

SENATE BILL NO. 7

BY SENATOR HEWITT

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AN ACT

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To amend and reenact R.S. 34:3494(A) and (B), 3495(A), (C), and (G), and 3496(A), relative to the Louisiana International Deep Water Gulf Transfer Terminal Authority board of commissioners; to provide for a reduction in membership on the board of commissioners; to provide for membership term limits; to provide for review of reporting practices; to provide for the election of officers to the board; to provide for quorum and vote requirements; to provide for an effective date; and to provide for related matters.

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Be it enacted by the Legislature of Louisiana:

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Section 1. R.S. 34:3494(A) and (B), 3495(A), (C), and (G), and 3496(A) are hereby

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amended and reenacted to read as follows:

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§3494. Board of commissioners; qualifications; term; vacancies; compensation

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A. The authority shall be governed by a board of ~~fifteen~~ **nine** commissioners,

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consisting of the secretary of the Department of Economic Development and the

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secretary of the Department of Transportation and Development, ~~the chairmen of the~~

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~~House and Senate committees on transportation, highways, and public works or their~~

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designees and ~~eleven~~ **five** commissioners appointed by the governor to be chosen on

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the basis of their demonstrated experience in maritime or business leadership, or

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both, and their stature and ability to act effectively for the best interests of Louisiana:

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as provided in Paragraph (B)(1) of this Section and two commissioners, who are

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members of the legislature, serving as provided in Paragraph (B)(2) of this

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Section. ~~Such~~ **The appointed** commissioners shall not be appointed or elected

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commissioners or board members of any other Louisiana port.

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B.**(1)** Commissioners shall be chosen as follows:

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~~(1)(a)~~ **(a)** One member shall be selected from a list of three nominees submitted

1 by the Ports Association of Louisiana.

2 ~~(2)~~**(b)** One member shall be selected from a list of three nominees submitted
3 by the Louisiana Association of Business and Industry.

4 ~~(3)~~ One member shall be selected from a list of three nominees submitted by
5 the Louisiana Maritime Association.

6 ~~(4)~~ One member shall be selected from a list of three nominees submitted by
7 the Louisiana River Pilots Association.

8 ~~(5)~~**(c)** Two members **One member** at large.

9 ~~(6)~~**(d)** One member appointed **selected** by the American Federation of
10 Labor-Congress of Industrial Organizations.

11 **(e) One member selected from a list of two nominees, with the Louisiana**
12 **River Pilots' Association and the Louisiana Maritime Association each**
13 **submitting one nominee.**

14 ~~(7)~~**(2)(a)** One member shall be selected from a list of three nominees
15 submitted by the president of the Louisiana State Senate **the senator who represents**
16 **the district where the project is located or his designee. The senator's term on**
17 **the board shall run concurrent with his term in office.**

18 ~~(8)~~**(b)** One member shall be selected from a list of three nominees submitted
19 by the speaker of the Louisiana House of Representatives **the representative who**
20 **represents the district where the project is located or his designee. The**
21 **representative's term on the board shall run concurrent with his term in office.**

22 ~~(9)~~ Repealed by Acts 2012, No. 775, §2, eff. June 12, 2012.

23 ~~(10)~~ One member shall be selected from a list of three nominees submitted
24 jointly by the chief executive officer and the governing authority of Plaquemines
25 Parish. Such nominees shall be residents of Plaquemines Parish.

26 ~~(11)~~ One member selected by the New Orleans Public Belt Railway, and
27 appointed by the governor, who shall be a non-voting member.

28 ~~(12)~~**(3)** The **Except as otherwise provided in Paragraph (2) of this**
29 **Subsection, the** commissioners appointed shall be appointed for terms of six years.

30 A member shall serve until his successor is appointed unless removed as provided

1 for in Paragraph (C)(1) of this Section. A commissioner may be reappointed, but no
 2 commissioner shall serve more than two consecutive terms.

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4 §3495. Duties of board; officers; rules; meetings; quorum

5 A. The board of commissioners shall be the governing body of the authority
 6 with full power to promulgate rules and regulations for the maintenance and
 7 operation of the authority but may defer certain matters to the executive board
 8 provided for in Subsection C of this Section for consideration and action. Any action
 9 taken by the executive board shall be ratified by the board of commissioners. ~~Prior~~
 10 ~~to the adoption of any rule or regulation for the maintenance and operation of the~~
 11 ~~authority, such rule or regulation shall be subject to the approval of the House and~~
 12 ~~Senate committees on transportation, highways, and public works and the Joint~~
 13 ~~Legislative Committee on the Budget.~~

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15 C. The commissioners shall elect a president, ~~two~~ a vice ~~presidents~~
 16 president, a secretary, and a treasurer from among the members of the board of
 17 commissioners to serve for a term of two years and ~~who~~ shall constitute the
 18 executive board.

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20 G. All matters to be acted upon by the board of commissioners or the
 21 executive board shall require the affirmative vote of a majority of the board, with the
 22 exception that the affirmative vote of not less than ~~ten~~ six commissioners shall be
 23 required to select the executive director.

24 §3496. Annual reports; budget unit; funding limitation

25 A. The board of commissioners shall make an annual report to the governor;
 26 and the House and Senate committees on transportation, highways, and public
 27 works, ~~and the Joint Legislative Committee on the Budget.~~ not later than February
 28 first of each year. The report shall include a summary of the authority's
 29 progress since its inception, the board's plans in the coming year to advance the
 30 authority's development program, and a financial report.

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Section 2. Any member currently appointed to a seat that is unaltered as a result of this Act shall continue to serve the unexpired portion of the term.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____