

SENATE BILL NO. 239

BY SENATOR MCMATH

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AN ACT

To amend and reenact R.S. 33:130.401(A), 130.402(A)(1) and (2)(a) and (b), (E), (F), (G) and (H), and to repeal R.S. 33:130.402(A)(2)(c) and (d), relative to the St. Tammany Parish Development District; to provide relative to the purposes of the district; to provide relative to the district board of commissioners, members, and officers; 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. 33:130.401(A), 130.402(A)(1) and (2)(a) and (b), (E), (F), (G) and (H) are hereby amended and reenacted to read as follows:

§130.401. St. Tammany Parish Development District; creation; territorial jurisdiction

A. The St. Tammany Parish Development District, hereinafter referred to as the "district", is hereby constituted and is declared to be a body politic and political subdivision of the state of Louisiana, as defined in Article VI, Section 44 of the Constitution of Louisiana; ~~and~~ a public agency for the purposes of R.S. 12:249 **and, solely for purposes of the state's annual appropriations act, a local governing authority. The district may use "St. Tammany Economic Development Corporation" or a similar trade name.** Pursuant to Article VI, Sections 19 and 21 of the Constitution of Louisiana, the district, acting through its board of commissioners, the governing authority of the district, is hereby granted all of the rights, powers, privileges, and immunities granted to political subdivisions for economic and industrial development purposes, including but not limited to the power of taxation, the power to incur debt and issue revenue and general obligation bonds, certificates of indebtedness, bond and certificate anticipation notes, and

1 refunding bonds, subject to the limitations hereinafter provided.

2 * * *

3 §130.402. Board of commissioners; members; officers; employees

4 A.(1) The district shall be governed by a board of commissioners consisting
 5 of eleven members selected as provided for in this Section. All members shall be
 6 qualified voters and taxpayers within the limits of the district during their term of
 7 office. ~~On and after January 1, 2018, members~~ **Members** of the board of
 8 commissioners shall be nominated by the board of commissioners and submitted to
 9 the council of St. Tammany Parish for approval. Commissioners shall serve
 10 **staggered** three-year terms of office, ~~except in the case of any shorter initial terms.~~
 11 ~~Initial terms shall be staggered for the periods indicated as follows:~~ **with three or**
 12 **four members' term to expire in any year. Notwithstanding the provisions of**
 13 **this Paragraph, a member shall serve until the replacement is approved and**
 14 **sworn.**

15 ~~(a) Four members shall serve three-year initial terms.~~

16 ~~(b) Four members shall serve two-year initial terms.~~

17 ~~(c) Three members shall serve one-year initial terms.~~

18 (2)(a) The nominating committee of the board of commissioners shall consist
 19 of the board president **chair**, and vice president **chair, and treasurer**, the district
 20 ~~executive director~~ **president and chief executive officer**, the president of St.
 21 Tammany Parish **or his designee**, and a member of a regional board or commission
 22 selected by the **parish** president, ~~of the~~ St. Tammany Parish: **Council chairman or**
 23 **his designee, and a member of the St. Tammany Parish Council selected by the**
 24 **council chairman. The regional board or commission member and the selected**
 25 **council member shall not serve on the committee for more than two consecutive**
 26 **years.** The nominating committee shall submit its slate of nominees to the board of
 27 commissioners for approval. ~~Once a slate of nominees is approved by the board, it~~
 28 ~~shall be forwarded to the council of St. Tammany Parish.~~

29 ~~(b) The initial slate of nominees shall be nominated by the members of the~~
 30 ~~nominating committee and board of commissioners on or before December 31, 2017.~~

1 For continuity, both the initial nominations and initial approved nominees shall
 2 include at least two members of the board of commissioners as of December 31,
 3 2017.

4 (c) ~~The council of St. Tammany Parish may approve or disapprove any~~
 5 nominee. The board of commissioners shall submit new nominees for any individual
 6 nominees that are not approved.

7 (d) Any vacancy which occurs prior to the expiration of the term for which
 8 a member of the board of commissioners has been appointed shall be filled pursuant
 9 to the same nomination and approval process set forth in Paragraph(1) of this
 10 Subsection.

11 * * *

12 E. The board of commissioners shall elect from among its own members a
 13 ~~president~~ **chair**, a vice ~~president~~ **chair**, a secretary, and a treasurer, whose duties
 14 shall be those usual to such offices. At the option of the board of commissioners, the
 15 offices of secretary and treasurer may be held by one person.

16 F. The board of commissioners shall **attempt to** meet in regular session every
 17 month ~~and shall also meet in~~, **and shall meet not less than nine times per calendar**
 18 **year whether in regular or** special session as ~~often as~~ **called by** the ~~president of the~~
 19 ~~board convenes them~~ **chair** or on the written request of four members. Six members
 20 of the board of commissioners shall constitute a quorum.

21 G. The board of commissioners shall prescribe rules to govern its meetings.
 22 The board of commissioners may contract with or employ attorneys, clerks,
 23 engineers, deputy commissioners, ~~an executive director~~ **a president and chief**
 24 **executive officer**, and other agents and employees and shall fix their compensation
 25 and terms of employment.

26 H. Notwithstanding the provisions of R.S. 42:1111, 1112, 1113, and 1120.4,
 27 a member of the board of commissioners who is appointed or who serves pursuant
 28 to Paragraph (A)(1) of this Section who is an officer, director, trustee, or employee
 29 of the ~~St. Tammany Economic Development Foundation~~ **a nonprofit corporation**
 30 **focused on parish or regional economic development of which the district may**

1 **be a member or contributor** may serve on the board of commissioners and may
2 participate and vote on matters involving the district and the ~~foundation~~ **nonprofit**
3 **corporation** as authorized by R.S. 33:130.403(22).
4 Section 2. R.S. 33:130.402(A)(2)(c) and (d) are hereby repealed.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____