiable bonds and notes, provided that the amount of such bonds and notes outstanding at any one time shall not exceed \$100 million dollars. Authorized bonds constitute, first, a general obligation of the commission, and second, the full faith and credit of the parishes of East Baton Rouge, West Baton Rouge, Iberville, and Ascension.

Proposed law pledges the full faith and credit of the parish of Pointe Coupee irrevocably on parity with the parishes of East Baton Rouge, West Baton Rouge, Iberville, and Ascension to the commission's presently outstanding bonds, notes, and obligations, as well as to all bonds, notes, and obligations hereafter authorized, sold, and incurred by the commission.

Proposed law provides that all existing assets, debts, obligations, and contracts of the Pointe Coupee Port, Harbor and Terminal District, and the Pointe Coupee Port Commission are given full force and effect and are transferred to the Greater Baton Rouge Port Commission and the Port of Greater Baton Rouge on January 1, 2020.

Proposed law abolishes the Pointe Coupee Port, Harbor and Terminal District and the Pointe Coupee Port Commission and terminates the terms of the members of the Pointe Coupee Port Commission in office on or after twelve o'clock noon April 8, 2019, on December 31, 2019.

Effective January 1, 2020.

(Amends R.S. 34:1221(A), 1223(A), and 1224(A); repeals R.S. 34:2451-2458)