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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

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## DIGEST

Proposed law provides for the creation of the Recreation and Park Commission for the city of New Orleans as a political subdivision of the state. The boundaries of the authority will be the same as the boundaries of the city of New Orleans. The authority will be responsible for the acquisition, construction, development, maintenance, and operation of parks and recreational facilities and programs in the city of New Orleans.

Proposed law provides that the commission will elect from the six appointed members a chairman, a vice chairman, and a treasurer whose terms of office will be one year. Four members will constitute a quorum of the commission. The commission will have the power and authority to name and employ a person who will be designated as superintendent of the commission.

Proposed law provides that the commission is the legal successor of the New Orleans Recreational Authority and succeeds to all of the rights and obligations of the late recreation commission, and to the ownership of all of the property, movable or immovable, tangible or intangible, owned by the late recreation commission, and to all of the rights, privileges, and concessions of every kind and nature invested in and exercised by the late recreation commission, by the city of New Orleans. The commission has the right to own and administer in the public welfare, and for public recreational and park purposes, the leases, concessions, rights, and privileges heretofore granted by the late commission council and expand upon these leases, concessions, rights, and privileges.

Proposed law provides that the commission will have perpetual existence and will have the right and power to incur debts and contract obligations; to sue and be sued; to acquire by purchase, donation, expropriation, and otherwise, from other political entities or from any other source, money and property, movable and immovable, tangible and intangible, and to own, administer, alienate, and otherwise dispose of the said money and property; to contract generally; to adopt an official seal; and generally to have and enjoy all of the rights, powers, and immunities incident to public corporations engaged in public recreational and public park purposes. The powers and duties of the commission will be inclusive of the right to own and acquire, and to develop and administer, lands for public parks, and other properties and improvements, movable and immovable, tangible and intangible, as well as additional rights, leases, concessions, and privileges for public recreational and park purposes generally.

Proposed law provides that the commission will have full power and authority to make such studies and investigations as it may deem necessary in formulating policies, or in determining the wisdom and efficiency of policies, plans, and procedures to be carried out in acquiring, developing, and operating public recreational park facilities; and the policies and plans and procedures formulated will be binding upon the superintendent.

Proposed law provides that the superintendent will have the power and authority to make recommendations as to policies, plans, and procedures, and to establish and abolish positions, to transfer duties between positions, to assign duties, to direct and control, transfer, promote, demote, and otherwise change the status of all employees of the commission, to nominate employees, and to make salary recommendations. The commission should not act in the actual administration of public recreation and park facilities except through the superintendent, or through someone acting under this authority, and every lawful act of the superintendent performed in his capacity as superintendent will be the act of the commission.

Proposed law provides that the commission will have the right to expropriate property in the same manner and by the same proceedings and under the same limitations now invested in and imposed by law on railroads and other quasi-public corporations.

Proposed law provides that the commission will be a subdivision of the state of Louisiana within the meaning of the state law relating to the incurring of debt and issuing negotiable bonds and levying a tax to provide for the servicing of said bonds in principal and interest, providing that where any proposal is made by the commission to incur debt or issue negotiable bonds, the bond will run for a period not to exceed 40 years, and for the interest rate not to exceed the maximum rate prescribed by law, and provided further that where any such bonds are authorized, the proceeds will be used by the commission to purchase lands and properties as park areas, and purchase other recreational properties and facilities, or to develop such park areas and recreational facilities, so as to make them available to all of the people of the parish.

Proposed law provides that, the commission may impose and collect from year to year taxes upon all of the taxable property carried on the assessment roles of the city of New Orleans which in the aggregate and exclusive of any taxes levied to pay debt service on bonds of the commission will not exceed 18 mills on the dollar of assessed value as the commission will determine and the proceeds of any such tax will be used in acquiring, developing, maintaining, and operating the public parks and recreational properties and facilities of the commission and in making available funds for the operating budget.

Proposed law provides that no new tax of the commission will be levied and no bonds will be issued herein except upon approval of the qualified electors of the city of New Orleans who voted in a special election.

Proposed law provides that any tax voted by the people, and as that tax may hereafter be fixed by the commission under the authority thus obtained, either independently, or for bond purposes, will be carried upon the assessment roles of the parish as are other tax assessments, and will be collected by the sheriff and ex officio tax collector of the parish at the same time and in the same manner as other taxes, with the proceeds to be delivered by the sheriff to the treasurer of the commission, to be deposited and administered by the commission for the purposes herein shown. The treasurer and all other officers and employees of the commission who actually receive any money or deposits or who disburse or handle the funds of the commission or any part or portion thereof will be required to post bond, in the same manner and for such amount as is now required by other public officials, the cost of any such bonds to be provided by the commission.

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

(Adds R.S. 33:4570.15 - 4570.19)