

SENATE BILL NO. 30

BY SENATOR WARD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 34:1221(A), 1223(A), and 1224(A) and to repeal Chapter 29 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:2451 through 2458, relative to ports, harbors, and terminal districts; to provide relative to the Greater Baton Rouge Port Commission; to provide for representation of Pointe Coupee Parish on the commission; to add the parish of Pointe Coupee to the territorial limits and jurisdiction of the Greater Baton Rouge Port Commission; to abolish the Pointe Coupee Port, Harbor, and Terminal District; to abolish the Pointe Coupee Port Commission; to provide relative to bond obligations of the commission; 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. 34:1221(A), 1223(A), and 1224(A) are hereby amended and reenacted to read as follows:

§1221. Creation of Greater Baton Rouge Port Commission; members

A. There is hereby created a commission to be known as the Greater Baton Rouge Port Commission which shall be composed of ~~fifteen~~ **seventeen** members

1 appointed by the governor who shall serve at the pleasure of the governor. Members
2 shall be appointed as follows:

3 (1) Three commissioners shall be appointed by the governor from a panel of
4 six names submitted by the legislative delegation of the parish of West Baton Rouge.

5 (2) Six commissioners shall be appointed by the governor from a panel of
6 eighteen names submitted by the East Baton Rouge Parish legislative delegation.

7 (3) Two commissioners shall be appointed by the governor from a panel of
8 six names submitted by the legislative delegation of the parish of Iberville.

9 (4) Two commissioners shall be appointed by the governor from a panel of
10 six names submitted by the legislative delegation of the parish of Ascension.

11 (5) Two commissioners shall be appointed by the governor from a panel
12 of six names submitted by the legislative delegation of the parish of Pointe
13 Coupee.

14 (6) Two commissioners shall be appointed by the governor from a panel of
15 six names submitted by Louisiana Farm Bureau Federation, Inc. Of the six names
16 submitted, three shall reside on the east side of the Mississippi River in Ascension,
17 East Baton Rouge, or Iberville Parishes and three shall reside on the west side of the
18 Mississippi River in Ascension, Iberville, or West Baton Rouge Parishes and the
19 governor shall appoint one of the nominees from the east side and one from the west
20 side of the Mississippi River.

21 * * *

22 §1223. Rights and powers of the board

23 A. The commission shall exercise the powers herein conferred upon it within
24 the port area consisting of the parishes of East Baton Rouge, West Baton Rouge,
25 Iberville, ~~and~~ Ascension, and Pointe Coupee as the boundaries and limits are
26 presently fixed by law, except the industrial areas created in the parish of East Baton
27 Rouge by the provisions of Section 1.08(b) of the Plan of Government for the parish
28 of East Baton Rouge and the city of Baton Rouge.

29 * * *

30 §1224. Authority for issuance of bonds; ad valorem tax

1 A. The commission, with the approval of the State Bond Commission, is
2 authorized to incur debt for its lawful purposes and to issue in its name, negotiable
3 bonds or notes therefor, and to pledge, for the payment of the principal and interest
4 of such negotiable bonds or notes, the revenues derived from the operation of
5 properties and facilities maintained and operated by it, or received by the
6 commission from other sources; however, the amount of such bonds and notes
7 outstanding at any one time shall not exceed one hundred million dollars. Such
8 bonds, when authorized to be issued, shall constitute, first, a general obligation of the
9 commission, and secondly, the full faith and credit of the parish of East Baton
10 Rouge, the parish of West Baton Rouge, the parish of Iberville, and thirdly, the state
11 of Louisiana, and shall be and are hereby pledged. The full faith and credit of the
12 parish of Ascension is hereby irrevocably pledged on a parity with that of the
13 parishes of East Baton Rouge, West Baton Rouge, and Iberville in respect to the
14 ~~Commission's~~ commission's bonds, notes, and obligations presently outstanding, as
15 well as to all bonds, notes, and obligations hereafter authorized, sold, and incurred
16 by the ~~Commission~~ commission. The full faith and credit of the parish of Pointe
17 Coupee is hereby irrevocably pledged on a parity with that of the parishes of
18 East Baton Rouge, West Baton Rouge, Iberville, and Ascension in respect to the
19 commission's bonds, notes, and obligations presently outstanding, as well as to
20 all bonds, notes, and obligations hereafter authorized, sold, and incurred by the
21 commission. In addition to the pledge of revenues to secure said bonds and notes,
22 the commission may further secure their payment by a conventional mortgage upon
23 any or all of the properties constructed or acquired, or to be constructed and acquired
24 by it. The commission is further authorized to receive, by gift, grant, donation, or
25 otherwise any sum of money, aid or assistance from the United States, the state of
26 Louisiana, or any political subdivision thereof, and unless otherwise provided by the
27 terms of such gift, grant, or donation, in its discretion, to pledge all or any part of
28 such monies for the further securing of the payment of the principal and interest of
29 its bonds or notes.

30 * * *

1 Section 2. The expansion of the boundaries of the Port of Greater Baton Rouge to
2 include the jurisdictional boundaries of Pointe Coupee Parish is backed by the full faith and
3 credit of the state, and to recognize the existing authority of and functions performed by the
4 established ports and harbors of Louisiana established pursuant to Article 14, Section 31 of
5 the Louisiana Constitution of 1921, and others established by specific constitutional
6 provision, it is hereby recognized that the legislature may consolidate or abolish any such
7 commission or district or diminish, reduce, or withdraw from any such commission or
8 district any of its powers and functions and affect the structure and organization, distribution,
9 and redistribution of the powers and functions of any such commission or district, including
10 additions to or reductions of its territorial jurisdiction, only by law enacted by the favorable
11 vote of two-thirds of the elected members of each house pursuant to Article 6, Section 43
12 of the Louisiana Constitution. Further, on the effective date of this Act, all existing assets,
13 debts, obligations, and contracts of the Pointe Coupee Port, Harbor and Terminal District and
14 the Pointe Coupee Port Commission are given full force and effect and are hereby
15 transferred to the Greater Baton Rouge Port Commission and the Port of Greater Baton
16 Rouge.

17 Section 3. R.S. 34:2451 through 2458 are hereby repealed.

18 **Section 4. The terms of the members of the Pointe Coupee Port Commission in**
19 **office on or after twelve o'clock noon April 8, 2019, shall terminate on**
20 **December 31, 2019.**

21 Section 5. In the event future legislation is filed, and passed, such that the Parish of
22 Pointe Coupee, is removed from the jurisdiction of the Greater Baton Rouge Port
23 Commission, any and all assets, liabilities, and contracts conveyed by this legislation, shall
24 be transferred to the Parish of Pointe Coupee's governing authority. In the event the assets
25 conveyed by this legislation are conveyed to the Parish of Pointe Coupee's governing
26 authority, the Port of Greater Baton Rouge shall be reimbursed and compensated for the
27 enhanced value of said property which resulted from its efforts since such assets were
28 conveyed to the Greater Baton Rouge Port Commission. In the event the Parish of Pointe
29 Coupee is removed from the jurisdiction of the Greater Baton Rouge Port Commission, the
30 two appointees created by this legislation shall cease to exist and shall no longer serve as

1 members of the Greater Baton Rouge Port Commission.

2 Section 6. This Act will become effective on January 1, 2020.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____