

New law creates the Central La. Regional Infrastructure Beltway Commission. Provides that the commission is vested with powers to establish and construct a transportation and utility corridor for the growth of residential, commercial, and industrial developments serving the urban and rural areas of Rapides and south Grant parishes.

Provides that the commission shall be domiciled in Rapides Parish.

New law provides for the commission to be composed of 14 directors with full power to promulgate rules and regulations for the maintenance and operation of the commission as follows:

- (1) Mayor from each of the following municipalities: Alexandria, Pineville, Woodworth, Ball, and Boyce, or their designee.
- (2) The chancellor of LSU-A or his designee.
- (3) The chancellor of La. College or his designee.
- (4) The executive director of England Authority or his designee.
- (5) The president of the city council of Alexandria or his designee.
- (6) The president of the Rapides Parish Police Jury or his designee.
- (7) The highway district engineer administrator for highway district No. 8 of DOTD.
- (8) A member appointed by the Central La. Chamber of Commerce.
- (9) The president of the Grant Parish Police Jury or his designee.
- (10) The president of the Avoyelles Parish Police Jury or his designee.

New law provides that directors may be removed from office for cause by a district court having jurisdiction.

New law provides that the directors of the commission shall not receive any salary for the performance of their duties as directors. Authorizes reimbursement of mileage expenses incurred for attendance at meetings of the commission for appointed directors only.

New law provides that the boundary and jurisdiction of the commission shall be coextensive with the boundaries of Rapides and Grant parishes.

New law authorizes the commission to perform or procure any service or portion of services necessary to fulfill its duties and obligations.

New law authorizes the commission to construct projects under the terms and conditions set forth in new law. Requires the commission to conduct an economic feasibility study prior to initiation of any project.

New law provides that the Rapides Area Planning Commission and all of its subcommittees shall serve in an advisory capacity to the commission relative to any project or projects.

New law provides for additional rights of the commission including:

- (1) To plan, construct, reconstruct, maintain, improve, operate, own, or lease projects in the manner determined by the commission and to pay any project costs.
- (2) To impose, revise, and adjust tolls, fees, and charges in connection with its projects sufficient to pay all project costs, maintenance, operation, debt service and reserve or replacement costs, and other necessary or usual charges.
- (3) To regulate speed limits on the tollways consistent with state speed limits.

- (4) To contract for use of any part of a project, including the right-of-way adjoining the paved portion, and to fix the terms, conditions, rents, and rates of charges limited to the commission's direct and actual cost of administering the permitting process.
- (5) To acquire, hold, or dispose of property in the name of the commission or any rights associated therewith.
- (6) To take any actions necessary or incidental to the performance of its corporate purposes.
- (7) To establish control of access, and establish, limit, and control points of ingress and egress for each project.
- (8) To relocate public roads affected or severed by commission projects with equal or better facilities.
- (9) To enter, or authorize its agents to enter, upon any lands, waters, and premises within the geographic boundaries of the commission for the purpose of making surveys, soundings, drillings, and examinations as it may deem necessary or appropriate provided that the commission shall reimburse any actual damages resulting to such lands, waters, and premises as a result of such activities; such entry shall not be deemed a trespass or unlawful.
- (10) To procure insurance against all losses, risk, and liability arising out of the construction, operation, maintenance, and ownership of any project.
- (11) To apply for, receive, and accept grants, loans, advances, and contributions.
- (12) To open accounts at financial institutions for the conduct of the commission's business and to invest any public or private funds in compliance with state laws relative to investments by political subdivisions and the use of public funds.
- (13) To issue bonds.
- (14) To hire employees and agents and to fix their compensation.
- (15) To do all acts and perform things necessary or convenient to execute the powers granted to the commission by law.

New law authorizes the commission to acquire an entire lot, block, or tract of land, if the acquisition cost will be equal to or less than the cost of acquiring only the portion of the property necessary for the project. The commission may sell, lease, or otherwise dispose of all or any portion of a project, provided that the disposition of a state-designated project shall require DOTD approval, and surplus property may be sold by the commission to maximize the price received for such property.

New law further provides that whenever any surplus property is acquired by the commission by eminent domain, the commission is required to first offer to sell whatever rights it acquired back to the original owner or his successors in title, at the fair market value or at the original price paid, whichever is less.

New law limits the commission's liability for property imposed by preexisting conditions. Authorizes the commission and the La. Dept. of Environmental Quality to enter into agreements for the performance, funding, and reimbursement of the investigative and remedial acts necessary for property acquired by the commission.

New law grants the commission the power to make reasonable regulations for the installation, construction, maintenance, repair, renewal, relocation, and removal of any public utility, railroad, or pipeline physically proximate to a project. If the commission determines it is necessary to relocate or remove a public utility, new law requires the owner or operator of such facility to relocate or remove the facility; however, the cost and expense of such relocation or removal shall be paid as project costs by the commission.

New law authorizes the commission to contract with state police or other law enforcement agencies to perform law enforcement and patrol functions on any commission project.

New law grants the commission the power to issue bonds and to pledge revenues for the payment of the principal and interest of such bonds. Further authorizes the commission to pledge all or part of any grant, donation, or funds of the commission, or all or part of any bonds, credit agreements, or instruments of the commission for securing the payment of principal and interest of the bonds. Provides that any bonds shall be payable solely from revenues and bond proceeds, pending their disbursement, and investment income.

New law provides that when the bonds issued for any project and the interest have been paid in full and the project is in a condition which meets DOTD standards for structural condition and geometric design and is in a satisfactory maintenance condition, the project and any property acquired for the project may be transferred by the commission in full ownership to the state of La.

Provides that DOTD will assume jurisdiction and control of the project as a part of the state highway system, provided that the legislature authorizes an increase in mileage of the state highway system equal to the length of the project to be transferred. The department, in the secretary's discretion, may continue to collect any toll or fee for the purpose of maintenance of the project.

Effective upon signature of governor (July 10, 2009).

(Adds R.S. 48:2151-2162)