

Regular Session, 2014

HOUSE BILL NO. 582

BY REPRESENTATIVE JONES

DISTRICTS/ECONOMIC DEVEL: Creates the Morgan City Development District

1 AN ACT

2 To enact R.S. 33:2740.32, relative to the city of Morgan City; to create the Morgan City
3 Development District; to provide for the governing authority thereof; to provide for
4 its powers and duties; to provide relative to the levy and collection of taxes by the
5 governing authority of the district; to provide relative to bonds and other
6 indebtedness of the district; and to provide for related matters.

7 Notice of intention to introduce this Act has been published
8 as provided by Article III, Section 13 of the Constitution of
9 Louisiana.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:2740.32 is hereby enacted to read as follows:

12 §2740.32. Morgan City Development District

13 A. There is hereby created a body politic and corporate which shall exist in
14 perpetuity and be known as Morgan City Development District, hereafter in this
15 Section referred to as the "district". The district shall be composed of all of the
16 territory located within the city of Morgan City, as now incorporated or hereafter
17 annexed or as acquired by the city of Morgan City. The district shall be a political
18 subdivision of the state as defined in the Constitution of Louisiana. The district,
19 acting through its board of commissioners as the governing authority of the district,
20 is hereby granted all of the rights, powers, privileges, and immunities accorded by

1 laws and the Constitution of Louisiana to political subdivisions of the state, including
2 but not limited to the power to incur debt and issue revenue and general obligation
3 bonds, to issue certificates of indebtedness, to issue bonds and certificate anticipation
4 notes, to issue refunding bonds, and the power of taxation, subject to the limitations
5 hereinafter provided.

6 B. The district is created for the objectives and purposes of:

7 (1) Accepting title from or contracting with the city of Morgan City
8 concerning any or all real and personal property and improvements owned or
9 acquired by the city of Morgan City.

10 (2) Acquiring land, real and personal property, and improvements from any
11 other sources, entities, or persons.

12 (3) Utilizing any land, real or personal property, and improvements to
13 enhance economic benefits generated in the city of Morgan City through diversified
14 activities, including but not limited to:

15 (a) Planning land use and development to foster creation of new jobs,
16 economic development, industry, health care, commerce, manufacturing, tourism,
17 relocation of people and businesses to the area, shipbuilding, aviation, military,
18 warehousing, transportation, offices, recreation, housing development, conservation,
19 residential development, and subdivision development.

20 (b) Constructing, operating, and maintaining facilities, improvements, and
21 infrastructure, including buildings, roads, bridges, drainage, and utilities.

22 (c) Planning, developing, building, constructing, operating, regulating,
23 maintaining, selling, and transferring any residential or subdivision land, real and
24 personal property, and improvements.

25 C.(1) The district shall be governed by a board of commissioners, hereafter
26 in this Section referred to as the "board", consisting of five members appointed by
27 the mayor of the city of Morgan City and confirmed by the city council.

28 (2) Each member appointed to the board shall be a citizen of the United
29 States, a domiciliary of and a qualified voter in the city of Morgan City for at least

1 one year preceding the date of appointment, and shall remain a domiciliary of and
2 a qualified voter in the city of Morgan City during the entirety of the term of office.

3 (3) The term of office of members of the board shall be four years. All
4 initial appointees shall serve four-year terms.

5 (4) Any member who misses fifty percent of the board's meetings, regular
6 or special, in any calendar year shall be disqualified and removed automatically from
7 office and his position shall be vacant as of the first day of the next calendar month.
8 Such vacated position shall be filled by appointment of the mayor and confirmed by
9 the city council for the balance of the vacated term. The former member shall not
10 be eligible for reappointment until expiration of the balance of the vacated term.

11 (5) The mayor may remove any board member for any reason, including but
12 not limited to failure to attend board meetings, subject to the approval of the other
13 four board members. The removal process shall proceed to completion unless four
14 board members object to the removal of the member by the second regular board
15 meeting after the removal action was first initiated.

16 (6) Any vacancy in the membership of the board occurring by reason of the
17 expiration of the term of office, death, resignation, disqualification, or otherwise
18 shall be filled by appointment of the mayor and confirmed by the city council within
19 sixty days after receipt of written notification of the vacancy. If the mayor and
20 council fail to fill the vacancy within sixty days after receipt of written notification
21 of the vacancy, the board shall appoint an interim successor to serve on the board
22 until the position is filled by the mayor and council.

