

2018 Regular Session

HOUSE BILL NO. 816

BY REPRESENTATIVE JONES

PORTS/SOUTH LOUISIANA: Provides relative to the Port of South Louisiana

1 AN ACT

2 To amend and reenact R.S. 34:2472(A) and to enact R.S. 34:2476.1(C), relative to the Port
3 of South Louisiana Commission; to provide for change in the titles of the officers of
4 the commission; to provide an option for a public records exemption relative to
5 negotiations with the commission; to provide for a definition; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 34:2472(A) is hereby amended and reenacted and R.S. 34:2476.1(C)
9 is hereby enacted to read as follows:

10 §2472. Officers of the board; meetings

11 A. The commission shall elect from among its own members ~~a president, a~~
12 ~~vice president~~ a chairman, a vice chairman, a secretary, and a treasurer, whose
13 respective duties shall be prescribed by the commission. At the option of the
14 commission the offices of the secretary and treasurer may be held by one person.
15 The commission shall meet in regular session once each month and also shall meet
16 in special session at the call of the president of the commission or on the written
17 request of three members of the commission. A majority of the members of the
18 commission shall constitute a quorum and all action or resolutions of the commission

1 must be approved by the affirmative vote of not less than a majority of all members
2 of the commission.

3 * * *

4 §2476.1. Additional economic development functions

5 * * *

6 C.(1) Records in the custody of the Port of South Louisiana pertaining to an
7 active negotiation with a person for the purpose of retaining, expanding, or attracting
8 economic or business development in the port district shall be confidential and shall
9 not be subject to the provisions of R.S. 44:31, 32, or 33, provided the person requests
10 such confidentiality in writing detailing the reasons for the request and asserting that
11 the negotiation is conditioned in whole or in part on the maintenance of such
12 confidentiality. The executive director shall determine whether the disclosure of
13 such records would have a detrimental effect on the negotiation, and include his
14 reasons for such determination. However, upon the conclusion of the negotiation,
15 all such records shall be subject to the provisions of R.S. 44:31, 32, or 33.

16 (2)(a) For the purposes of this Subsection, "active negotiation" or
17 "negotiation that remains active" shall mean a negotiation which has commenced
18 when the Port of South Louisiana provides a response to a request for information
19 or other similar document from a person who is requesting assistance in the
20 retention, expansion, or location of a business in the port district and which is not
21 concluded.

22 (b) A negotiation is not considered an "active negotiation" or a "negotiation
23 that remains active" when either of the following occurs:

24 (i) The Port of South Louisiana decides to no longer actively pursue the
25 retention, expansion, or location of such business in the port district.

26 (ii) The person with whom the port was negotiating decides not to pursue the
27 retention, expansion, or location of such business in the port district.

28 (iii) A proposal affecting the negotiation is submitted to the Port of South
29 Louisiana Commission for consideration by the commission in a public meeting.

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)]

HB 816 Original

2018 Regular Session

Jones

Abstract: Changes the title designation of officers on the Port of South Louisiana Commission. Provides an option for exemption to the Public Records Law for records pertaining to an active negotiation, if confidentiality is requested by a person negotiating with the port and subsequently approved by the executive director of the Port of South La. Commission.

Present law requires the Port of South La. commissioners elect from among its own members a president, a vice president, a secretary, and a treasurer.

Proposed law changes the title of president to chairman and also changes the title of vice president to vice chairman.

Proposed law defines "active negotiation" or "negotiation that remains active" as a negotiation which has commenced when the Port of South La. provides a response to a request for information or other similar document from a person who is requesting assistance in the retention, expansion, or location of a business in the port district and which is not concluded.

Proposed law provides an exception to R.S. 44:31, 32, and 33, for records pertaining to an active negotiation if requested by a person negotiating with the port and subsequently approved by the executive director of the port's commission, with the executive director including his reasoning for the determination. Further provides that upon conclusion of the negotiation the exemption will no longer apply.

Proposed law specifies that a negotiation is not considered an "active negotiation" or "negotiation that remains active" when either of the following occurs: the Port of South La. decides to no longer actively pursue the retention, expansion, or location of such business in the port district; the person with whom the port was negotiating decides not to pursue the retention, expansion, or location of such business in the port district; or a proposal affecting the negotiation is submitted to the Port of South La. Commission for consideration by the commission in a public meeting.

(Amends R.S. 34:2472(A); Adds R.S. 34:2476.1(C))