SLS 13RS-274 **ORIGINAL**

Regular Session, 2013

SENATE BILL NO. 241

BY SENATOR JOHN SMITH

SPECIAL DISTRICTS. Creates an Economic Development District in Leesville, Louisiana. (gov sig)

AN ACT

To enact R.S. 33:2740.70.2, relative to economic development in Vernon Parish; to create and provide for the Leesville Economic Development District; to provide relative to the powers, duties, boundaries, and governance of the district; to provide relative to district plans; to provide for funding; 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. 33:2740.70.2 is hereby enacted to read as follows:

§2740.70.2. Leesville Economic Development District

A. Creation. The Leesville Economic Development District, referred to in this Section as the "district", is hereby created in the parish of Vernon. The district shall be a political subdivision of the state. It is created for the purpose of developing the area included within the district. It is established to promote, encourage, and create economic development activities and employment opportunities.

B. Boundaries. The district shall be comprised of all the territory included within the following boundaries:

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Point of beginning at the corner of the southerly right-of-way line of Louisiana Avenue (LA. Hwy. 467) and the easterly right-of-way line of Third Street, thence northerly along the easterly right-of-way line of Third Street to a point which is half-way between Arkansas Street and Fertitta Boulevard, thence westerly along a line which is half-way between Arkansas Street and Fertitta Boulevard to the east right-of-way line of Sixth Street (U.S. Hwy 171), thence northerly along the east right-of-way line of Sixth Street (U.S. Hwy. 171) to the north right-of-way line of Arkansas Street, thence westerly along the north right-of-way line of Arkansas Street to the east right-of-way line of Seventh Street, thence north along the east right-of-way line of Seventh Street to the south right-of-way line of Harriet Street, thence west along the south right-of-way line of Harriet Street to the east right-of-way line of Eighth Street, thence south along the east right-of-way line of Eighth Street to the north right-of-way line of South Street, thence west along the north right-of-way line of South Street to the east right-of-way line of Ninth Street, thence north along to the east right-of-way line of Ninth Street and continuing along the west side of the "West Side Subdivision" Blocks 46 and 51 to the north right-of-way line of Lula Street, thence west along the north right-of-way line of Lula Street to the west right-of-way line of Tenth Street, thence north along the west right-of-way line of Tenth Street to the south right-of-way line of Noland Trace Parkway (LA. Hwy. 8), thence west along the south right-of-way line of Noland Trace Parkway (LA. Hwy. 8) to the west right-of-way line of Gladys Street, thence south along the west right-of-way line of Gladys Street to the westerly easement line for waterline between Gladys Street and Verone Terrace, thence southerly along the westerly Easement line for waterline between Gladys Street and Verone Terrace to the easterly right-of-way line of Verone Terrace, thence southerly along to the easterly right-of-way line of Verone Terrace to the northerly right-of-way line of Port Arthur Terrace, thence easterly along the northerly right-of-way line of Port Arthur Terrace to the southeast corner of

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Lot 6 of "Allendale Subdivision", thence southerly from southeast corner of Lot 6 of "Allendale Subdivision" to the northwest corner of Lot 40 of "Allendale Subdivision", thence south along the west side of said Lot 40 and continuing south to a point which is also extending west of the Alley between Fertitta Boulevard and West Louisiana Street, thence east along the extending west of the Alley between Fertitta Boulevard and West Louisiana Street to the west right-of-way line of Tenth Street, thence south along the west right-of-way line of Tenth Street to the north right-of-way line of Mc Farland Avenue, thence East along the north right-of-way line of Mc Farland Avenue to the east right-of-way line of Sixth Street / Seventh Street (U.S. Hwy. 171), thence northerly along to the easterly right-of-way line of Sixth Street / Seventh Street (U.S. Hwy. 171) to the southerly right-of-way line of Louisiana Avenue (LA. Hwy. 467), thence easterly along the southerly right-of-way line of Louisiana Avenue (LA. Hwy. 467) to the easterly right-of-way line of Third Street also being the point of beginning.

C. Governance. (1) In order to provide for the orderly planning, development, acquisition, construction, and effectuation of the services, improvements, and facilities to be furnished by the district and to provide for the representation in the affairs of the district of those persons and interests immediately concerned with and affected by the purposes and development of the district, the district shall be managed by a five-member board of commissioners, referred to in this Section as the "board". The members of the board shall be composed as follows:

(a) One member shall be appointed by the state representative for House District No. 24.