23 (7) Members of the board shall serve without compensation, shall have the
24 power to organize and reorganize the executive, administrative, clerical, and other
25 departments and forces of the district, and to fix the duties, powers, and
26 compensation of all employees, agents, and consultants of the district. The board
27 may reimburse any member for expenses actually incurred with the authorization of
28 the board in the performance of duties on behalf of the district.

1 (8) The board shall elect yearly from its number, a chairman, vice chairman,
2 secretary, and treasurer and shall establish their duties as may be regulated by rules
3 adopted by the board. The offices of secretary and treasurer may be held by the
4 same person. The board shall meet in regular session once each month and also shall
5 meet in special session as convened by the chairman or upon written notice of three
6 members. A majority of the commission members, not including vacancies, shall
7 constitute a quorum. All actions of the board shall be approved by the affirmative
8 vote of a majority of the members present and voting; however, no action of the
9 board shall be authorized on the following matters unless approved by a majority of
10 the total board membership:

11 (a) Adoption of bylaws and other rules and regulations for conduct of the
12 district's business.

13 (b) Hiring or firing of the district's administrator.

14 (c) The incurring of funded, general, or bonded debt.

15 (d) Levy of taxes and call for any tax or other election.

16 (e) Adoption or amendment of the annual budget.

17 (f) Sale, lease, or alienation of real property or improvements.

18 (9) Vote by proxy is not permitted. Any member may request a recorded
19 vote on any resolution or action of the district.

20 (10) The board shall cause minutes and a record to be kept of all its
21 proceedings, and it shall select a newspaper of general circulation within its
22 territorial jurisdiction as its official journal in which it shall publish its minutes and
23 in which it shall publish all official notices as are required by law.

24 (11) All meetings of the board shall be subject to state laws relative to open
25 meetings including R.S. 42:14.

26 D. The exercise by the board of the powers conferred shall be deemed and
27 held to be an essential governmental function of the state. As the exercise of the
28 powers granted hereby will be in all respects for the benefit of the people of the state,
29 for the increase of their commerce and prosperity, and for the improvement of their

1 health and living conditions, the district shall not be required to pay any taxes,
2 including but not limited to sales and use taxes, ad valorem, occupational licensing,
3 income, or any other taxes of any kind or nature, or assessments upon any property
4 acquired or used by the district under the provisions of this Section, or upon the
5 income therefrom. Any bonds, certificates, or other evidences of indebtedness issued
6 by the district and the income therefrom shall be exempt from taxation by the state
7 and by any parish, municipality, or other political subdivision of the state. The
8 district shall not be deemed to be a public utility and shall not be subject in any
9 respect to the authority, control, regulation, or supervision of the Louisiana Public
10 Service Commission.

11 E. In addition to the powers and duties elsewhere granted in this Section, the
12 board is hereby granted and shall have and may exercise all powers necessary or
13 convenient for the carrying out of its objectives and purposes, including but not
14 limited to the following:

15 (1) To sue and be sued, and as such, to stand in judgment.

16 (2) To adopt, use, and alter at will a corporate seal.

17 (3) To acquire by gift, grant, purchase, or lease and to hold and use any
18 property, real, personal, mixed, tangible, or intangible, or any interest therein,
19 necessary or desirable for carrying out the objects and purposes of the district.

20 (4) To sell, transfer, or convey any property acquired by it, or any interest
21 therein, at any time to accomplish the objects and purposes of the district subject to
22 applicable law. Any such sale, transfer, or conveyance shall provide for a fair and
23 equitable return of revenue to the district.

24 (5) To lease or sublease all or any portion of any property for a term not
25 exceeding ninety-nine years at a fixed or variable rental subject to applicable law.
26 Any such lease entered into shall provide for a fair and equitable return of revenue
27 to the district.

28 (6)(a) To sell, lease for a term of up to ninety-nine years, exchange, or
29 otherwise dispose of or transfer to or with other political corporations of this state

1 or private persons at public or private sale any residential or subdivision land,
2 property, improvements, or portions thereof, including real property, which is, in the
3 opinion of the board of commissioners, appropriate to accomplish the objectives and
4 purposes of the district.

5 (b) Prior to any disposition or transfer of property pursuant to this
6 Paragraph, a majority of the total board membership shall approve the disposition or
7 transfer and fix the price and terms of the sale, lease, exchange, or other contract to
8 be made with reference to the property. Such disposition or transfer shall not require
9 advertisement or public bids nor require any notice to be published in a newspaper
10 or to be posted in any public place.

