

2015 Regular Session

SENATE BILL NO. 278

BY SENATOR BROWN

SPECIAL DISTRICTS. Creates and provides for the North Lafourche Recreation Enhancement District. (1/1/16)

AN ACT

To enact R.S. 33:4570.15, relative to recreation districts; to create and provide for the North Lafourche Recreation Enhancement District; to provide for the status, boundaries, and governing authority of the district; to provide for the powers and duties of the district's governing authority; 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. R.S. 33:4570.15 is hereby enacted to read as follows:

§4570.15. North Lafourche Recreation Enhancement District; creation; status; powers; domicile; boundaries; governing authority

A.(1) The North Lafourche Recreation Enhancement District, referred to in this Section as "district", is hereby created. The objects and purposes of the district shall be to enhance, own, and operate playgrounds and other recreational facilities within the district whether preexisting or thereafter constructed or acquired by the district; and generally to administer programs and engage in activities which would enhance and promote recreation and any related activity designed to encourage recreation and promote the general

1 health and well-being of citizens.

2 (2) The district is a political subdivision of the state with all the rights
3 and powers thereof to levy taxes, incur debt, and issue bonds, subject to the
4 approval by a majority of the electors of the district voting at an election called
5 by the governing authority of the district and held for such purposes. The
6 district may exercise all powers granted by law to recreation districts created
7 pursuant to R.S. 33:4562 et seq.

8 (3) The domicile of the district shall be within the district as determined
9 by the governing authority of the district.

10 B. The district shall be composed of that portion of Lafourche Parish
11 situated within Senatorial District No. 2.

12 C.(1) The district shall be governed by a board of seven commissioners
13 who shall be qualified voters and residents of the district and shall be appointed
14 as follows:

15 (a) One member shall be appointed by the member of the Lafourche
16 Parish Council representing District No. 1.

17 (b) One member shall be appointed by the Lafourche Parish President.

18 (c) One member shall be appointed by the member of the Thibodaux
19 City Council representing District C.

20 (d) One member shall be appointed by the mayor of the city of
21 Thibodaux.

22 (e) One member shall be appointed by the member of the Lafourche
23 Parish School Board representing District 3.

24 (f) One member shall be appointed by the Senator of the senatorial
25 district in which the district is located.

26 (g) One member shall be appointed by the member of the House of
27 Representatives in whose representative district in which the district is located.

28 (2) The seven commissioners shall be appointed for terms concurrent
29 with the term of members of the legislature. Any vacancy which otherwise

1 occurs shall be filled by appointment by the appointing authority for the
 2 unexpired term. Commissioners shall serve until their successors shall have
 3 been appointed and qualified.

4 (3) Commissioners shall serve without compensation.

5 D. Obligations of the district shall not be obligations of Lafourche Parish
 6 or the city of Thibodaux and shall not be secured by the full faith and credit of
 7 the parish or city.

8 Section 2. This Act shall become effective January 1, 2016.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Jerry J. Guillot.

DIGEST

SB 278 Engrossed

2015 Regular Session

Brown

Present law, generally provides for the creation of recreation districts by parish governing authorities. Such districts constitute a body corporate with the authority to incur debts and enter into contracts and to do and perform any and all acts necessary or proper for carrying out the objects and purposes for which the district is created, including but not limited to the expropriation of property and the acquisition of equipment, buildings, and physical facilities. Provides that such districts may sue and be sued; buy and sell; acquire by purchase, gift, expropriation, or otherwise every type and specie of property and servitudes, rights-of-way, and flowage rights necessary to its purpose; lease, build, operate, and maintain any works or machinery designed to accomplish the purposes of the district; sell or assign any interests in minerals or royalties it may own, not to exceed 50% of its interest in such minerals or royalties, pursuant to law, however, any sale or assignment shall be done in accordance with the public bid law; have complete control over any supply of fresh water made available by its facilities which shall be administered for the benefit of the persons residing or owning property within the district, and if it should be for the benefit of the district, sell such water for irrigation, municipal, and industrial uses both within and outside the district. Provides that such districts constitute an agency of the state designated to carry out an essential governmental function of the state and all of the property of the district shall be exempt from taxation. The district may cooperate and contract with the federal government or any department or agency thereof and to accept gifts, grants, and donations of property and money therefrom and cooperate with the state or any political subdivision, department, agency, or corporation of the state for the construction, operation, and maintenance of facilities designed to accomplish the purpose for which the district is created on any basis including the matching of funds and by participating in projects authorized by any federal or state law as it shall see fit.

