

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 528 by Representative Chandler

DISTRICTS/ECONOMIC DEVEL: Creates the Olla, Urania, Tullos, Standard Economic and Industrial Development District in LaSalle Parish

Synopsis of Senate Amendments

1. Reduces the membership of the board of commissioners of the district from 12 to six by reducing the number of appointments granted to the governing authorities of Olla, Tullos, and Urania from three each to one each. Additionally removes requirement that some members have their principal places of business in the respective municipality.

Digest of Bill as Finally Passed by Senate

Proposed law creates and provides for the Olla, Urania, Tullos, Standard Economic and Industrial Development District as a political subdivision of the state. Provides that the district shall be established for the primary object and purpose of promoting and encouraging industrial development to stimulate the economy through commerce, industry, and research and for the utilization and development of natural and human resources of the area by providing job opportunities. Provides for district boundaries. Grants the district rights and powers of political subdivisions provided by the constitution for economic development purposes.

Proposed law provides that the district shall be governed by a six-member board of commissioners as follows:

- (1) One member appointed by the governing authority of the town of Olla.
- (2) One member appointed by the governing authority of the town of Tullos.
- (3) One member appointed by the governing authority of the town of Urania.
- (4) The mayors of the towns of Olla, Urania, and Tullos.

Proposed law requires that appointments be made at a public meeting from a list of nominations submitted by residents of the respective municipality. Provides that appointed members shall serve four-year staggered terms. Provides for filling board vacancies.

Proposed law requires board members to serve without compensation, except that the board may reimburse any member for expenses. Provides that a board member may be removed by the entity that originally appointed him for cause. Prohibits members of the board, individually, and members of their immediate families from bidding on or entering into any contract or other transaction that is under the supervision or jurisdiction of the district.

Proposed law authorizes the district to exercise all powers of a political subdivision necessary or convenient for the carrying out of its objects and purposes, including but not limited to the following:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To acquire, but not by expropriation, all property, including rights-of-way, and to hold and use any franchise or property, necessary or desirable for carrying out the

objects and purposes of the district, including establishing, operating, and maintaining industrial parks.

- (4) To enter into contracts for the purchase, acquisition, construction, and improvement of works and facilities.
- (5) To incur debt and to issue general obligation bonds, revenue bonds, certificates, notes, and other evidence of indebtedness and to levy and cause to be collected ad valorem taxes.
- (6) To require and issue licenses with respect to its properties and facilities.
- (7) To regulate the imposition of fees and rentals charged by the district for its facilities and services rendered by it.
- (8) To borrow money and pledge all or part of its revenues, leases, rents, or other advantages as security for such loans.
- (9) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

Proposed law authorizes the district to construct and acquire industrial parks and industrial plant buildings. Also authorizes the district to acquire, construct, improve, operate, and maintain improvements and services necessary therefor.

Proposed law authorizes the district to sell, lease, or otherwise dispose of, by suitable and appropriate contract, to any enterprise locating or existing within the district all or any part of a site, building, or other property owned by the district. Prohibits the board from disposing of any property of the district for less than the fair market value without the prior approval of the State Bond Commission.

Proposed law authorizes the district to enter into leases having a term, including all renewal terms, not to exceed 50 years in the aggregate. Requires that the resolution or ordinance authorizing any lease, sale, or other disposition of property to set forth, in a general way, the terms of the disposition. Requires publication of any such resolution or ordinance in the official journal of the district. Provides for a 30-day period to contest any such resolution or ordinance.

Proposed law provides that the district shall have the following additional powers and powers incidental thereto:

- (1) To acquire, but not by expropriation, and to construct and improve, maintain, equip, and furnish economic development projects.
- (2) To lease or to contract for the use of any or all of its authorized projects and to charge and collect rent, fees, or charges therefor.
- (3) To convey any or all of its projects.
- (4) To mortgage and pledge any or all of its projects and to pledge the revenues and receipts therefrom or from any other source.
- (5) To enter into any cooperative financing of an economic development project or cooperative development.

Proposed law authorizes the board, subject to voter approval, to levy annually an ad valorem tax not to exceed 10 mills. Provides that all funds may be used for any expenses or purposes of the district.

Proposed law authorizes the district, subject to voter approval, to levy a sales and use tax not to exceed one-half of one percent within the boundaries of the district. Provides that the duration of the tax shall not exceed five years. Authorizes renewal of such tax for a period not to exceed five years.

Proposed law authorizes the district, subject to voter approval, to incur debt and issue general obligation ad valorem property tax secured bonds for any district purpose. Authorizes the district to issue revenue bonds for district purposes. Further authorizes the district to borrow from time to time in the form of certificates of indebtedness. Requires that such certificates be secured by the dedication and pledge of monies of the district derived from any lawful sources, provided that the term of such certificates shall not exceed 10 years. Provides that the annual debt service on the amount borrowed shall not exceed the anticipated revenues to be dedicated and pledged to the payment of the certificates of indebtedness, as shall be estimated by the board. Authorizes the district to borrow the amount of the anticipated ad valorem tax, not to exceed 10 mills for a period not to exceed 10 years and to issue certificates of indebtedness therefor and dedicate the avails of the tax funded for the payment thereof for the period of time said certificates are outstanding.

Proposed law provides that no provision of proposed law shall be construed so as to exempt the district from compliance with La. laws pertaining to open meetings, public records, fiscal agents, official journals, dual officeholding and employment, public bidding for the purchase of supplies and materials and construction of public works, the Code of Governmental Ethics, the Right to Property in Art. I, §4 of the Constitution of La., and the La. Election Code.

Proposed law provides that the district shall have the power and right to adopt a program or programs awarding contracts to, and establishing set-aside goals and preference procedures for the benefit of, businesses owned and operated by socially or economically disadvantaged persons in accordance with present law (R.S. 38:2233 and the La. Minority and Women's Business Enterprise Act). Requires that the financial records of the district be audited pursuant to present law (R.S. 24:513).

Effective July 1, 2009.

(Adds R.S. 33:130.791-130.800)