11 (c) Any sale of industrial land shall be in accordance with laws providing for
12 the disposition or transfer of such land.

13 (7) To convey to the United States, the state, or to any political subdivision
14 of the state any land, property, right-of-way, easement, servitude, or other thing of
15 value that the district may own or acquire for use by said governmental entity to
16 accomplish the objectives and purposes of the district.

17 (8) To make and collect reasonable charges for the use of property of the
18 district and for services rendered by the district and to regulate fees or rentals
19 charged for use of privately owned facilities located on property owned or sold by
20 the district when such facilities are offered for use by a public or by a private
21 industrial, commercial, research, or other economic development entity or activity.

22 (9) To enter into contracts to achieve the district's objectives and purposes,
23 including but not limited to contracts for professional and other services and for the
24 purchase, lease, acquisition, sale, construction, operation, maintenance, and
25 improvements of land, public works, and facilities, as the district may deem
26 necessary or convenient to accomplish the objectives and purposes of the district,
27 subject to R.S. 38:2211 et seq.

28 (10) To plan, develop, regulate, operate, and maintain activities and planned
29 land uses to foster creation of new jobs, economic development, industry, health

1 care, commerce, manufacturing, tourism, relocation of people and businesses to the
2 area, shipbuilding, aviation, military, warehousing, transportation, offices, recreation,
3 housing development, and conservation.

4 (11) To acquire land and improvements by gift, grant, purchase, or lease to
5 construct, operate, and maintain facilities, improvements, and infrastructure,
6 including buildings, roads, bridges, drainage, and utilities, and to perform other
7 functions and activities on property owned or leased by the district to accomplish the
8 objectives and purposes of the district and to protect the public health and welfare.

9 (12) In its own name and behalf, to incur debt and issue general obligation
10 bonds under the authority of and subject to the provisions of Article VI, Section 33
11 of the Constitution of Louisiana, and Subpart A of Part III of Chapter 4 of Subtitle
12 II of Title 39 of the Louisiana Revised Statutes of 1950, for the establishment,
13 operation, and maintenance of district property or to carry out the other public
14 purposes of this Section, and to issue revenue bonds, borrow money, and issue
15 certificates of indebtedness, notes, and other debt obligations as evidence thereof and
16 provide for the manner and method of repayment.

17 (13) To require and issue licenses.

18 (14) To levy annually and cause to be collected an ad valorem tax, provided
19 that the amount, term, and purpose of said tax, as set out in a proposition submitted
20 to a vote in accordance with the Louisiana Election Code, has been approved by a
21 majority of the qualified electors voting in an election held for that purpose.

22 (15)(a) To levy and collect a sales and use tax within the boundaries of the
23 district for such purposes and at such rate not exceeding one percent, as provided by
24 the proposition authorizing its levy, which tax may exceed the limitation set forth in
25 the Constitution of Louisiana, provided the proposition submitted to a vote in
26 accordance with the Louisiana Election Code, has been approved by a majority of
27 the qualified electors voting in an election held for that purpose.

28 (b) The tax shall be levied upon the sale at retail, the use, the lease or rental,
29 the consumption, the distribution, and storage for use or consumption of tangible

1 personal property, and upon the sales of services within the district, all as presently
2 defined in R.S. 47:301 et seq.

3 (c) Except where inapplicable, the procedure established by R.S. 47:301 et
4 seq., shall be followed in the imposition, collection, and enforcement of the tax, and
5 procedural details necessary to supplement those Sections and to make them
6 applicable to the tax authorized by this Paragraph shall be fixed in the resolution
7 imposing the tax.

8 (d) The tax shall be imposed and collected uniformly throughout the district.

9 (e) Any tax levied under this Paragraph shall be in addition to all other taxes
10 which the parish or any other political subdivision within St. Mary and St. Martin
11 parishes are now or hereafter authorized to levy and collect.

12 (16) To develop, activate, construct, exchange, acquire, improve, repair,
13 operate, maintain, lease, mortgage, sell, and grant a security device affecting the
14 movable and immovable property, servitudes, facilities, and works within the district
15 under such terms and conditions as the district may deem necessary or appropriate
16 for any public purpose, including industrial, residential, subdivision, and commercial
17 development.

