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## DIGEST

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Dixon

HB No. 774

**Abstract:** Provides relative to the territorial boundaries, governance, powers, duties, vacancies, meetings, land acquisition, rights and powers of Rapides Parish governing authority within the territorial boundaries of the port.

Present law creates the Alexandria Port Authority and provides for an eight-member board to serve without compensation and five members appointed by the mayor of Alexandria. Provides that three members shall be the appointees to the Red River Waterway Commission representing the parishes of Rapides, Grant, and Avoyelles.

Present law established the authority as coterminous with the city of Alexandria.

Present law requires election of officers (president, vice president, secretary, and treasurer) from among its members. Allows the board to combine the offices of secretary and treasurer.

Provides the president shall have no vote except in the event of a tie vote. Requires the board to meet regularly once monthly and in special meeting at the call of the president or on written request of five members.

Provides that a majority of the members constitute a quorum. Further requires all actions and resolutions be approved by an affirmative vote of at least a majority of those attending the meeting.

Provides that the board prescribe its rules of governing its meetings and requires the board to fix a meeting place.

Present law authorizes the board to regulate commerce and traffic within the area and allow for the construction of wharves, locks, canals, warehouses, elevators, docks, sheds, and other buildings necessary to conduct the business of the port.

Present law provides for contracting and leasing authority within political subdivisions including the city of Alexandria, for the management and operation of port and ancillary facilities, including an industrial park associated with the port.

Present law authorizes the levy and collection of taxes by vote of the people not to exceed 10 mills.

Present law requires the tax collector to collect and remit taxes on a monthly basis to the board and authorizes the issuance of revenue bonds not to exceed \$10 million and the issuance of general obligation bonds with voter approval.

Proposed law repeals provisions of present law of the authority to levy and collect taxes.

Present law requires advertisement of the sale of the bonds in the parish where the parish is domiciled and in either New Orleans, La., or New York, N.Y.

Present law exempts the port from compliance with the provisions of R.S. 43:111, relative to advertising.

Proposed law changes the territorial limits of the port being concurrent with the municipal limits of the city of Alexandria to the boundaries of the port being coterminous with the boundaries of Rapides parish except that its port authority shall not include any private ports, docks, or wharves.

Proposed law Provides for membership of the board of commissioners to be composed of nine members as follows:

- (1) Three members appointed by the mayor of the city of Alexandria, subject to confirmation by the Alexandria City Council.
- (2) Two members appointed by the mayor of the city of Pineville each of whom shall be a resident of the city of Pineville, and shall be subject to confirmation by the Pineville City Council.
- (3) Two members appointed at large by the parish governing authority of Rapides Parish, which one of the members appointed at large shall reside south of the Red River outside the city limits of the city of Alexandria and the other member appointed at large shall reside north of the Red River outside of the city limits of the city of Pineville.
- (4) One member appointed by at large by the parish governing authority of Avoyelles Parish.
- (4) One member appointed by the governing authority of Grant Parish.

Proposed law provides for term limits and provides for filling board vacancies.

Proposed law requires that four members of the board instead of five members can request in writing to call a special meeting of the board. Further provides that a majority of the members of the board not including vacancies shall constitute a quorum.

Proposed law requires that no action of the board be authorized on any of the following matters unless approved by a majority of the total membership of the board:

- (1) Adoption of bylaws and other rules and regulations for conduct of port business.
- (2) Hiring or firing of the port administrator or executive director.
- (3) The incurring of funded, general or bonded debt, levy of taxes, and call for any tax or other election.
- (4) Adoption or amendment of the annual budget.
- (5) Sale, lease, or alienation of real property or improvements.

Proposed law provides that if a board member misses 50% of the board's meetings whether these meetings are regular or special meetings, the member shall be disqualified and removed from office. Provides that the vacated position on the board shall be filled in the same manner as the original appointment.

Proposed law additional powers of the board include:

- (1) Use of authority on all port property within the boundaries of Rapides Parish, except that its port authority shall not include any private ports.
- (2) Acquire by purchase, donation, appropriation, or any land in the district needed for railways, wharves, sheds, buildings, canals, channels, and other facilities to be owned and operated by the port.
- (3) Receive by gift, grant, or donation, any sum of money, aid, or assistance from the U. S., state of La., or any of the political subdivision for carrying out the objects and purposes of the port.

Present law creates a port authority in parishes with a population between 125,000 and 130,000 as determined by the most recent federal decennial census and provides for it to be governed by a board of six members, who shall serve without compensation.

Present law requires three commissioners to be appointed by the mayor of the municipality having the largest population in the parish as determined by the most recent federal decennial census, subject to the approval by the governing authority of the municipality; one by a mayor of the municipality with the second largest population; and one at-large commissioner appointed by the mayors of the remaining municipalities.

Present law further provides for the port's jurisdiction and the board of commissioners of such port's powers and duties.

Proposed law repeals present law provisions.

(Amends R.S. 34:335.1, 335.2, and 335.3(A); Adds R.S. 34:335.7-335.9; Repeals R.S.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill.

1. Adds the parish of Grant to the territorial limits of the port.
2. Provides that the boundaries of the port authority and its jurisdiction shall not include wharves and docks.
3. Restores the member of the board appointed by the governing authority of Grant Parish.
4. Provides for members of the board residency requirements.
5. Removes the authority of the port being allowed to expropriate property and its board of commissioners from levying taxes on property within the port's territorial jurisdiction.
6. Removes port authorities' board of commissioners and such port's powers and duties.

House Floor Amendments to the engrossed bill.

1. Removes the parish of Grant from the territorial limits of the port.
2. Changes the number of board members from 8 to 9.
3. Restores the member of the board appointed at large by the parish governing authority of Avoyelles Parish.
4. Deletes from proposed law that the member appointed by the governing authority of Avoyelles shall terminate on 7/1/09.
5. Requires that the member appointed by the governing authority of Avoyelles continue to serve during the remainder of the term of the appointing authority.