

Regular Session, 2012

HOUSE BILL NO. 410

BY REPRESENTATIVE FANNIN

PARISH/JACKSON: Provides relative to the membership on and powers of the board of commissioners of a recreation district in Jackson Parish

1 AN ACT

2 To amend and reenact R.S. 33:4564.5, relative to a recreation district in Jackson Parish; to
3 provide relative to the board of commissioners of such a district; to provide relative
4 to the authority of the governing authority of Jackson Parish with respect to the
5 budget and taxing authority and the compensation and expenses of board members,
6 the secretary-treasurer, and director of such a district; and to provide for related
7 matters.

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

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:4564.5 is hereby amended and reenacted to read as follows:

13 §4564.5. Board of Recreation, Jackson Parish; powers

14 A.(1) Notwithstanding the provisions of R.S. 33:4564(A) and (C) or any
15 other provision of law to the contrary, the ~~governing authority of the parish of~~
16 ~~Jackson may provide that the~~ board of commissioners of a recreation district in
17 Jackson Parish shall be composed of ~~ten~~ seven members. The commissioners shall
18 be qualified voters and residents of the parish, and each commissioner shall be a
19 resident of a different ~~municipality of the parish~~ police jury district.

1 ~~B.(1) The three additional commissioners authorized by this Section shall~~
2 ~~serve initial terms as follows:~~

3 ~~(a) The initial term of one of the three additional commissioners shall~~
4 ~~terminate on July 1, 2004.~~

5 ~~(b) The initial term of one of the three additional commissioners shall~~
6 ~~terminate on July 1, 2005.~~

7 ~~(c) The initial term of one of the three additional commissioners shall~~
8 ~~terminate on July 1, 2006.~~

9 ~~(2) The commissioners so appointed shall draw lots at the first meeting of~~
10 ~~the board to determine which commissioner shall serve for each of such initial terms.~~

11 Members shall serve initial terms as follows: three of the members shall serve terms
12 of three years; two of the members shall serve terms of two years; and two of the
13 members shall serve terms of one year as determined by lot at the first meeting of the
14 board after the effective date of the reenactment of this Paragraph in 2012.

15 (3) After such initial terms, their successors shall be appointed to terms of
16 five ~~three~~ years.

17 ~~C. (4) In the event that~~ If a commissioner's position on the board should
18 become vacant by reason of death, resignation, or otherwise, prior to the expiration
19 of his term, whether or not an initial term, such vacancy shall be filled for the
20 remainder of the unexpired term.

21 B.(1) Notwithstanding the provisions of R.S. 33:4562 or 4566 or any other
22 law to the contrary, the board of commissioners of a recreation district in Jackson
23 Parish is subject to the general supervisory authority of the Jackson Parish governing
24 authority. As such, the board shall not exercise any of the following powers except
25 after review and approval of the proposed action by the parish governing authority:

26 (a) Adopt a budget for the recreation district.

27 (b) Make any change in the compensation or expenses of commissioners, the
28 secretary-treasurer, and the director.

- 1 (c) Call an election on a tax proposition.
- 2 (d) Roll forward or roll back ad valorem tax millage rates.
- 3 (2) Additionally, the parish governing authority may annually set the ad
- 4 valorem tax millage rate to be collected by the recreation board not to exceed the
- 5 millage rate approved by the voters and subject to limits and requirements otherwise
- 6 provided by law.

7 Section 2. The terms of all members of the board of commissioners of the recreation

8 district in Jackson Parish serving on the effective date of this Act terminate on the effective

9 date of this Act, and members of the board shall be appointed in accordance with R.S.

10 33:4564.5(A) as amended by this Act.

11 Section 3. This Act shall become effective upon signature by the governor or, if not

12 signed by the governor, upon expiration of the time for bills to become law without signature

13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

14 vetoed by the governor and subsequently approved by the legislature, this Act shall become

15 effective on the day following such approval.

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)]

Fannin

HB No. 410

Abstract: Changes the membership of the board of commissioners of the recreation district in Jackson Parish and provides that many of the powers of the recreation board are subject to review and approval by the parish police jury.

Present law generally authorizes parishes to create recreation districts and provides for a governing board of such a district comprised of five members or seven members. Proposed law retains present law.

Present law, relative to Jackson Parish, provides that the governing authority of the parish may provide that the board of commissioners of the recreation district consists of 10 members who are qualified voters and residents of the parish. Requires that each commissioner be a resident of a different municipality. Proposed law provides instead for a seven-member board of commissioners for the recreation district in Jackson Parish. Retains requirement that commissioners be qualified voters and residents of the parish, but requires that each be a resident of a different police jury district.

Present law, generally and relative to the Jackson Parish recreation district, provides that commissioners serve five-year staggered terms. Proposed law provides that commissioners serve three-year staggered terms.

Present law authorizes recreation districts, subject to voter approval, to levy an ad valorem tax not to exceed 15 mills for a period not to exceed 10 years for the purpose of maintaining and operating the district and to levy special maintenance taxes and issue bonds for the purpose of purchasing and acquiring lands, buildings, equipment, and other facilities, and for the construction and maintenance thereof. Provides that an election on such questions shall be called by the board of commissioners. Present law requires that the board of commissioners select a secretary-treasurer who is not a commissioner and fix the secretary-treasurer's salary and office expense allowance. Authorizes the board to appoint a director. Provides that commissioners shall receive a \$10 per diem for not more than 12 meetings per year.

Proposed law retains present law and its applicability to Jackson Parish except that proposed law provides that the recreation board is subject to the general supervisory authority of the Jackson Parish governing authority and that the recreation board shall not exercise any of the following powers except after review and approval by the parish governing authority:

- (1) Adopt a budget for the recreation district.
- (2) Make any change in the compensation or expenses of commissioners, the secretary-treasurer, and the director.
- (3) Call an election on a tax proposition.
- (4) Roll forward or roll back ad valorem tax millage rates.

Proposed law additionally authorizes the parish governing authority to annually set the ad valorem tax millage rate to be collected by the board, subject to limits otherwise provided by law.

Proposed law provides that terms of commissioners serving on the effective date of proposed law terminate and requires appointment of the board in accordance with proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 33:4564.5)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill.

1. Makes changes to the initial terms of the district's new board members.