18 (17) After notice and public hearing to designate one or more project areas
19 within the boundaries of the district, each of which designated project areas shall
20 constitute a political subdivision of the state, governed by the board with the power
21 to incur debt, issue certificates, issue revenue and general obligation bonds, as well
22 as refunding bonds, and levy sales and use taxes within its boundaries, in the same
23 manner and on the same conditions as the district is authorized to do within the
24 boundaries of the district. Each designated area shall be given a name and
25 designated as "Morgan City Development Subdistrict No. ____".

26 (18) To borrow money and to pledge or grant a security device affecting all
27 or part of its revenues, leases, rents, and other advantages as security for such loans.

28 (19) To appoint officers, agents, and employees, prescribe their duties, and
29 fix their compensation.

1 F.(1) In addition to the authority granted by this Section or by other law, the
2 district and any subdistrict of the district may issue revenue bonds to acquire,
3 purchase, lease, construct, or improve housing, residential development, subdivision
4 development, commercial, research, industrial, or other plant sites and buildings, or
5 other capital improvements authorized in this Section, including energy and pollution
6 abatement and control facilities and necessary property and appurtenances thereto;
7 and may sell, lease, sublease, or otherwise dispose of by suitable and appropriate
8 contract to any enterprise locating or existing within the jurisdiction of the district,
9 or the respective subdistrict, such sites, buildings, or facilities and appurtenances
10 thereto, all or severally. The funds derived from the sale of such bonds may be
11 disbursed in whole or in part upon delivery of the bonds as shall be provided in the
12 contract between the district, or respective subdistrict, and the residential,
13 commercial, research, industrial, or other enterprise to be aided, encouraged, or
14 benefitted.

15 (2) Bonds issued under this Section shall be authorized by resolution of the
16 district, or respective subdistrict, and shall be limited obligations of the district or
17 respective subdistrict, the principal of and interest on which shall be payable solely
18 from the income and revenue derived from the sale, lease, or other disposition of the
19 project or facility to be financed by the bonds or from the income and revenue
20 derived from the sale, lease, or other disposition of any existing project or facility
21 acquired, constructed, and improved under the provision of this Section; however,
22 in the discretion of the district or respective subdistrict, the bonds may be
23 additionally secured by mortgage or other security device covering all or part of the
24 project from which the revenues so pledged may be derived. Any refunding bonds
25 issued pursuant to this Subsection shall be payable from any source described in this
26 Paragraph or from the investment of any of the proceeds of the refunding bonds
27 authorized under this Section and shall not constitute an indebtedness or pledge of
28 the general credit of the district or respective subdistrict within the meaning of any
29 constitutional or statutory limitation of indebtedness and shall contain a recital to that

1 effect. Bonds of the district or respective subdistrict shall be issued in such form,
2 shall be in such denominations, shall bear interest, shall mature in such manner, and
3 be executed by one or more members of the board of the body as provided in the
4 resolution authorizing the issuance thereof. Such bonds may be subject to
5 redemption at the option of and in the manner determined by the board in the
6 resolution authorizing the issuance thereof.

7 (3) No bonds or other evidences of indebtedness may be issued under this
8 Subsection without the prior approval of the State Bond Commission of the terms
9 and provisions thereof.

10 (4) Bonds issued under this Subsection shall be issued, sold, and delivered
11 in accordance with the terms and provisions of a resolution adopted by the board.
12 The resolution shall be published in a newspaper of general circulation within the
13 jurisdiction of the district or respective subdistrict, and for a period of thirty days
14 after said publication, any interested citizen may bring an action to contest the bonds
15 and the security therefor, as provided in the Constitution of Louisiana. If, after the
16 expiration of thirty days, no suit has been filed, the issuance, sale, and security of the
17 bonds shall be incontestable, and no court shall have authority to entertain any action
18 questioning or contesting such matters.

19 (5) Bonds, certificates, or other evidences of indebtedness issued by the
20 district or any subdistrict of the district under this Section are deemed to be securities
21 of public entities within the meaning of Chapters 13 and 13-A of Title 39 of the
22 Louisiana Revised Statutes of 1950, and shall be subject to defeasance in accordance
23 with the provisions of Chapter 14 of Title 39 of the Louisiana Revised Statutes of
24 1950, and may also be issued as short-term revenue notes of a public entity under
25 Chapter 15-A of Title 39 of the Louisiana Revised Statutes of 1950.

26 G. No bonds, other debt obligations, or contracts of the district shall be a
27 charge upon the income, property, or revenue of the city of Morgan City; nor shall
28 any obligations of the district be obligations of the city of Morgan City.

