

**HOUSE COMMITTEE AMENDMENTS**

2023 Regular Session

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 214 by Senator McMath

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete the remainder of the line, delete lines 3 through 16,  
3 and insert the following:

4 "R.S. 36:101(B) and (C)(1), 104(A)(14) and 107, to enact R.S. 36:108(C) and (D)  
5 and 108.1, relative to the Department of Economic Development; to create the office  
6 of port development within the department; to provide for powers and duties of the  
7 office; to provide for a commissioner of port development; to provide for a port  
8 development advisory commission; to provide for effectiveness; and to provide for"

9 AMENDMENT NO. 2

10 On page 2, delete lines 2 through 29, delete pages 3 through 16, and on page 17, delete lines  
11 1 through 7, and insert the following:

12 "Section 1. R.S. 36:101(B) and (C)(1), 104(A)(14) and 107 are hereby  
13 amended and reenacted and R.S. 36:108(C) and (D) are hereby enacted to read as  
14 follows:

15 §101. Department of Economic Development; creation; domicile;  
16 composition; purposes and functions

17 \* \* \*

18 B. The Department of Economic Development, through its offices and  
19 officers, shall be responsible for fostering the growth of industry, **ports**, and other  
20 commercial enterprises in Louisiana that will contribute to the overall improvement  
21 of the economy of the state. The department shall promote the advantages of  
22 Louisiana to out-of-state business and industry, facilitate the expansion of existing  
23 enterprises, **including port development**, and coordinate with other state agencies  
24 and units of local government plans and programs aimed at developing optimum  
25 conditions for new and expanding industrial and commercial enterprises in  
26 Louisiana.

27 C.(1) The Department of Economic Development shall be composed of the  
28 executive office of the secretary, the office of management and finance, the office  
29 of business development, **the office of port development**, and such other offices as  
30 shall be created by law.

31 \* \* \*

32 §104. Powers and duties of the secretary of economic development

33 A. In addition to the functions, powers, and duties otherwise vested in the  
34 secretary by law, he shall:

35 \* \* \*

36 (14) Notwithstanding other provisions in this Subsection, the secretary of the  
37 Department of Economic Development may provide targeted economic development  
38 efforts in priority economic development zones. ~~Such~~ **These** targeted programs shall

1 be in addition to programs already in existence or any programs that may have been  
2 implemented in these areas by the department under normal circumstances. "Priority  
3 economic development zone" means any parish listed as one of the ten parishes with  
4 the highest unemployment rates in Louisiana and any municipality listed as one of  
5 the twenty-five municipalities with the highest unemployment rates in Louisiana as  
6 of July first of any given year and according to statistics compiled by the Louisiana  
7 Workforce Commission.

8 \* \* \*

9 §107. Assistant secretaries

10 A. Each office within the Department of Economic Development, except the  
11 office of management and finance, **the office of port development**, and the office  
12 of entertainment industry development, shall be under the immediate supervision and  
13 direction of an assistant secretary. **The office of port development shall be under**  
14 **the immediate supervision and direction of a commissioner of port**  
15 **development.** The assistant secretary **or commissioner** of each such office shall be  
16 appointed by the governor with the consent of the Senate. Each shall serve at the  
17 pleasure of the governor and shall be paid a salary which shall be fixed by the  
18 governor, which salary shall not exceed the amount approved for such position by  
19 the legislature while in session.

20 B. Except as otherwise expressly provided in this Title, the duties and  
21 functions of each office and its assistant secretary **or commissioner** shall be  
22 determined by the secretary, and all of such duties and functions shall be exercised  
23 under the direct supervision and control of the secretary.

24 C. Except as otherwise provided in R.S. 36:801, each assistant secretary **or**  
25 **commissioner** shall employ, appoint, remove, assign, and promote such personnel  
26 as is necessary for the efficient administration of his office and its programs and the  
27 performance of its powers, duties, functions, and responsibilities, in accordance with  
28 applicable civil service laws, rules, and regulations, and with policies and rules of  
29 the department, all subject to budgetary control and applicable laws.

30 D. Each assistant secretary **or commissioner** shall exercise all powers and  
31 authority granted to him in this Title subject to the overall direction and control of  
32 the secretary.

