
DIGEST

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HB 870 Reengrossed

2018 Regular Session

Garofalo

Abstract: Reduces the membership of the La. International Deep Water Gulf Transfer Terminal board of commissioners.

Present law established a 15 member board of commissioners for the La. International Deep Water Gulf Transfer Terminal, consisting of the secretary of the Dept. of Economic Development and the secretary of the Dept. of Transportation and Development, the chairman of the House and Senate committees on transportation, highways, and public works or their designees and 11 commissioners to be appointed by the governor.

Proposed law reduces the membership of the board from 15 to nine by removing the chairmen of the House and Senate committees on transportation, highways, and public works.

Proposed law requires four members be appointed by the governor: (1) one member from a list of three submitted by the Ports Association of La.; (2) one member from a list of three submitted by the La. Association of Business and Industry; (3) one member at large; and (4) one member from a list of two submitted by the La. River Pilots' Association and the La. Maritime Association.

Present law requires the commissioners be chosen as follows: One member selected from a list of three nominees submitted by the Ports Association of La.; one member selected from a list of three nominees submitted by the La. Association of Business and Industry; one member selected from a list of three nominees submitted by the La. Maritime Association; one member selected from a list of three nominees submitted by the La. River Pilots Association; two members at large; one member appointed by the American Federation of Labor-Congress of Industrial Organizations; one member selected from a list of three nominees submitted by the president of the La. State Senate; one member selected from a list of three nominees submitted by the speaker of the La. House of Representatives; one member selected from a list of three nominees, who are residents of Plaquemines Parish, submitted jointly by the chief executive officer and the governing authority of Plaquemines Parish; and one member selected by the N.O. Public Belt Railway, and appointed by the governor, who must be a nonvoting member.

Proposed law reduces the member at large appointment from two to one.

Proposed law removes the member from the House that is selected from a list of three names submitted by the speaker of the La. House of Representatives and removes the member from the Senate that is selected from a list of three nominees submitted by the president of the La. State Senate.

Proposed law removes the member selected from a list of three names submitted jointly by the chief executive officer and the governing authority of Plaquemines Parish.

Proposed law removes the member selected by the N.O. Public Belt Railway, who is appointed by the governor.

Proposed law removes the member that is selected from a list of three names submitted by the La. Maritime Association and the member that is selected from a list of three names submitted by the La. River Pilots' Association, and adds that one member shall be selected from a list of two nominees, with one nominee being submitted by both the La. River Pilots' Association and the La. Maritime Association.

Proposed law adds one member, who may be the state representative in the House of Representatives district that encompasses the La. International Deep Water Gulf Transfer Terminal project, unless he decides not to serve, at which time a resident of the of Plaquemines or St. Bernard parishes must be appointed by the legislative delegation of Plaquemines or St. Bernard parishes. Further provides that if the appointee is a legislator, the term of the appointment will run concurrent with the term in office.

Proposed law adds one member, who may be the state senator in the Senate district that encompasses the La. International Deep Water Gulf Transfer Terminal project, unless he decides not to serve, at which time a resident of the of Plaquemines or St. Bernard parishes must be appointed by the legislative delegation of Plaquemines or St. Bernard parishes. Further provides that if the appointee is a legislator, the term of the appointment will run concurrent with the term in office.

Proposed law provides that if the member is a legislator and he is unable to attend a meeting, he may name one person as his designee to act on his behalf who must be included when determining a quorum. Further provides that the designee will have full voting rights.

Present law specifies that the commissioners appointed are appointed for terms of six years and that no commissioner can serve more than two consecutive terms.

Proposed law increases the amount of consecutive terms that a commissioner may serve from two to three.

Present law requires the board of commissioners to seek the approval of the House and Senate committees on transportation, highways, and public works and the Joint Legislative Committee on the Budget prior to the adoption of any rule or regulation for the maintenance and operation of the authority.

Proposed law removes present law.

Present law requires the board of commissioners elect a president, two vice-presidents, a secretary, and a treasurer from among the members of the board.

Proposed law reduces the number of vice-presidents to be elected from two to one.

Present law specifies that all matters to be acted upon by the board of commissioners or the executive board require the affirmative vote of a majority of the board, with the exception that the affirmative vote of not less than 10 commissioners is required to select the executive director.

Proposed law changes present law by requiring the affirmative vote of a majority of the members present constituting a quorum, and reduces the number of affirmative votes of commissioners to select the executive director from 10 to six.

Present law requires the board to make an annual report to the governor, the House and Senate committees on transportation, highways, and public works, and the Joint Legislative Committee on the Budget.

Proposed law removes the Joint Legislative Committee on the Budget from the entities to which the board must make an annual report.

Effective July 1, 2018.

(Amends R.S. 34:3494(A), (B), and (C), 3495(A), (C), and (G), and 3496(A); Repeals R.S. 34:3494(B)(12))

Summary of Amendments Adopted by House

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

1. Specify that the state representative for the House district that encompasses the La. International Deep Water Gulf Transfer Terminal project has the first opportunity to serve on the commission, and if he chooses not to serve, a resident of Plaquemines or St. Bernard parishes must be appointed by the legislative delegation of Plaquemines or St. Bernard parishes. Further specifies that if the member serving is a legislator, then his term must run concurrent with his term in office.
2. Specify that the state senator for the Senatorial district that encompasses the La. International Deep Water Gulf Transfer Terminal project has the first opportunity to serve on the commission, and if he chooses not to serve, a resident of Plaquemines or St. Bernard parishes must be appointed by the legislative delegation of Plaquemines or St. Bernard parishes. Further specifies that if the member serving is a legislator, then his term must run concurrent with his term in office.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.

2. Allow a member of the board of commissioners who is a legislator and unable to attend a meeting to name one person as a designee to act on his behalf. Require the designee be included when determining a quorum and grants the designee full voting rights.