

Regular Session, 2009

HOUSE BILL NO. 527

BY REPRESENTATIVE CHANDLER

DISTRICTS/RECREATION: Creates the Grant Parish Recreation Authority

1 AN ACT

2 To enact R.S. 33:4570.14, relative to Grant Parish; to create the Grant Parish Recreation
3 Authority; to provide for the powers and duties of the authority; to provide for a
4 commission and its appointment, duties, and terms; to provide for the funding of the
5 authority; to authorize the authority to levy taxes and issue bonds; and to provide for
6 related matters.

7 Notice of intention to introduce this Act has been published
8 as provided by Article III, Section 13 of the Constitution of
9 Louisiana.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:4570.14 is hereby enacted to read as follows:

12 §4570.14. Grant Parish Recreation Authority

13 A. There is hereby created the Grant Parish Recreation Authority as a special
14 district and political subdivision of the state. The boundaries of the authority shall
15 be coterminous with the boundaries of Grant Parish. The authority shall be
16 responsible for the acquisition, construction, development, maintenance, and
17 operation of parks and recreational facilities and programs in Grant Parish.

18 B.(1) The control and management of the affairs of the authority shall be
19 vested in a commission that is hereby created. The commission shall be composed
20 of seven members appointed by the parish governing authority. No member shall be

1 an elected official. Members shall serve until their successors have been appointed
2 and qualified.

3 (2) The terms of commission members shall be three years, except for initial
4 terms which shall be as follows:

5 (a)(i) Four members shall serve initial terms of three years.

6 (ii) Three members shall serve initial terms of two years.

7 (b) Initial terms shall be determined by lot at the first meeting of the
8 commission.

9 (3) All vacancies occurring in the membership of the commission shall be
10 filled in the manner of the original appointment for the remainder of the unexpired
11 term. If any member is elected to any public office or removes his residence from
12 Grant Parish, his membership shall be immediately vacated and his successor shall
13 be immediately appointed.

14 C.(1) The commission shall prescribe rules fixing its meetings and procedure
15 and may elect such officers as may be needed, including a chairman, from among its
16 membership. A majority of members of the commission shall constitute a quorum
17 for the transaction of business. Members of the commission shall serve without
18 compensation and reimbursement of expenses incurred.

19 (2) The commission may appoint, employ, and fix the salary of a full-time
20 director of parks and recreation who shall have such duties and responsibilities as
21 may be determined by the commission. The commission may also employ and fix
22 the salaries, duties, and responsibilities of an assistant director and such additional
23 staff as necessary to operate park and recreational facilities and programs.

24 D. The authority shall constitute a body corporate in law, with all the powers
25 of a corporation, and with all the powers and rights of a political subdivision of the
26 state relative to incurring debt and issuing bonds. The commission shall designate
27 its domicile at its first meeting. The authority may buy and sell property, incur debt,
28 and contract obligations in accordance with law, sue and be sued, and perform any

1 and all acts in its corporate capacity and in its corporate name which are necessary
2 and proper for effectuating the purposes and objects for which it is created.

3 E.(1) The authority shall have all powers necessary or convenient to
4 effectuate the purposes of the district, including but not limited to the following
5 rights and powers:

6 (a) To acquire, purchase, lease as lessee, and hold and use any property, real,
7 personal or mixed, tangible or intangible, or any interest therein and to sell, transfer,
8 lease as lessor, and dispose of any property or interest therein at any time acquired
9 by the commission. Title to all such property shall be acquired in the name of the
10 Grant Parish Recreation Authority.

11 (b) To acquire by purchase, lease, or otherwise and to construct, improve,
12 maintain, and operate park and recreational facilities and to administer programs.

13 (c) To enter into agreements with any person or persons, corporation,
14 association, or other entity, including public corporations, political subdivisions,
15 municipalities, the United States government and agencies thereof, the state of
16 Louisiana or any of its agencies, or any combination thereof for the operation of any
17 park and recreation property or facility.

18 (d) To enter into contracts with any public or private entity, including but not
19 limited to contracts for construction or acquisition of property and facilities.

20 (e) To adopt and implement a parishwide recreation and parks program in
21 accordance with priorities developed in conjunction with local elected officials, other
22 community leaders, and citizens of Grant Parish.

23 (f) To fix, collect, and revise rates, charges, and rentals for parks facilities
24 and services.

