

Regular Session, 2013

SENATE BILL NO. 238

BY SENATOR CHABERT

TOURISM. Establishes the Leeville Fishing Village and Cultural Preservation Commission.
(8/1/13)

AN ACT

To enact Chapter 35 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1321 through 1326, relative to establishing the Leeville Fishing Village and Cultural Preservation Commission; to provide for legislative intent; to provide for membership and domicile; to provide for powers and duties; to provide for donations and grants; to provide for operating funds; to provide for rules; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 35 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:1321 through 1326, is hereby enacted to read as follows:

CHAPTER 35. LEEVILLE FISHING VILLAGE AND CULTURAL

PRESERVATION COMMISSION

§1321. Legislative intent

The legislature hereby recognizes that it is appropriate to establish a commission to preserve the culture of and promote tourism for the Leeville Fishing Village in Lafourche Parish.

1 **§1322. Creation; domicile; membership**

2 **A. The Leeville Fishing Village and Cultural Preservation Commission,**
3 **hereinafter referred to as the "commission", is hereby created.**

4 **B. The domicile of the commission shall be located in Lafourche Parish.**

5 **C. The purpose of the commission shall be to promote preservation of**
6 **the culture of and tourism in precincts 10-1 through 10-16 in Lafourche Parish,**
7 **to be known as the Leeville Fishing Village.**

8 **D. The commission shall include the following members:**

9 **(1) One member appointed by the councilman elected to represent the**
10 **ninth council district of the Lafourche Parish Council.**

11 **(2) One member appointed by the Lafourche Parish president.**

12 **(3) One member appointed by the senator elected to represent the**
13 **twentieth senatorial district.**

14 **(4) One member appointed by the representative elected to represent the**
15 **fifty-fourth representative district.**

16 **(5) One member appointed by the lieutenant governor.**

17 **E. Each member of the commission shall be a resident of or own**
18 **property within Lafourche Parish.**

19 **F. Each member of the commission shall serve at the pleasure of the**
20 **person appointing the member.**

21 **G. Members of the commission shall serve without compensation.**

22 **§1323. Powers and duties of the commission**

23 **A. A majority of the members of the commission shall constitute a**
24 **quorum for the transaction of official business. All official actions of the**
25 **commission shall require the affirmative vote of a majority of the members**
26 **present and voting.**

27 **B. The commission shall:**

28 **(1) Meet at least once each quarter at the call of the commission**
29 **chairman.**

1 (2) Adopt bylaws establishing policies and procedures for its
2 governance, including but not limited to the following:

3 (a) The election and responsibilities of the officers of the commission,
4 including a chairman and vice chairman.

5 (b) The appointment, duties, and functions of standing and special
6 committees of the commission, including the appointment of noncommission
7 members to such committees and their functions.

8 (c) The preparation of a budget and plan for sufficient funding.

9 (3) Establish and use an identifying seal pertaining to commission
10 business.

11 C. The commission may:

12 (1) Individually, or in cooperation with any nonprofit corporation
13 established to support the commission, seek and expend funds from any source,
14 public or private, to support programs of the commission.

15 (2) Authorize reports and recommendations which include the issuance,
16 publication, or distribution of general information documents or pamphlets,
17 which are published on a regular basis and are generally known as newsletters.

18 (3) Acquire by purchase, lease as lessee, and hold and use any property,
19 movable or immovable, corporeal or incorporeal, or any interest therein
20 necessary or desirable for carrying out the purposes of this Chapter and sell,
21 lease as lessor, transfer, and dispose of any such property acquired by it.

22 (4) All public works contracted by the commission shall be subject to,
23 and in accordance with, Chapter 10 of Title 38 of the Louisiana Revised Statutes
24 of 1950.

25 §1324. Donations and grants

26 The parish governing authority of Lafourche Parish and the commission,
27 jointly or separately, may solicit, accept, use, and dispose of any private or
28 public funds in the form of donations of money, grants, property, or personal
29 services from individuals, corporations, and governments to achieve the

purposes of this Chapter.

