

SENATE SUMMARY OF HOUSE AMENDMENTS**SB 278****2015 Regular Session****Brown****KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

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

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Delete authorization for the district to levy taxes or incur debts, subject to voter approval, and add provision that the district has no authority to levy taxes or incur debt.
2. Add provision that requires board vacancies to be filled within 60 days and provision for appointment if an appointing authority fails to meet this deadline.
3. Add provisions relative to the first meeting of the board.
4. Add provisions that restrict the expenditure of funds in the city of Thibodeaux and the parish of Lafourche by requiring approval by the governing authorities if the district receives any funds for capital outlay.
5. Add provision that the district shall not comprise any territory located in the city of Thibodeaux.
6. Delete provisions that include on the board of commissioners appointees selected by the senator and representative of the senatorial and representative districts in which the district is located and replace them with appointees selected by the members of the Lafourche Parish Council representing District Nos. 2 and 3.
7. Technical amendments.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

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.

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 but shall have no authority to levy taxes, incur debt, or issue bonds. Further provides that the district shall not comprise any territory located in the city of Thibodeaux. Otherwise authorizes the district to exercise all powers granted by present law to recreation districts.

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 parish council representing District No. 1.
- (2) One member shall be appointed by the 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 Thibodaux.
- (5) One member shall be appointed by the member of the parish School Board representing District No. 3.
- (6) One member shall be appointed by the member of the Lafourche Parish Council representing District No. 2.
- (7) One member shall be appointed by the member of the Lafourche Parish Council representing District No. 3.

Provides for four year terms concurrent with the terms of members of the legislature. Provides that any vacancy which otherwise occurs shall be filled by appointment within 60 days of the vacancy by the appointing authority for the unexpired term. Provides that, if for any reason after the appointing authority fails to make an appointment within 60 days after the vacancy, the Senator or the state representative who make appointments pursuant to proposed law shall appoint a member to fill the vacancy within 30 days of such failure. Provides that members shall serve until their successors shall have been appointed and qualified. Provides that the board shall hold its first meeting in January 2016 at the call of the Senator authorized by proposed law to appoint a commissioner. Provides that, at such meeting the commission shall select its chairman, vice chairman, and any other officers it deems necessary. Provides that the commission shall meet as necessary thereafter to carry out its duties. 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 provides that if the district receives any funds for capital outlay projects, no funds shall be expended in the city of Thibodeaux unless approved by the governing authority of the city of Thibodeaux and no funds shall be expended outside of the city limits unless approved by the governing authorityLafourche Parish.

Proposed law otherwise retains present law.

Effective January 1, 2016.

(Adds R.S. 33:4570.15)

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