- 1 H. The board shall be the appropriate governing body for all purposes
 2 provided in the Louisiana Enterprise Zone Act, R.S. 51:1781 et seq., within the area
 3 comprised of property owned and formerly owned by the district, and shall have the
 4 power to perform all acts specified by applicable laws and regulations to achieve
 5 such purpose.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Jones

HB No. 582

Abstract: Creates the Morgan City Development District.

Proposed law creates the Morgan City Development District as a political subdivision of the state having boundaries coterminous with the city of Morgan City.

Provides that the purposes of the district shall include:

- (1) Accepting title from or contracting with the town concerning real and personal property and improvements.
- (2) Utilizing that and other property to enhance economic benefits to the town through activities such as planning land use and development, constructing, operating, and maintaining facilities, improvements, and infrastructure, and planning, developing, building, constructing, operating, regulating, maintaining, selling, and transferring any residential or subdivision land, real and personal property, and improvements.

Proposed law provides for a board of five commissioners to govern the district. Provides for their appointment by the mayor of Morgan City and confirmation by the city council. Requires that each commissioner shall be a U.S. citizen and shall have been a voter in Morgan City for at least one year prior to appointment and shall remain such while serving.

Proposed law provides for four-year terms of members including initial terms. Provides that any member who misses more than 50% of meetings of the board in a year shall be removed and shall be ineligible for reappointment until expiration of his vacated term. Further provides that the mayor may remove any member if four members do not object by the second regular meeting after the removal action was first initiated. Requires that any vacancy shall be filled within 60 days by the mayor and council, and if not so filled, requires that the board appoint an interim successor until the position is filled.

Proposed law further provides as follows with respect to the board of commissioners:

- (1) Members of the board shall serve without compensation, but the board may reimburse members for incurred expenses.
- (2) The board may organize and reorganize the executive, administrative, clerical, and other departments and forces of the district, and fix the duties, powers, and compensation of all employees, agents, and consultants of the district.

- (3) Requires that the board elect yearly a chairman, vice chairman, secretary, and treasurer and establish their duties. Authorizes combining the secretary and treasurer position.
- (4) Requires that the board meet once a month and additionally as requested by the chairman or three members.
- (5) Provides that a majority of current members shall constitute a quorum. Requires that actions of the board shall be approved by a majority of the members present and voting except for action on certain specified matters which must be approved by a majority of the complete membership.
- (6) Prohibits vote by proxy. Authorizes any member to request a recorded vote on any resolution or action of the district.
- (7) Requires that the board keep minutes and select an official journal in which it shall publish its minutes and notices.
- (8) Provides that all meetings of the board shall be subject to state laws relative to open meetings.

Proposed law provides that the exercise by the board of its powers shall be an essential governmental function of the state and as such the district shall be exempt from taxation. Further provides that the district shall not be deemed to be a public utility and shall not be subject to the authority of the La. Public Service Commission.

Proposed law grants the district all powers necessary or convenient for the carrying out of its objects and purposes, including:

- (1) To sue and be sued, and as such, to stand in judgment.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To acquire and to hold and use property or any interest therein.
- (4) To transfer property, or any interest therein, subject to applicable law, and requires that any such transfer shall provide for a fair and equitable return of revenue to the district.
- (5) To lease or sublease property for a term not exceeding 99 years at a fixed or variable rental subject to applicable law, and requires that any such lease shall provide for a fair and equitable return of revenue to the district.
- (6) To sell, lease for a term of up to 99 years, exchange, or otherwise dispose of or transfer to or with other political corporations of this state or private persons at public or private sale any residential or subdivision land, property, improvements, or portions thereof, including real property, which is, in the opinion of the board of commissioners, appropriate to accomplish the objectives and purposes of the district. Requires that prior to such disposition or transfer of property, a majority of the board membership shall approve of the transfer and fix the price and terms thereof. Provides that such disposition or transfer shall not require advertisement or public bids nor the publication or posting of public notice. Further provides that any sale of industrial land shall be in accordance with laws providing for the disposition or transfer of such land.
- (7) To convey to the U.S., the state, or to any political subdivision of the state, any lands, property, right-of-way, easement, servitude, or other thing of value, which the district

