

RÉSUMÉ DIGEST

ACT 191 (HB 200)

2015 Regular Session

Harrison

Existing law creates and provides for the Terrebonne Economic Development Authority as a political subdivision of the state. Provides that district boundaries are coterminous with the boundaries of Terrebonne Parish.

Prior law provided that the authority was created for the primary object and purpose of promoting, encouraging, and participating in industrial development.

New law provides instead that the authority is created for the primary object and purpose of promoting, encouraging, and participating in business development rather than industrial development.

Existing law grants the authority all of the rights, powers, privileges, and immunities granted to political subdivisions for economic development purposes, including but not limited to, the power of taxation and the power to incur debt and issue bonds, subject to limitations provided in existing law.

Prior law granted the authority all of the rights, powers, and privileges, and immunities granted to political subdivisions for industrial, commercial, and research purposes. New law removes prior law.

Prior law provided that the authority was governed by a board of commissioners composed of 11 voting members and one nonvoting member appointed as follows:

- (1) Two members by the Terrebonne Parish Council, one of whom was appointed at large from the parish and one of whom was an African-American selected by the council from a list of two names nominated by the Terrebonne Chapter of the National Assoc. for the Advancement of Colored People.
- (2) One member by the Terrebonne Parish president.
- (3) Three members by the Terrebonne Parish Council, one of whom was an African-American, selected by the council from a list of six names nominated by the Houma-Terrebonne Chamber of Commerce.
- (4) Three members by the Terrebonne Parish Council, one of whom was a woman, selected by the council from a list of six names nominated by the South Central Industrial Assoc.
- (5) One member by the Terrebonne Parish Council from a list of two names nominated by the superintendent of the Terrebonne Parish school system.
- (6) One member by the Terrebonne Parish Council from a list of two names nominated by the chancellor of L.E. Fletcher Technical Community College.
- (7) The president of Nicholls State University or his designee who was a nonvoting member and was not counted for purposes of a quorum.

New law instead provides that the authority is governed by a board of nine members appointed as follows:

- (1) Two members by the governing authority of Terrebonne Parish, both of whom are Black or African American.
- (2) One member by the president of Terrebonne Parish.
- (3) Three members by governing board of the South Central Industrial Assoc. and confirmed by the governing authority of Terrebonne Parish.
- (4) Three members by the governing board of the Houma-Terrebonne Chamber of Commerce and confirmed by the governing authority of Terrebonne Parish.

New law provides that board members appointed pursuant to (2) through (4) above may be removed with or without cause by the appointing authority and with cause by a two-thirds vote of the remaining board membership. Provides that board members appointed pursuant to (1) above may be removed with or without cause by a two-thirds vote of the governing authority of Terrebonne Parish.

Existing law provides that board members serve three-year terms and requires them to serve without compensation but authorizes reimbursement.

New law provides that the terms of the members of the authority in office on August 1, 2015 terminate on that date; however, the members must remain in office until new members are appointed pursuant to new law and take office.

Existing law provides that board members are eligible for reappointment but provides for term limits. Prior law provided that no member could serve more than three consecutive terms. New law provides that no member can serve more than two consecutive terms.

Existing law authorizes the board to establish and appoint an advisory committee. Prior law required the advisory committee to meet periodically with the board. New law requires the advisory committees to meet upon the request of a majority of the board membership.

Existing law provides for the powers and duties of the Terrebonne Economic Development Authority including:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To acquire by donation, grant, purchase, or lease, all property, including servitudes or rights of use.
- (4) To enter into contracts for the purchase, acquisition, construction, maintenance, and improvement of works and facilities necessary in connection with the purposes of the authority.

Prior law granted the authority the power to require and issue licenses with respect to its properties and facilities and to appoint officers, agents, and employees. Prior law additionally granted the authority the power to use means other than donation, grant, purchase, or lease to acquire property or money. New law removes prior law.

New law additionally provides that the authority shall not be deemed to be an instrumentality of the state for purposes of civil service provisions of the Constitution of La.

Prior law required the board to establish and maintain special accounts including, a revolving loan guarantee fund to guarantee certain loans, an economic development operation fund for the attraction of industries, and an account for the maintenance and operation of a governmental procurement center to provide necessary information to companies and individuals engaged in providing certain services and goods. New law authorizes rather than requires the board to establish these special accounts.

Effective August 1, 2015.

(Amends R.S. 33:130.251, 130.252, 130.253, 130.254(A), 130.255, 130.256, 130.257(A) and (B)(intro. para.), 130.258, and 130.261(C) and (D))