

2016 Regular Session

HOUSE BILL NO. 853

BY REPRESENTATIVE ROBERT JOHNSON

PORTS/HARBORS/TERMINALS: Changes the composition of the Avoyelles Parish Port Commission

1 AN ACT

2 To amend and reenact R.S. 34:1801, relative to the Avoyelles Parish Port Commission; to  
3 provide for the membership of the Avoyelles Parish Port Commission; and to  
4 provide for related matters.

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 34:1801 is hereby amended and reenacted to read as follows:

10 §1801. Creation of Avoyelles Parish Port Commission

11 A.(1) There is hereby created a commission to be known as the Avoyelles  
12 Parish Port Commission, which shall be composed of ~~seven members who shall~~  
13 ~~serve without compensation and who shall be appointed as follows:~~

14 ~~(a) Four commissioners appointed by the governing authority of the parish~~  
15 ~~of Avoyelles;~~

16 ~~(b) Two commissioners shall be appointed by the governing authority of the~~  
17 ~~town of Simmesport;~~

18 ~~(c) One commissioner shall be elected by the appointed commissioners at~~  
19 ~~their initial meeting.~~

1           ~~The commissioner initially elected by the appointed commissioners, and one~~  
2           ~~of the four commissioners initially appointed by the governing authority of the parish~~  
3           ~~of Avoyelles, and one of the two commissioners initially appointed by the governing~~  
4           ~~authority of the town of Simmesport, shall be appointed for a term of two years. One~~  
5           ~~of the four commissioners initially appointed by the governing authority of the parish~~  
6           ~~of Avoyelles, and one of the two commissioners initially appointed by the governing~~  
7           ~~authority of the town of Simmesport shall serve for four years; and the remaining~~  
8           ~~commissioners shall be appointed for a term of six years. Thereafter, the successors~~  
9           ~~to each of such commissioners shall be appointed for terms of six years. nine~~  
10           ~~members with one member domiciled in each police jury district who shall serve~~  
11           ~~without compensation and who shall be appointed, subject to Senate confirmation,~~  
12           ~~as follows:~~

13           (2)(a) Each member of the police jury of Avoyelles Parish shall submit a list  
14           of three nominees from his respective district to the representative representing  
15           House District Twenty-Eight, the senator representing Senate District Twenty-Eight,  
16           and the senator representing Senate District Thirty-Two. Each nominee shall be  
17           domiciled in the police jury district that the police jury member represents.

18           (b) Together, the representative representing House District Twenty-Eight,  
19           the senator representing Senate District Twenty-Eight, and the senator representing  
20           Senate District Thirty-Two shall appoint one nominee from each list of nominees  
21           submitted to serve as commissioners.

22           (3) The initial commissioners appointed following the effective date of the  
23           Act which originated as House Bill 853 of the 2016 Regular Session of the  
24           Legislature shall serve until January 12, 2020. Thereafter, any commissioner  
25           appointed shall serve a term of four years.

26           B. Any vacancy on the commission for any reason shall be filled in the same  
27           manner as the original appointments and for the unexpired term of office. Each  
28           commissioner shall be a citizen of the United States, and a qualified voter and a  
29           taxpayer of the State of Louisiana.

1 Section 2. The commissioners of the Avoyelles Parish Port Commission in office  
2 on the effective date shall remain as commissioners until such time as appointments are  
3 made pursuant to this Act.

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

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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)]

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HB 853 Reengrossed

2016 Regular Session

Robert Johnson

**Abstract:** Modifies the composition of the Avoyelles Parish Port Commission.

Present law creates the Avoyelles Parish Port Commission.

Proposed law retains present law.

Present law provides that the Avoyelles Parish Port Commission is composed of seven members who shall serve without compensation and who shall be appointed as follows:

- (1) Four commissioners appointed by the governing authority of the parish of Avoyelles.
- (2) Two commissioners appointed by the governing authority of the town of Simmesport.
- (3) One commissioner elected by the appointed commissioners at their initial meeting.

Present law provides that commissioners are appointed for terms of six years.

Proposed law removes present law and instead provides that the commission would be composed of nine members who shall serve without compensation and who would be appointed, subject to Senate confirmation.

Proposed law requires each member of the police jury of Avoyelles Parish to submit a list of three nominees from his respective district to the representative representing House District 28, the senator representing Senate District 28, and the senator representing Senate District 32. Each nominee would be required to be domiciled in the police jury district that the police jury member represents.

Proposed law requires that together the representative representing House District 28, the senator representing Senate District 28, and the senator representing Senate District 32 would appoint one nominee from each list of nominees submitted to serve as commissioners.

Proposed law requires that the initial commissioners appointed following the effective date of proposed law would serve until Jan. 12, 2020. Thereafter, any commissioner appointed would serve a terms of four years.

(Amends R.S. 34:1801)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Make technical changes.
2. Revert back to the original name of the Avoyelles Parish Port Commission instead of the proposed change to Avoyelles Parish Port and Waterway Commission and remove the assignment provision
3. Clarify that the Avoyelles Parish Port Commission is composed of nine members with one member domiciled in each police jury district.
4. Add the senator representing Senate District 32 as a legislator designated to appoint members of the Avoyelles Parish Port Commission.

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the engrossed bill:

1. Add that each member of the police jury of Avoyelles Parish would submit a list of three nominees from his respective district to the representative representing House District 28, the senator representing Senate District 28, and the senator representing Senate District 32. Specify that nominee would be required to be domiciled in the police jury district that the police jury member represents.
2. Require that together the representative representing House District 28, the senator representing Senate District 28, and the senator representing Senate District 32 would appoint one nominee from each list of nominees submitted to serve as commissioners.
3. Require that the initial commissioners appointed following the effective date of proposed law would serve until Jan. 12, 2020. Specify that thereafter any commissioner appointed would serve a terms of four years.
4. Make a technical change.