25 (g) To adopt bylaws for the management and regulation of its affairs and for
26 the regulation and control of recreational and park facilities within its jurisdiction.

27 (h) To cooperate and contract with the government of the United States or
28 any department or agency thereof and with the state of Louisiana or any department,

1 agency, or political subdivision thereof and to accept gifts, grants, and donations of
2 property and money therefrom.

3 (i) To cooperate with the state of Louisiana or any political subdivision,
4 department, agency, or corporation of the state for the construction, operation, and
5 maintenance of its facilities on any basis, including the matching of funds and by
6 participating in projects authorized by federal or state law.

7 (j) To levy and collect annually an ad valorem tax, not to exceed six mills,
8 on all property in the parish subject to such tax in accordance with Article VI,
9 Section 32 of the Constitution of Louisiana, subject to the approval of the parish
10 governing authority and approval by a majority of the electors of the district voting
11 on the proposition at an election called by the parish governing authority and held
12 for that purpose and conducted in accordance with the Louisiana Election Code. The
13 tax shall be collected in the same manner as other ad valorem taxes. The avails of
14 any such tax shall be used solely for acquisition, construction, improvement,
15 maintenance, and operation of park and recreational facilities or improvements.

16 (k)(i) To levy and collect a sales and use tax, not to exceed one-half of one
17 percent, within the geographic boundaries of the district as provided in this Section.
18 Pursuant to Section 29(B) of Article VI of the Constitution of Louisiana, the
19 authority granted in this Subparagraph shall not limit any prior taxing authority
20 granted to any other political subdivision by any other provision of law, including
21 any authority granted to any other political subdivision to exceed the rate limitation
22 established by Section 29(A) of Article VI of the Constitution of Louisiana or
23 R.S. 33:2721.6.

24 (ii) The tax authorized by this Subparagraph shall be imposed by resolution
25 of the commission and shall be levied upon the sale at retail, the use, lease, or rental,
26 the consumption, and the storage for use or consumption of tangible personal
27 property and on the sale of services, all as defined in Chapter 2 of Subtitle II of Title
28 47 of the Louisiana Revised Statutes of 1950, within the geographic boundaries of
29 the district; however, the resolution imposing the tax shall be adopted only after the

1 proposed tax is approved by a majority of the qualified electors of the district voting
 2 on the proposition at an election called by the parish governing authority and held
 3 for that purpose and conducted in accordance with the Louisiana Election Code. The
 4 tax authorized by this Section shall be collected at the same time and in the same
 5 manner as set forth in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised
 6 Statutes of 1950.

7 (1) To issue bonds for the purpose of constructing, acquiring, improving,
 8 maintaining, or extending park and recreational facilities pursuant to Article VI,
 9 Section 33 of the Constitution of Louisiana and other constitutional and statutory
 10 authority supplemental thereto. Such bonds may be issued only after authorization
 11 by a majority of voters in the district voting at an election called by the parish
 12 governing authority and held for that purpose.

13 (2) The district shall be subject to audit by the legislative auditor pursuant to
 14 R.S. 24:513.

15 (3) The authority shall have no authority over any recreational facilities or
 16 programs in existence within the parish on January 1, 2009.

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)]

Chandler

HB No. 527

Abstract: Establishes the Grant Parish Recreation Authority.

Proposed law creates the Grant Parish Recreation Authority as a political subdivision of the state comprised of all the territory of Grant Parish and responsible for the acquisition, construction, development, maintenance, and operation of parks and recreational facilities and programs in the parish; however, the authority has no authority over facilities and programs in existence within the parish on Jan. 1, 2009.

Proposed law creates a seven-member commission to govern the authority. All members are appointed by the parish governing authority and serve three-year terms. Provides that members serve without compensation and reimbursement of expenses. Authorizes the commission to employ a director of parks and recreation and other staff.

Proposed law authorizes the authority to acquire, use, and sell property, enter into contracts, establish and collect charges for facilities and services, and incur debt. Authorizes the authority, subject to voter approval, to: levy an ad valorem tax, not to exceed six mills, levy

a sales tax, not to exceed ½%, and issue general obligation bonds. Proposed law provides that the district is subject to audit by the legislative auditor.

(Adds R.S. 33:4570.14)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill.

1. Provides that the district is subject to audit by the legislative auditor.