

GREEN SHEET REDIGEST

HB 971

2024 Regular Session

Wright

PORTS/HARBORS/TERMINALS: Creates the Louisiana Ports and Waterways Investment Commission.

DIGEST

Proposed law creates the La. Ports and Waterways Investment Commission to serve as an advocate for all of the state's ports, to articulate a vision for the future of the state's ports and waterways investment through the development of strategic plan and investment program for such purpose, to provide focus and coordination for the state's efforts to attract international trade to the state's ports, to set funding priorities for the development and growth of the state's ports and its water transportation system, and to leverage the financing capacity of the state's ports through coordinated financing arrangements.

Proposed law provides for governance of the commission by a board of directors composed of the following members:

- (1) One member appointed by the governor and who will serve as chairman.
- (2) The commissioner of multimodal commerce in the Dept. of Transportation and Development, who will serve as vice chairman.
- (3) The secretary of the Dept. of Economic Development or his designee.
- (4) One member of the House of Representatives appointed by the speaker of the House of representatives.
- (5) One member of the Senate appointed by the president of the Senate.
- (6) Six executive directors of ports or their designee, nominated by the Port Association of Louisiana, appointed by the governor, and confirmed by the Senate to be determined as follows:
 - (a) Two members from inland ports.
 - (b) Two members from coastal ports.
 - (c) Two members from deep water ports.
- (7) One representative of the La. Roads Commission appointed by the governor.
- (8) One representative of the La. Motor Transport Commission appointed by the governor.

Proposed law provides the classification of ports as inland, coastal and deepwater shall be in accordance with the Louisiana Legislative Auditor's Informational Report regarding Louisiana's Public Port System, dated January 31, 2024, and any subsequent updates or as amended from time to time.

Proposed law requires a majority of the members of the board to constitute a quorum for the transaction of business and all official action of the board requires the favorable vote of 2/3rds the entire membership of the board.

Proposed law requires the commission to do the following:

- (1) Represent the public interest in the administration of proposed law.
- (2) Promulgate and amend rules and regulations, in accordance with the Administrative Procedure Act, necessary for the administration of the functions of commission.

- (3) Organize, plan, supervise, direct, administer, execute, and be responsible for the functions and programs vested in the commission.
- (4) Advise the commissioner on problems concerning the administration of the commission and the functions and operations of La. ports.
- (5) Make reports and recommendations.
- (6) Compile and provide all information necessary for confecting an annual budget.

Proposed law authorizes the commission to do the following:

- (1) Employ personnel as necessary.
- (2) Accept and use, in accordance with the law, gifts, grants, bequests, and endowments for purposes consistent with the responsibilities and functions of the commission and take such actions as are necessary to comply with any conditions required for such acceptance.
- (3) Do such other things, consistent with the law, as are necessary to perform properly the functions vested in it.

Proposed law requires a 2/3rds vote for any decision by the commission.

Proposed law requires the board to develop a strategic plan and investment program for the economic development of La. Ports. In addition, requires the board to review, revise, and amend the strategic plan and investment program when necessary, or every two years.

Proposed law requires that the strategic plan and investment program be separate and distinct from the port priority program with the office of multimodal commerce.

Proposed law requires the board to submit the plan and program, or revisions to the La. Board of International Commerce for review and advice.

Proposed law specifies that the strategic plan and investment program will only receive an appropriation upon agreement of the governor and the legislature.

Proposed law requires that after the adoption of a plan or revisions, that the board submit the plan or revisions to the House and Senate committees on Transportation for review and comment. Requires the committees, acting individually or jointly, have 60 days to hold a hearing on the plan or revisions. Additionally, requires the board to consider the committee's recommendations.

Proposed law requires the plan or program be submitted to the La. Board of International Commerce for review and advice.

Proposed law requires the strategic plan and investment program to include but not be limited to the following:

- (1) A list of projects and programs intended to enhance trade utilizing La. ports.
- (2) A schedule and estimated cost for the implementation of each project or program.

Present law created the Louisiana International Deep Water Gulf Transfer Terminal Authority, the Port Development Advisory Commission, the office of port development, and the Southeast Louisiana Port Authority Advisory Commission.

Proposed law repeals present law.

(Adds R.S. 34:5221-5224; repeals R.S. 34:3491- 3506 and 5210- 5215, R.S. 51:2701, and Sec. 1 and 3(A) of Act No.459 of the 2023 R.S.)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Clarify that the board is to be composed of one member appointed by the governor who will serve as chairman, instead of requiring the member be from the governor's staff.
3. Change the appointing authority for the member from the Louisiana Roads Association from the general counsel to the governor.
4. Change the appointing authority for the representative from the Louisiana Motor Transport Association from the executive director to the governor.
5. Repeal provisions that created the Southeast Louisiana Port Authority Advisory Commission.
6. Repeal provisions to rename and reorganize the Department of Economic Development to the Department of Commerce.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the reengrossed bill

1. Makes technical changes.
2. Repeals certain provisions of law relative to ports.
3. Provides for board members.
4. Provides for requirements for certain board members.
5. Provides for port classifications.