

SENATE BILL NO. 42

BY SENATOR MORRELL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AN ACT

To amend and reenact R.S. 33:4702(B)(1), (2), (3), (4), (6), and (7), relative to Orleans Parish; to provide relative to the governance of the New Orleans Regional Business Park; to provide relative to the members of the board of commissioners and their terms of office; to require the adoption of rules and regulations for conducting board business; to provide for vacancies on the board of commissioners; 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. 33:4702(B)(1), (2), (3), (4), (6), and (7), are hereby amended and reenacted to read as follows:

§4702. Board of commissioners; appointment and term; organization

* * *

B. (1) In order to provide for the orderly planning, development, acquisition, construction, and effectuation of the services, projects, improvements, and facilities to be provided or furnished by the district, and to provide for the representation in the affairs of the district of those persons and interests immediately concerned with and affected by the functions, operation, purposes, and developments of the district, the New Orleans Regional Business Park shall be managed by a board of commissioners comprised of qualified voters and Louisiana residents.

(2) The board shall be composed of ~~twelve~~ **thirteen** members who shall be appointed as follows:

(a) ~~The New Orleans Chamber of Commerce~~ **United States Representative who represents Louisiana's second congressional district** shall appoint one

1 member.

2 (b) The state ~~representative~~ **senator** whose ~~representative~~ **senatorial** district
3 is defined in R.S. ~~24:35.5(A)(100)~~ **24:35(A)(4)** shall appoint one member.

4 (c) The state senator whose senatorial district is defined in R.S. ~~24:35.1 as~~
5 ~~District 2~~ **24:35(A)(3)** shall appoint ~~two members~~ **one member**.

6 **(d) The state senator whose senatorial district is defined in R.S.**
7 **24:35(A)(1) shall appoint one member.**

8 ~~(d)~~**(e)** The councilpersons of the **representing** council district **E**, in which the
9 New Orleans Regional Business Park is located, shall appoint one member.

10 ~~(e)~~**(f)** The mayor of the city of New Orleans shall appoint three members **as**
11 **follows: one member shall be appointed from a list of three names submitted by**
12 **the Vietnamese Initiatives in Economic Training, one member shall be**
13 **appointed from a list of three names submitted by the East New Orleans**
14 **Neighborhood Advisory Commission, and one member shall be appointed from**
15 **a list of three names submitted by the board of commissioners for the**
16 **Almonaster-Michoud Industrial District.**

17 ~~(f)~~**(g)** The state representative whose representative district is defined in R.S.
18 ~~24:35.5(A)(103)~~ **24:35.2(99)** shall appoint one member.

19 ~~(g)~~**(h)** The state representative whose representative district is defined in R.S.
20 ~~24:35.5(A)(101)~~ **24:35.2(100)** shall appoint one member.

21 ~~(h)~~**(i)** The ~~secretary of the Department of Economic Development~~ **state**
22 **representative whose representative district is defined in R.S. 24:35.2(103)** shall
23 appoint one member.

24 ~~(i)~~**(j)** The board of commissioners of the Port of New Orleans shall appoint
25 ~~one member~~ **chairman of the New Orleans Chamber of Commerce, or his**
26 **designee.**

27 **(k) The board of commissioners for the Port of New Orleans shall**
28 **appoint one member.**

29 **(3)(a) Except for the ex officio board member serving pursuant to**
30 **Subparagraph (2)(j) of this Subsection, each board member shall serve a term**

1 of two years.

2 (b) Any vacancy in the membership of the board occurring by reason of the
3 expiration of the term of office, or by reason of death, resignation, disqualification,
4 or otherwise, shall be filled by the respective nominating entity within sixty days
5 after receipt by such nominating entity of written notification of the vacancy. In the
6 event that the respective nominating entity fails to fill the vacancy within sixty days
7 after receipt of written notification of the vacancy, the board shall appoint an interim
8 successor to serve on the board until the position is filled by the respective
9 nominating entity responsible for the appointment of such member. If the board fails
10 to fill a vacancy in its membership within the next sixty day period, the mayor shall
11 appoint such member. Any board member appointed by the board or mayor pursuant
12 to this ~~Paragraph~~ **Subparagraph** may be replaced at any time by the nominee of the
13 appointing authority.

14 ~~(4) (c)~~ Any member who has unexcused absences of ~~fifty percent or more of~~
15 ~~the meetings~~ **four consecutive meetings**, regular and special, of the board in any
16 calendar year shall be disqualified and removed automatically from office and that
17 person's position shall be vacant, as of the first day of the succeeding calendar year.
18 Such vacated position shall be filled by the respective nominating entity for the
19 balance of the vacated term **within fifteen days**. The former member shall not be
20 eligible for reappointment until expiration of the balance of the vacated term **to be**
21 **nominated to the board or to serve on the board again.**

22 **(4) (a) A majority of the members of the board shall constitute a quorum**
23 **for the transaction of business. The board shall keep minutes of all regular and**
24 **special meetings and shall make them available to the public in conformance**
25 **with law.**

26 **(b) The board shall adopt such rules and regulations as it deems**
27 **necessary or advisable for conducting its business and affairs, so long as such**
28 **rules and regulations do not violate the Code of Governmental Ethics provided**
29 **for in Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950, and shall**
30 **engage such assistants and employees as are needed to assist the board in the**

1 performance of its duties. It shall hold regular meetings as shall be provided by
2 its bylaws and may hold special meetings at such time and place within or
3 without the district as may be prescribed in its rules or regulations.

4 * * *

5 (6)(a) Board members appointed pursuant to Subparagraphs (2)(a) through
6 (m) of this Subsection shall serve three-year terms after such initial terms as
7 provided in Subparagraphs (2)(a) through (m) of this Subsection. Appointed board
8 members shall be eligible for reappointment. **The members of the board shall**
9 **serve without compensation.**

10 (b) Any member of the board appointed pursuant to Subparagraphs (2)(a)
11 through ~~(h)~~**(k)** of this Subsection may be removed by his respective appointing
12 authority at any time, with ~~or without~~ cause.

13 **(c) No board member appointed pursuant to Subparagraphs (2)(a), (b),**
14 **(c), (f), or (g), of this Subsection shall sit on the board beyond the end of the**
15 **term of office of the appointing authority that appointed that board member**
16 **without being reappointed to the board in the manner for which appointments**
17 **to the board are provided for in Paragraphs (2) or (3) of this Subsection.**

18 (7) **(a)** Nothing in this Part or any other provision of law shall be construed
19 to prohibit a member of the board from owning, operating, participating with, or
20 otherwise engaging in any transaction with a business entity located within the
21 district.

22 **(b) Nothing herein shall be construed to supercede the Code of**
23 **Governmental Ethics provided for in Chapter 15 of Title 42 of the Louisiana**
24 **Revised Statutes of 1950.**

25 * * *

26 Section 2. On the effective date of this Act, the terms of all members of the board
27 of commissioners of the New Orleans Regional Business Park serving on such date shall
28 terminate, and the board shall be appointed in accordance with the provisions of this Act.

29 Section 3. This Act shall become effective upon signature by the governor or, if not
30 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____