

New law creates the St. Bernard Parish Economic Development Commission as a political subdivision of the state 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 territorial jurisdiction of the commission throughout the parish. Pursuant to constitutional authority, grants the commission all rights and powers of political subdivisions for economic development purposes.

New law provides that the commission is governed by a board of commissioners comprised as follows: three members appointed by the governing authority of St. Bernard Parish; two members appointed by the legislative delegation for St. Bernard Parish; two members appointed by the board of directors of the St. Bernard Parish Chamber of Commerce; two members appointed by the St. Bernard Parish Economic Development Foundation; one member appointed by the St. Bernard Kiwanis Foundation; one member appointed by the St. Bernard Rotary Club; one member appointed by the Meraux Foundation; one member appointed by the Business and Professional Women's Club; one member appointed by the New Orleans Metropolitan Association of Realtors; any three of the ten largest employers in the private sector in St. Bernard Parish as designated by the St. Bernard Economic Development; the president of St. Bernard Parish, the superintendent of the St. Bernard Parish school board, the executive director of the St. Bernard Parish Chamber of Commerce, the director of the St. Bernard Port, Harbor & Terminal District, the chancellor of Nunez Community College, or their respective designees, and the executive director of the St. Bernard Parish Economic Development Foundation.

New law provides for the terms and qualifications of board members and requires them to serve without compensation, but authorizes reimbursement for actual expenses. Permits the respective appointing or designating authority to remove a member with or without cause.

New law authorizes the commission 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 authority to sue and be sued, acquire by donation, grant, purchase, or lease all property including servitudes or rights of use, receive by grant, donation, or otherwise any sum of money, or property, aid, or assistance from the U.S., the state, or any political subdivision thereof, or any person, firm, or corporation, regulate fees and rentals for facilities and services, and enter into any cooperative financing of an economic development project.

New law provides that the commission shall not be deemed to be an instrumentality of the state for purposes of the state civil service provisions of the state constitution.

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

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

New law authorizes the commission to enter into leases having a term, including all renewal terms, not to exceed 50 years in the aggregate, with provision for rate adjustments. 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 commission. Provides for a 30-day period to contest any such resolution or ordinance.

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

New law provides for special accounts to be maintained by the board:

- (1) A revolving loan guarantee fund. Provides for loan guarantees to be made by the commission.
- (2) An economic development operation fund. Provides for the development and attraction of industries.
- (3) An account for operation of a governmental procurement center. Provides necessary information to companies and individuals engaged in providing services and goods.

New law authorizes the commission, subject to voter approval, to incur debt and issue general obligation ad valorem property tax secured bonds for any commission purpose. Authorizes the commission to issue revenue bonds for commission purposes. Further authorizes the commission 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 commission 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 commission to borrow the amount of the anticipated ad valorem tax, not to exceed five 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 the certificates are outstanding. The issuance and sale of bonds and other evidence of debt is subject to approval by the State Bond Commission.

New law exempts the commission, its properties, and income therefrom, and its bonds and interest and income therefrom from state taxation.

New law provides that new law shall not be construed to exempt the commission 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 Const. Art. I, §4, and the La. Election Code.

New law grants the commission the power and right to adopt a program(s) 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 existing law (Small Business Procurement Act and the La. Minority and Women's Business Enterprise Act). Requires that the commission present a financial statement to the legislative auditor pursuant to existing law (R.S. 24:513).

New law provides that new law shall not infringe on any powers of the St. Bernard Port Harbor and Terminal District and shall not be construed to permit the commission to engage in port, harbor, terminal, or other maritime activities within the jurisdiction of the district.

New law prohibits any action or work undertaken by the commission's board or any contract or agreement entered into by the board from violating the master plan of the Coastal Protection and Restoration Authority or any statewide drainage and flood control plan administered by Dept. of Transportation and Development.

Effective upon signature of governor (June 23, 2014).

(Adds R.S. 33:130.591.1-130.591.10)