CONFERENCE COMMITTEE REPORT
House Bill No. 159 By Representative Rosalind Jones

June 22, 2011

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 159 by Representative Rosalind Jones, recommend the following concerning the Reengrossed bill:

1. That Senate Floor Amendments Nos. 1, 2, and 3 proposed by Senator Thompson and adopted by the Senate on June 16, 2011, be rejected.

2. That Senate Floor Amendments Nos. 4, 5, 6, and 7 proposed by Senator Thompson and adopted by the Senate on June 16, 2011, be adopted.

3. That the following set of amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 6, line 9, after "Title" change the period "." to a comma "," and insert "and the levy of any tax shall also be subject to all of the other requirements of this Section."

AMENDMENT NO. 2

On page 6, line 15, after "Title" change the period "." to a comma "," and insert "and the levy of any assessment shall also be subject to all of the other requirements of this Section."

AMENDMENT NO. 3

On page 6, line 17, after "by the district," insert "pursuant to the authority provided in Paragraph (E)(9) of this Section,"

Respectfully submitted,

Representative Rosalind D. Jones	Senator A. G. Crowe
Representative Regina Barrow	Senator Lydia P. Jackson
Representative Kay Katz	Senator Francis Thompson

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)]

CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 159 by Representative Rosalind Jones

Keyword and oneliner of the instrument as it left the House

DISTRICTS/SPECIAL: Creates the Ouachita Riverfront Development Commission

Report substantively retains Senate amendments to:

1. Specify that the levy of any tax or assessment by the district or a subdistrict shall be subject to all requirements provided by proposed law.

2. Require the district or a subdistrict to receive the approval of the governing authority of the city of Monroe and the electors of the city of Monroe rather than the approval of the electors of the district prior to levying a tax or assessment. Further retains amendments that remove provisions that a tax or assessment becomes effective upon approval by the governing authority of the city of Monroe if there are no qualified electors in the district or subdistrict.

3. Provide that proposed law shall not be construed as authorizing the use of the proceeds of any indebtedness for any operating expenses of the district not incidental to the incurring, securing, or payment of indebtedness of the district.

Report rejects Senate amendments which would have:

1. None.

Report amends the bill to:

1. Make technical changes.

Digest of the bill as proposed by the Conference Committee

Proposed law creates the Ouachita Riverfront Development Commission in the city of Monroe as a special taxing district and political subdivision of the state. Provides district boundaries.

Proposed law provides that the district's purpose is to provide for cooperative economic and community development among the district, the city, the state, and the owners of the property in the district, in order to assist in the redevelopment of the property within the district.

Proposed law provides that the district shall be governed by a board of seven commissioners comprised as follows:

(1) One member appointed by the mayor of the city of Monroe.

(2) One member appointed by each of the five members of the governing authority of the city of Monroe.

(3) The chairman of the Downtown Economic Development District, or his designee, shall serve as an ex officio member of the board.

Proposed law provides that appointed members serve four-year staggered terms. Provides that the chairman of the Downtown Economic Development District shall serve during his term of office, and any designee of the chairman shall serve at the pleasure of the chairman. Provides with respect to officers and meetings of the board.

Proposed law provides that the domicile of the board shall be established by the board at a location within the district. Provides the general rights and powers of the district and its board shall include the following:

(1) To sue and to be sued.

(2) To adopt and use a corporate seal.

(3) To acquire by gift, grant, purchase, or otherwise all property, including rights-of-way.

(4) To enter into contracts for the purchase, acquisition, construction, and improvement of works and facilities.

(5) To incur debt and to issue revenue bonds, special assessment bonds, certificates, notes, and other evidences of indebtedness and to levy and cause to be collected certain taxes.

(6) To regulate the imposition of fees and rentals charged by the district for its facilities and services rendered by it.

(7) To borrow money and pledge all or part of its revenues, leases, rents, or other advantages as security for such loans.

(8) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

(9) To exercise any and all of the powers granted to an economic development district, including but not limited to the powers of tax increment financing and the power to levy taxes within the district.

(10) To exercise any and all of the powers granted to a community development district, including but not limited to the power to levy special assessments on property within the district.

Proposed law authorizes the district to create subdistricts as political subdivisions of the state to be governed by the board of the district. Grants subdistricts the same powers as the district.

Proposed law authorizes the district or subdistrict to exceed the limit for sales taxes set forth in the constitution. Provides that taxes and assessments to be levied by the district, or any subdistrict created by the district, shall be levied only after the board has adopted a resolution and given notice at least 14 days prior to the public meeting of the board to hear any objections to the proposed taxes or assessments. Provides that such taxes or assessments may be levied only after approval of the governing authority of the city of Monroe and the approval of a majority of the electors of the city of Monroe voting on a proposition at an election held for that purpose in accordance with the La. Election Code.

Proposed law authorizes the district to issue bonds, notes, certificates of indebtedness, and other obligations or evidences of indebtedness. Provides that obligations shall be authorized, issued, and sold by a resolution of the board in such manner and from time to time as determined by the district, subject to approval of the State Bond Commission.

Proposed law shall not be construed as authorizing the use of the proceeds of any indebtedness for any operating expenses of the district not incidental to the incurring, securing, or payment of indebtedness of the district.

Proposed law provides that for 30 days after the date of publication of the resolution authorizing the bonds, any person in interest may contest the legality of such. After 30 days, no one shall have any right to contest the legality of the resolution.

Proposed law provides that the district will dissolve upon the later of one year after the date on which all loans, bonds, notes, and other evidences of indebtedness of the district are paid in full or 50 years from the effective date of proposed law.

Effective July 1, 2011.

(Adds R.S. 33:9038.65)