Provides for the domicile and the objects and purposes of the district.

Provides that the governing authority of the district is a board of commissioners and sets forth the qualifications, terms, appointment, compensation of the commissioners and the powers and duties of the board. Commissioners shall each receive a per diem of \$10 for each meeting they attend, but shall not be paid for more than 12 meetings in each year being paid out of district funds.

Requires that the board elect from its membership a chairman and vice-chairman. Provides for board meetings.

Requires the selection of person as a secretary-treasurer who shall not be a board member but be a qualified voter and resident of the district who shall furnish such bond as may be required by the board with the premium on the bond being paid with district funds. Provides that the secretary-treasurer shall receive such salary and office expense allowance, if any, as shall be fixed and determined by the board and serve at the pleasure of the board.

Authorizes the board to appoint a director who has had experience in the field of recreation and who is familiar with the principles and methods of playground and recreational activities who shall serve at the pleasure of the board.

Provides that districts are declared to be political subdivisions of the state, and for the purpose of purchasing and acquiring lands, buildings, equipment, and other facilities, and for the construction and maintenance thereof are authorized to vote and levy special maintenance taxes and issue bonds when authorized to do so by a vote of the qualified electors of the district and as authorized by the Constitution and laws of the state. Provides that any election be called by the board, and in the same election to issue bonds the board may also submit to the qualified electors of the district a proposition to levy a special tax not to exceed 15 mills on the dollar for a period not to exceed 10 years for the purpose of maintaining and operating said district.

Proposed law creates the North Lafourche Recreation Enhancement District. Provides that the objects and purposes of the district shall be to own and operate playgrounds and other recreational facilities within the boundaries of the district whether preexisting or thereafter constructed or acquired by the district; and generally to administer programs and engage in activities which would promote recreation and any related activity designed to encourage recreation and promote the general health and well-being of citizens.

Proposed law provides that the district is a political subdivision of the state with all the rights and powers thereof to levy taxes, incur debt, and issue bonds, subject to the approval by a majority of the electors of the district voting at an election called by the governing authority and held for such purposes. The district may exercise all powers granted by law to recreation districts created pursuant to R.S. 33:4562 et seq.

Proposed law provides that the domicile of the district shall be within the district as determined by the governing authority of the district.

Proposed law provides that the district shall be composed of that portion of Lafourche Parish situated within Senatorial District No. 2.

Proposed law provides that the district shall be governed by a board of seven commissioners who shall be qualified voters and residents of the district and appointed as follows:

- (1) One member shall be appointed by the member of the Lafourche Parish Council representing District No. 1.
- (2) One member shall be appointed by the Lafourche Parish President.
- (3) One member shall be appointed by the member of the Thibodaux City Council representing District C.
- (4) One member shall be appointed by the mayor of the city of Thibodaux.
- (5) One member shall be appointed by the member of the Lafourche Parish School Board representing District No. 3.
- (6) One member shall be appointed by the Senator of the senatorial district in which the district is located.

- (7) One member shall be appointed by the member of the House of Representatives in whose representative district the district is located.

Provides for four year terms concurrent with the terms of members of the legislature. Provides that members shall serve until their successors shall have been appointed and qualified. Provides that any vacancy which otherwise occurs shall be filled by appointment by the appointing authority for the unexpired term. Provides that commissioners shall serve without compensation.

Proposed law provides that obligations of the district shall not be obligations of Lafourche Parish or the city of Thibodaux and shall not be secured by the full faith and credit of the parish or city.

Proposed law otherwise retains present law.

Effective January 1, 2016.

(Adds R.S. 33:4570.15)