§1325. Operating funds; appropriations by the legislature

Funds appropriated by the legislature for operation of the Leeville Fishing Village and Cultural Preservation Commission shall be used solely for that purpose and in accordance with the budget plan developed by the commission.

§1326. Rules and regulations

The commission shall establish policies, rules, and regulations for the operation of the commission in accordance with the Administrative Procedure Act.

The original instrument was prepared by Alan Miller. The following digest, which does not constitute a part of the legislative instrument, was prepared by McHenry Lee.

DIGEST

Chabert (SB 238)

Proposed law provides that the legislature recognizes that it is appropriate to establish a commission to preserve the culture of and promote tourism for the Leeville Fishing Village in Lafourche Parish.

Proposed law provides that the Leeville Fishing Village and Cultural Preservation Commission be created, and that it shall be domiciled in Lafourche Parish.

Proposed law provides that the area in which the commission seeks to promote consists of precincts 10-1 through 10-16 in Lafourche Parish.

Proposed law provides that the commission consist of the following members:

- (1) One member appointed by the councilman elected to represent the ninth council district of the Lafourche Parish Council.
- (2) One member appointed by the Lafourche Parish president.
- (3) One member appointed by the senator elected to represent the 20th senatorial district.
- (4) One member appointed by the representative elected to represent the 54th representative district.
- (5) One member appointed by the lieutenant governor.

Proposed law requires that each member be a resident of or own property within Lafourche Parish.

Proposed law provides that each member serve at the pleasure of the person appointing the member.

Proposed law provides that each member of the commission serve without compensation.

Proposed law provides for the following powers and duties of the commission:

- (1) A majority of the members of the commission constitutes a quorum for the transaction of official business, and that all official actions require an affirmative vote of a majority of the members present and voting.
- (2) The commission shall:
 - (a) Meet at least once each quarter at the call of the commission chairman.
 - (b) Adopt bylaws establishing policies and procedures for its governance, including but not limited to the following:
 - (i) The election and responsibilities of the officers of the commission, including a chairman and vice chairman.
 - (ii) The appointment, duties, and functions of standing and special committees of the commission, including the appointment of noncommission members to such committees and their functions.
 - (iii) The preparation of a budget and plan for sufficient funding.
 - (c) Establish and use an identifying seal pertaining to commission business.
- (3) The commission may:
 - (a) Individually, or in cooperation with any nonprofit corporation established to support the commission, seek and expend funds from any source, public or private, to support programs of the commission.
 - (b) Authorize reports and recommendations which include the issuance, publication, or distribution of general information documents or pamphlets, which are published on a regular basis and are generally known as newsletters.
 - (c) Acquire by purchase, lease as lessee, and hold and use any property, movable or immovable, corporal or incorporeal, or any interest therein necessary or desirable for carrying out the purposes of proposed law and sell, lease as lessor, transfer, and dispose of any such property acquired by it.
 - (d) All public works contracted by the commission shall be subject to, and in accordance with the public bid law.

Proposed law provides that the parish governing authority of Lafourche Parish and the commission may, jointly or separately, solicit, accept, use, and dispose of any private or public funds in the form of donations of money, grants, property, or personal services from individuals, corporations, and governments to achieve the purposes of proposed law.

Proposed law requires that funds appropriated by the legislature for operation of the Leeville Fishing Village and Cultural Preservation Commission be used solely for that purpose and in accordance with the budget plan developed by the commission.

Proposed law requires that the commission establish policies, rules, and regulations for the operation of the center in accordance with the APA.

Effective August 1, 2013.

(Adds R.S. 25:1321-1326)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill

1. Technical amendment to remove duplicate language.

Senate Floor Amendments to engrossed bill

1. Changes the requirement that commission members be a resident or own property in Lafourche Parish.
2. Removes authority of the commission to acquire by purchase, lease or otherwise construct, develop, maintain and operate the commission.
3. Clarifies that the commission may acquire by purchase, lease as lessee, and hold and use property, movable or immovable, corporeal or incorporeal, necessary or desirable to implement proposed law.
4. Makes technical changes.