(b) One member shall be appointed by the state representative for House District No. 30.

(c) One member shall be appointed by the state senator for Senate District No. 30.

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(d) One member shall be appointed by the member or members of the governing authority of the parish of Vernon who represent the district.

(e) One member shall be appointed by the mayor of Leesville.

(2) The appointments made pursuant to Subparagraphs (1)(a) through (e) of this Subsection shall be subject to confirmation by the governing authority of Leesville.

(3) If any appointing authority fails to make an appointment within thirty days after notification by the board of a vacancy, the governing authority of Leesville may appoint a member of its own choosing. Each member of the board shall be a registered voter of Vernon Parish. The appointing authority may remove any member for cause.

(4) Terms of members shall be four years, except for initial terms which shall be as follows: two shall be appointed for a term of one year, one for a term of two years, one for a term of three years, and one for a term of four years as determined by lot at the first meeting of the board. Vacancies occurring prior to the expiration of a term shall be filled in the manner of the original appointment for the remainder of the unexpired term.

(5) The board shall elect a chairman, a vice chairman, and a secretary-treasurer from among its members. Officers shall serve one-year terms but shall be eligible for reelection. The board shall adopt such rules for the transaction of its business as it deems necessary and shall keep a record of its resolutions, transactions, studies, findings, and determinations, which record shall be a public record.

(6) The board may employ or contract with an executive director and set his compensation and terms of employment. Notwithstanding any other provision of law to the contrary, the board may establish the term of such contract. The board also may employ such other employees as are necessary to carry out the functions of the district as authorized by the board.

D. Redevelopment activities. (1) In order to effectuate the purposes of

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this Section, the board shall have the specific authority provided in R.S. 33:4625(F); such authority shall be exercised solely within the district.

(2) The board shall formulate a redevelopment plan or plans for the district and submit any plan to the governing authority of Leesville for review. The board shall formulate a program or programs to implement any redevelopment plan. Such a program shall implement the various plans in such a manner as to aid and encourage private development of the area and to promote and coordinate public development. In formulating such a program, the board may conduct studies and may consult with all departments of the city of Leesville and other public or private agencies concerned with matters affecting or affected by the program.

(3) After adoption of the development program, the board may implement any portion thereof in such manner as shall, in its judgment, most likely accomplish such program. To that end, the district may employ or contract with engineers, architects, attorneys, underwriters, and other professionals necessary for the financing and implementation of the construction, renovation, maintenance, or operation of facilities described in the redevelopment plan and may contract in accordance with law for the construction, renovation, maintenance, or operation of the facilities.

(4) The board shall prepare each year an annual budget in accordance with the Louisiana Local Government Budget Act, R.S. 39:1301 et seq.

E. Revenues. (1) Subject to the approval of the governing authority of Leesville and district electors as provided in Paragraph (4) of this Subsection, the district may levy an ad valorem tax not exceeding twenty mills for such number of years as may be provided in the proposition authorizing its levy for the purpose of planning, constructing, acquiring, operating, or maintaining public facilities contemplated by the redevelopment plan and for the operating expenses of the district.

(2) Subject to the approval of the governing authority of Leesville and

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district electors as provided in Paragraph (4) of this Subsection, the district may issue general obligation bonds in accordance with the provisions of R.S. 39:551 et seq., for the purpose of constructing, acquiring, or improving any work of public improvement contemplated by the redevelopment plan. As provided by Article VI, Section 33 of the Constitution of Louisiana, the bonds shall have pledged thereto the full faith and credit of the district, and the district shall levy and collect taxes on all property subject to taxation in the district sufficient to pay the bonds in principal, interest, and premium, if any, as the same become due and payable.

(3) Any ad valorem tax levied by the district, including taxes levied under Paragraph (1) of this Subsection or levied to provide for payment of bonds authorized under Paragraph (2) of this Subsection, being special ad valorem taxes, shall be subject to homestead exemption as provided by Article VII, Section 20 of the Constitution of Louisiana.

(4) No ad valorem tax may be levied under the provisions of Paragraph (1) of this Subsection nor may any bonds be issued under the provisions of Paragraph (2) of this Subsection unless authorized by a majority of the electors of the district who vote at an election held for that purpose in accordance with the applicable provisions of the Louisiana Election Code. The governing authority of the city of Leesville shall call any such election.