33 §108. Offices; purposes and functions

34 \* \* \*

35 **C. The office of port development shall perform the following functions**  
36 **of the state:**

37 **(1) Include in various activities the facilities, capacities, and capabilities**  
38 **of ports and intermodal and infrastructure transportation systems functioning**  
39 **in the state.**

40 **(2) Develop and implement a statewide port strategic plan, subject to**  
41 **legislative approval by concurrent resolution.**

42 **(3) Provide for the attraction, retention, and expansion of industrial and**  
43 **business investments at or near Louisiana ports.**

44 **(4) Identify obstacles to growth of Louisiana ports and develop remedies**  
45 **for such obstacles.**

1 (5) Identify sources of nonstate funds for economic development  
2 purposes and develop and implement a plan to increase access to these funds.

3 (6) Cooperate and collaborate with regional and local economic  
4 development entities throughout the state with regard to port development.

5 (7) Perform any other functions as directed by the secretary or  
6 governor.

7 (8) Perform any other functions as suggested by the Port Development  
8 Advisory Commission.

9 D. Notwithstanding any other provision of this Section to the contrary,  
10 the Offshore Terminal Authority, including the deepwater ports licensed  
11 thereunder, is specifically excluded from this Section and shall remain under  
12 the jurisdiction of the Department of Transportation and Development.

13 Section 2. R.S. 36:108.1 is hereby enacted to read as follows:

14 §108.1 Port Development Advisory Commission

15 A. The Port Development Advisory Commission is hereby established  
16 within the office of port development. It shall be composed of the following:

17 (1) The secretary of the Department of Economic Development or his  
18 designee.

19 (2) The commissioner of multimodal commerce or his designee.

20 (3) The chairs of the Senate Committee on Commerce, Consumer  
21 Protection and International Affairs and the House Committee on Commerce  
22 or their designees.

23 (4) Three representatives of the Ports Association of Louisiana selected  
24 by its board of directors, including one representative each representing inland,  
25 deepwater, and coastal ports.

26 (5) Two representatives of the Regional Economic Alliance of Louisiana  
27 selected by its membership including one located outside of the coastal zone.

28 (6) A member of the Senate selected by the president of the Senate.

29 (7) A member of the House of Representatives selected by the speaker  
30 of the House of Representatives.

31 B. The Port Development Advisory Commission shall meet and develop  
32 an operational plan for the 2024 Regular Session of the Legislature for the  
33 following:

34 (1) An allocation of the department employees, equipment, facilities, and  
35 funding the commission finds necessary to carry out the functions conferred  
36 upon the office of port development by the provisions of R.S. 36:108(C) to  
37 become effective on July 1, 2024.

38 (2) The organizational structure of the office of port development, with  
39 a further initial allocation of the office's powers, duties, responsibilities, officers,  
40 equipment, and employees among the specific divisions provided for in R.S.  
41 36:108(C), to become effective on July 1, 2024.

1                   **(3) Proposed legislation for the 2024 Regular Session of the Legislature**  
2                   **necessary to implement the operational plan on July 1, 2024.**

3                   **C. The operational plan of the Port Development Advisory Commission**  
4                   **shall be presented to the Senate Committee on Commerce, Consumer**  
5                   **Protection and International Affairs and the House Committee on Commerce,**  
6                   **meeting jointly, for their review, amendment, and approval no later than**  
7                   **February 1, 2024.**

8                   **D. A majority of the members of the commission shall constitute a**  
9                   **quorum for the purpose of taking any action, and actions of the commission**  
10                   **may be taken by an affirmative vote of the members of the commission present.**

11                   **E. The commission shall elect a chairman and may elect other officers**  
12                   **as it deems appropriate.**

13                   **F. Members of the commission shall serve without compensation, except**  
14                   **per diem or expenses reimbursement to which they may be individually entitled**  
15                   **as members of the constituent organizations.**

16                   **G. The department and Senate Legislative Services shall provide staff**  
17                   **support for the commission.**

18                   **H. After July 1, 2024, the commission shall continue to exist in an**  
19                   **advisory capacity to the commissioner.**

20                   Section 3. The provisions of Section 1 of this Act shall become effective on July 1,  
21                   2024.

22                   Section 4. This Section and Sections 2 and 3 of this Act shall become effective upon  
23                   signature by the governor or, if not signed by the governor, upon expiration of the time for  
24                   bills to become law without signature by the governor, as provided by Article III, Section  
25                   18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved  
26                   by the legislature, this Section and Sections 2 and 3 of this Act shall become effective on the  
27                   day following such approval."