- may own or acquire for use by said governmental entity to accomplish the objects and purposes of the district.
- (8) To make and collect reasonable charges for the use of property of the district and for services rendered by the district and to regulate fees and rentals for use of privately owned facilities located on property owned or sold by the district.
 - (9) To enter into contracts, including contracts for professional services and for lease, acquisition, sale, construction, operation, maintenance, and improvements of land, public works, and facilities subject to present law regarding public bidding.
 - (10) To plan, develop, regulate, operate, and maintain activities and planned land uses to foster creation of new jobs, economic development, industry, health care, commerce, manufacturing, tourism, relocation of people and businesses to the area, shipbuilding, aviation, military, warehousing, transportation, offices, recreation, housing development, and conservation.
 - (11) To acquire land and improvements, to construct, operate, and maintain facilities, improvements and infrastructure, and to perform other functions and activities on property owned or leased by the district to accomplish the objects and purposes of the district and to protect the public health and welfare.
 - (12) To incur debt in accordance with present law and to provide for the repayment thereof.
 - (13) To require and issue licenses.
 - (14) To levy and collect, subject to voter approval, an ad valorem tax.
 - (15) To levy and collect, subject to voter approval, a sales and use tax not to exceed 1%. Provides with respect to the levy of such tax that it shall be in addition to any other taxes authorized to be collected by or in St. Mary and St. Martin parishes.
 - (16) To develop, activate, construct, exchange, acquire, improve, repair, operate, maintain, lease, mortgage, sell, and grant a security device affecting the movable and immovable property, servitudes, facilities, and works within the district under such terms and conditions as the district may deem necessary or appropriate for any public purpose, including industrial, housing, and commercial development.
 - (17) To designate project areas within the district, each of which shall constitute a political subdivision of the state with the authority to incur debt and levy sales and use tax as provided by proposed law for the district. Requires notice and a public hearing prior to the creation of a subdistrict. Provides for designation of such subdistricts.
 - (18) To borrow money and to pledge or grant a security device affecting all or part of its revenues, leases, rents, and other advantages as security for such loans.
 - (19) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

Proposed law authorizes the district or any subdistrict to issue revenue bonds to acquire, purchase, lease, construct, or improve housing, commercial, research, industrial, or other plant sites and buildings, or other capital improvements authorized by proposed law, including energy and pollution abatement and control facilities and necessary property and appurtenances thereto. Further authorizes the district or any subdistrict to transfer or lease by suitable and appropriate contract to any enterprise locating or existing within the jurisdiction of the district, or the respective subdistrict, such sites, buildings, or facilities and

appurtenances thereto. Provides that the funds derived from the sale of bonds may be disbursed in whole or in part as provided in the contract between the district or subdistrict and the residential, commercial, research, industrial, or other enterprise to be aided, encouraged, or benefitted.

Proposed law authorizes the district or any subdistrict to use the proceeds of revenue bonds to acquire, purchase, lease, construct, or improve residential development and subdivision development.

Proposed law requires that bonds be authorized by resolution of the district or subdistrict. Provides that the bonds shall be limited obligations of the district or subdistrict and the bonds shall be payable solely from the income derived from the disposition of the project or facility financed by the bonds or from the income and revenue derived from the disposition of any existing project or facility acquired, constructed, and improved under the provisions of proposed law. Provides alternatively that the bonds may be additionally secured by a security device covering all or part of the project from which the revenues so pledged may be derived. Provides that any refunding bonds may be payable from any such source or from the investment of any proceeds of the refunding bonds and shall not constitute an indebtedness or pledge of the general credit of the district or subdistrict within the meaning of any limitation of indebtedness established by present law and shall contain a recital to that effect. Provides that matters of form, denomination, interest, maturity, execution, and redemption of bonds shall be as provided in the resolution authorizing the issuance thereof.

Proposed law prohibits the issuance of bonds or other evidences of indebtedness without the approval of the State Bond Commission.

Proposed law requires that bonds be issued, sold, and delivered in accordance with the terms and provisions of a resolution adopted by the board. Requires and provides for publication of such resolution. Establishes a prescriptive period of 30 days from such publication on any action to contest the bonds and the security therefor.

Proposed law provides that bonds, certificates, or other evidences of indebtedness are deemed to be securities of public entities, shall be subject to defeasance, and may be issued as short-term revenue notes of a public entity, all as provided by law.

Proposed law provides that no obligation of the district shall be an obligation of the city of Morgan City. Further provides that the board shall be the appropriate governing body for all purposes provided in the La. Enterprise Zone Act within the area comprised of property owned and formerly owned by the district, and shall have the power to perform all acts specified by applicable laws and regulations to achieve such purpose.

(Adds R.S. 33:2740.32)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill.

1. Limits the governing board's power with respect to acquisition of property to acquisition by gift, grant, purchase, or lease.