ENROLLED

Regular Session, 2011

ACT No. 279

HOUSE BILL NO. 356

BY REPRESENTATIVES BROSSETT, ABRAMSON, ARNOLD, AUSTIN BADON, BISHOP, HENDERSON, LEGER, MORENO, AND STIAES AND SENATORS HEITMEIER, MORRELL, AND WILLARD-LEWIS

AN ACT

To amend and reenact R.S. 33:4530(A), relative to the city of New Orleans; to provide relative to the Public Belt Railroad Commission for the city of New Orleans; to provide relative to the appointment and terms of commission members; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4530(A) is hereby amended and reenacted to read as follows:

§4530. New Orleans public belt railroad; operation by city of New Orleans through public belt railroad commission

A.(1) Except as ~~hereinafter~~ provided in ~~§4531~~ R.S. 33:4531, the city of New Orleans shall continue the operation of a public belt railroad by and through a commission to be known as the Public Belt Railroad Commission for the city of New Orleans, to be composed of the mayor of ~~said~~ the city of New Orleans and ~~sixteen citizen taxpayers~~ nine citizens from within the New Orleans-Metairie-Kenner Metropolitan Statistical Area who shall ~~now and hereafter be chosen in the manner and for the terms provided in Ordinance 2683, New Council Series of the city of New Orleans, approved October 8, 1904, except that, in case any commercial organization mentioned therein shall cease to exist, and there be no other organization performing similar functions, the members thereof appointed on recommendation of such organization shall be appointed by the public belt railroad~~

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~~commission. The mayor of the city of New Orleans shall be the president of said commission and shall have the right to vote at all meetings. The president pro tem shall be chosen by the commission from those members appointed from the commercial organizations described in said city ordinance. The present members of the commission shall continue to serve until the expiration of their terms.~~ be appointed as provided in Paragraph (2) of this Subsection.

(2)(a) Nine citizens shall be appointed by the mayor of the city of New Orleans, six of whom shall be appointed from a list of nominations submitted to the mayor from a group of nominating persons or entities as determined by ordinance of the governing authority of the city of New Orleans. All appointments shall be confirmed by the governing authority of the city of New Orleans.

(b) All appointed members shall serve four-year staggered terms after serving initial terms as follows: three members shall serve an initial term of one year; two shall serve two years; two shall serve three years; and two shall serve four years, as determined by lot at the first meeting of the commission after the effective date of this Subparagraph.

(c) The mayor shall serve during his term of office.

(3) Vacancies resulting from the expiration of a term or any other reason shall be filled for the remainder of the unexpired term in the manner of the original appointment. Members shall be eligible for reappointment.

(4) The mayor of the city of New Orleans shall be the president of the commission and shall have the right to vote at all meetings. The members of the commission shall select from among themselves a president pro tempore and such other officers as they deem appropriate.

Section 2. The terms of the members of the Public Belt Railroad Commission for the city of New Orleans in office on the effective date of this Act shall terminate on the effective date of this Act. The members of the Public Belt Railroad Commission for the city of New Orleans shall be appointed and shall take office as provided in this Act and shall serve initial terms as provided in this Act. This Section shall not be construed to prevent the reappointment to the commission of a member in office on the effective date of this Act.

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Section 3. This Act shall take effect and become operative on the first day of January following an election at which a majority of the voters of the city of New Orleans who vote on the proposition approve an amendment of Article V, Chapter 2, Section 5-201 of the home rule charter of the city to change the composition of the Public Belt Railroad Commission for the city of New Orleans to provide the identical composition of the board as contained in this Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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