2018 Regular Session

HOUSE BILL NO. 870

BY REPRESENTATIVE GAROFALO

PORTS/DEEPWATER: Provides relative to the members of the Louisiana International Deep Water Gulf Transfer Terminal board of commissioners

1	AN ACT
2	To amend and reenact R.S. 34:3494(A) and (B), 3495(A), (C), and (G) and 3496(A), relative
3	to the Louisiana International Deep Water Gulf Transfer Terminal board of
4	commissioners; to provide for a reduction in membership on the board of
5	commissioners; to provide for membership term limits; to provide for review of
6	reporting practices; to provide for the election of officers to the board; to provide for
7	quorum and vote requirements; to provide an effective date; and to provide for
8	related matters.
9	Be it enacted by the Legislature of Louisiana:
10	Section 1. R.S. 34:3494(A) and (B) and 3495(A), (C), and (G) and 3496(A) are
11	hereby amended and reenacted to read as follows:
12	§3494. Board of commissioners; qualifications; term; vacancies; compensation
13	A. The authority shall be governed by a board of fifteen nine commissioners,
14	consisting of the secretary of the Department of Economic Development and the
15	secretary of the Department of Transportation and Development, the chairmen of the
16	House and Senate committees on transportation, highways, and public works or their
17	designees and eleven seven commissioners appointed by the governor to be chosen
18	on the basis of their demonstrated experience in maritime or business leadership, or
19	both, and their stature and ability to act effectively for the best interests of Louisiana.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	Such commissioners shall not be appointed or elected commissioners or board
2	members of any other Louisiana port.
3	B. Commissioners shall be chosen as follows:
4	(1) One member shall be selected from a list of three nominees submitted by
5	the Ports Association of Louisiana.
6	(2) One member shall be selected from a list of three nominees submitted by
7	the Louisiana Association of Business and Industry.
8	(3) One member shall be selected from a list of three nominees submitted by
9	the Louisiana Maritime Association.
10	(4) One member shall be selected from a list of three nominees submitted by
11	the Louisiana River Pilots Association.
12	(5) (3) Two One members member at large.
13	(6) (4) One member appointed by the American Federation of Labor-
14	Congress of Industrial Organizations.
15	(7) One member shall be selected from a list of three nominees submitted by
16	the president of the Louisiana State Senate.
17	(8) One member shall be selected from a list of three nominees submitted by
18	the speaker of the Louisiana House of Representatives.
19	(9) Repealed by Acts 2012, No. 775, §2, eff. June 12, 2012.
20	(10) One member shall be selected from a list of three nominees submitted
21	jointly by the chief executive officer and the governing authority of Plaquemines
22	Parish. Such nominees shall be residents of Plaquemines Parish.
23	(11) One member selected by the New Orleans Public Belt Railway, and
24	appointed by the governor, who shall be a nonvoting member.
25	(5) One member appointed by the legislative delegation of Plaquemines
26	Parish. Appointees shall reside in and be registered to vote in the parish of
27	Plaquemines. If the appointee is a member of the legislative delegation of
28	Plaquemines Parish, the term of the appointment shall run concurrent with the term
29	in office.

1	(6) One member appointed by the legislative delegation of St. Bernard
2	Parish. Appointees shall reside in and be registered to vote in the parish of St.
3	Bernard. If the appointee is a member of the legislative delegation of St. Bernard
4	Parish, the term of the appointment shall run concurrent with the term in office.
5	(7) One member selected from a list of two nominees, with the Louisiana
6	River Pilots' Association and the Louisiana Maritime Association each submitting
7	one nominee.
8	(12) (8) The commissioners appointed shall be appointed for terms of six
9	years. A member shall serve until his successor is appointed unless removed as
10	provided for in Paragraph (C)(1) of this Section. A commissioner may be
11	reappointed, but no commissioner shall serve more than two three consecutive terms.
12	* * *
13	§3495. Duties of board; officers; rules; meetings; quorum
14	A. The board of commissioners shall be the governing body of the authority
15	with full power to promulgate rules and regulations for the maintenance and
16	operation of the authority but may defer certain matters to the executive board
17	provided for in Subsection C of this Section for consideration and action. Any action
18	taken by the executive board shall be ratified by the board of commissioners. Prior
19	to the adoption of any rule or regulation for the maintenance and operation of the
20	authority, such rule or regulation shall be subject to the approval of the House and
21	Senate committees on transportation, highways, and public works and the Joint
22	Legislative Committee on the Budget.
23	* * *
24	C. The commissioners shall elect a president, two one vice presidents
25	president, a secretary, and a treasurer from among the members of the board of
26	commissioners to serve for a term of two years and who shall constitute the
27	executive board.
28	* * *

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1	G. All matters to be acted upon by the board of commissioners or the
2	executive board shall require the affirmative vote of a majority of the board members
3	present constituting a quorum, with the exception that the affirmative vote of not less
4	than ten \underline{six} commissioners shall be required to select the executive director.
5	§3496. Annual reports; budget unit; funding limitation
6	A. The board of commissioners shall make an annual report to the governor,
7	and the House and Senate committees on transportation, highways, and public works,
8	and the Joint Legislative Committee on the Budget.
9	* * *
10	Section 2. This Act shall become effective July 1, 2018. Any member currently
11	appointed to a seat that is unaltered as a result of this Act, shall continue to serve the
12	unexpired portion of the term.