(5) Any tax levied under authority of this Subsection shall be in addition to all other taxes which other political subdivisions in Vernon Parish are now or hereafter may be authorized by law to levy and collect. All services and programs to be provided from the proceeds of the tax shall be in addition to the services and programs which are otherwise provided by other governing authorities.

F. The district shall be authorized to enter into agreements with any person or persons, public or private, providing for contributions or payments towards the cost of financing public facilities in the district. The district is

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hereby authorized to issue bonds secured wholly or partly by the revenues of such agreements and wholly or partly by other revenues that may be received, from time to time, by the district provided the bonds are authorized and issued in the manner provided by R.S. 39:1011 et seq.

G. The financial records of the district shall be audited pursuant to the provisions of R.S. 24:513.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

DIGEST

Proposed law creates the Leesville Economic Development District in the parish of Vernon. The district shall be a political subdivision of the state created for the purpose of developing the area included within the district. It is established to promote, encourage, and create economic development activities and employment opportunities.

Proposed law provides for the boundaries of the district.

Proposed law provides that the district will be managed by a five-member board of commissioners which will be composed as follows:

(1) One member appointed by the state representative for House District No. 24.

(2) One member appointed by the state representative for House District No. 30.

(3) One member appointed by the state senator for Senate District No. 30.

(4) One member appointed by the member or members of the governing authority of the parish of Vernon who represent the district.

(5) One member will be appointed by the mayor of Leesville.

Proposed law provides that terms of members will be four years, except for initial terms which will be determined by lot as follows:

(1) Two shall be appointed for a term of one year.

(2) One for a term of two years.

(3) One for a term of three years.

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(4) One for a term of four years.

Proposed law provides that vacancies occurring prior to the expiration of a term shall be filled in the manner of the original appointment for the remainder of the unexpired term.

Proposed law provides that the board will elect a chairman, a vice chairman, and a secretary-treasurer from among its members.

Proposed law provides that the board shall adopt such rules for the transaction of its business as it deems necessary and shall keep a record of its resolutions, transactions, studies, findings, and determinations, which record shall be a public record.

Proposed law provides that the board may employ or contract with an executive director and set his compensation and terms of employment. The board also may employ such other employees as are necessary to carry out the functions of the district as authorized by the board.

Proposed law provides that the board shall have the specific authority provided in present law for military facilities.

Proposed law provides that the board shall formulate a redevelopment plan or plans for the district and submit any plan to the governing authority of Leesville for review.

Proposed law provides that the board shall formulate a program or programs to implement any redevelopment plan. Provides that such a program shall implement the various plans in such a manner as to aid and encourage private development of the area and to promote and coordinate public development. Provides that the board may conduct studies and may consult with all departments of the city of Leesville and other public or private agencies concerned with matters affecting or affected by the program.

Proposed law provides that after adoption of the development program, the board may implement any portion of the program in such manner as will, in its judgment, most likely accomplish the objectives of the program.

Proposed law provides that the district may employ or contract with engineers, architects, attorneys, underwriters, and other professionals necessary for the financing and implementation of the construction, renovation, maintenance, or operation of facilities described in the redevelopment plan and may contract in accordance with law for the construction, renovation, maintenance, or operation of the facilities.

Proposed law provides that the board shall prepare each year an annual budget in accordance with present law regarding the Louisiana Local Government Budget Act.

Proposed law provides that subject to the approval of the governing authority of Leesville and district electors, the district may levy an ad valorem tax not exceeding 20 mills.

Proposed law provides that the district may issue general obligation bonds in accordance with the provisions of present law for bonded indebtedness for the purpose of constructing, acquiring, or improving any work of public improvement contemplated by the redevelopment plan.

Proposed law provides that any ad valorem tax levied by the district, shall be subject to homestead exemption as provided by present law.

Proposed law provides that no ad valorem tax may be levied nor may any bonds be issued unless authorized by a majority of the electors of the district who vote at an election held for that purpose.

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Proposed law provides that any tax levied under authority of proposed law will be in addition to all other taxes which other political subdivisions in Vernon Parish are now or hereafter may be authorized by law to levy and collect.

Proposed law provides that the district shall be authorized to enter into agreements with any person or persons, public or private, providing for contributions or payments towards the cost of financing public facilities in the district. Further provides that the district is hereby authorized to issue bonds secured wholly or partly by the revenues of such agreements and wholly or partly by other revenues that may be received, from time to time, by the district provided the bonds are authorized and issued in the manner provided by present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 33:2740.70.2)

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