

ACT No. 67

Regular Session, 2009

HOUSE BILL NO. 527

BY REPRESENTATIVE CHANDLER

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  
21 an elected official. Members shall serve until their successors have been appointed  
22 and qualified.

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

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

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

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

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

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

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

20                  D. The authority shall constitute a body corporate in law, with all the powers  
21                  of a corporation, and with all the powers and rights of a political subdivision of the  
22                  state relative to incurring debt and issuing bonds. The commission shall designate  
23                  its domicile at its first meeting. The authority may buy and sell property, incur debt,  
24                  and contract obligations in accordance with law, sue and be sued, and perform any  
25                  and all acts in its corporate capacity and in its corporate name which are necessary  
26                  and proper for effectuating the purposes and objects for which it is created.

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

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

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

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

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

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

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

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

22           (h) To cooperate and contract with the government of the United States or  
23           any department or agency thereof and with the state of Louisiana or any department,  
24           agency, or political subdivision thereof and to accept gifts, grants, and donations of  
25           property and money therefrom.

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

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

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

18           (ii) The tax authorized by this Subparagraph shall be imposed by resolution  
19           of the commission and shall be levied upon the sale at retail, the use, lease, or rental,  
20           the consumption, and the storage for use or consumption of tangible personal  
21           property and on the sale of services, all as defined in Chapter 2 of Subtitle II of Title  
22           47 of the Louisiana Revised Statutes of 1950, within the geographic boundaries of  
23           the district; however, the resolution imposing the tax shall be adopted only after the  
24           proposed tax is approved by a majority of the qualified electors of the district voting  
25           on the proposition at an election called by the parish governing authority and held  
26           for that purpose and conducted in accordance with the Louisiana Election Code. The  
27           tax authorized by this Section shall be collected at the same time and in the same  
28           manner as set forth in Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised  
29           Statutes of 1950.

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

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_