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)]

HB 870 Original	2018 Regular Session	Garofalo
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Abstract: Reduces the membership of the La. International Deep Water Gulf Transfer Terminal board of commissioners.

<u>Present law</u> established a 15 member board of commissioners for the La. International Deep Water Gulf Transfer Terminal, consisting of the secretary of the Dept. of Economic Development and the secretary of the Dept. of Transportation and Development, the chairman of the House and Senate committees on transportation, highways, and public works or their designees and 11 commissioners to be appointed by the governor.

<u>Proposed law</u> reduces the membership of the board from 15 to 9 and removes the chairmen of the House and Senate committees on transportation, highways, and public works.

<u>Present law</u> requires the commissioners be chosen as follows: One member selected from a list of three nominees submitted by the Ports Association of La.; one member selected from a list of three nominees submitted by the La. Association of Business and Industry; one member selected from a list of three nominees submitted by the La. Maritime Association; one member selected from a list of three nominees submitted by the La. River Pilots Association; two members at large; one member appointed by the American Federation of Labor-Congress of Industrial Organizations; one member selected from a list of three nominees submitted by the president of the La. State Senate; one member selected from a list of three nominees submitted by the speaker of the La. House of Representatives; one member selected from a list of three nominees, who are residents of Plaquemines Parish, submitted jointly by the chief executive officer and the governing authority of Plaquemines Parish; and one member selected by the N.O. Public Belt Railway, and appointed by the governor, who must be a nonvoting member.

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Proposed law reduces the member at large appointment from 2 to 1.

<u>Proposed law</u> removes the member from the House that is selected from a list of three names submitted by the speaker of the La. House of Representatives and removes the member from the Senate that is selected from a list of three nominees submitted by the president of the La. State Senate.

<u>Proposed law</u> removes the member selected from a list of three names submitted jointly by the chief executive officer and the governing authority of Plaquemines Parish.

<u>Proposed law</u> removes the member selected by the N.O. Public Belt Railway, who is appointed by the governor.

<u>Proposed law</u> removes the member that is selected from a list of three names submitted by the La. Maritime Association and the member that is selected from a list of three names submitted by the La. River Pilots Association, and adds that one member shall be selected from a list of two nominees, with one nominee being submitted by both the La. River Pilots' Association and the La. Maritime Association.

<u>Proposed law</u> adds one member, who must reside in and be registered to vote in Plaquemines Parish, to the commission that is appointed by the legislative delegation of Plaquemines Parish. Further provides that if the appointee is a member of the legislative delegation of Plaquemines Parish, the term of the appointment will run concurrent with the term in office.

<u>Proposed law</u> adds one member, who must reside in and be registered to vote in St. Bernard Parish, to the commission that is appointed by the legislative delegation of St. Bernard Parish. Further provides that if the appointee is a member of the legislative delegation of St. Bernard Parish, the term of the appointment will run concurrent with the term in office.

<u>Present law</u> specifies that the commissioners appointed are appointed for terms of six years and that no commissioner can serve more than two consecutive terms.

<u>Proposed law</u> increases the amount of consecutive terms that a commissioner may serve from 2 to 3.

<u>Present law</u> requires the board of commissioners to seek the approval of the House and Senate committees on transportation, highways, and public works and the Joint Legislative Committee on the Budget prior to the adoption of any rule or regulation for the maintenance and operation of the authority.

Proposed law removes present law.

<u>Present law</u> requires the board of commissioners to elect a president, two vice-presidents, a secretary, and a treasurer from among the members of the board.

Proposed law reduces the amount of vice-presidents to be elected from 2 to 1.

<u>Present law</u> specifies that all matters to be acted upon by the board of commissioners or the executive board require the affirmative vote of a majority of the board, with the exception that the affirmative vote of not less than 10 commissioners is required to select the executive director.

<u>Proposed law</u> changes present law by requiring the affirmative vote of a majority of the members present constituting a quorum, and reduces the number of affirmative votes of commissioners to select the executive director from 10 to 6.

<u>Present law</u> requires the board to make an annual report to the governor, the House and Senate committees on transportation, highways, and public works, and the Joint Legislative Committee on the Budget.

<u>Proposed law</u> removes the Joint Legislative Committee on the Budget from the entities to which the board must make an annual report.

Effective July 1, 2018.

(Amends R.S. 34:3494(A) and (B), 3495(A), (C), and (G) and 3496(A))