

2019 Regular Session

HOUSE BILL NO. 42

BY REPRESENTATIVE CHAD BROWN

PARKS/RECREATION COMMN: Provides relative to the Iberville Parks and Recreation District

1 AN ACT

2 To amend and reenact R.S. 33:4569, 4569.1, 4569.2, and 4569.3(introductory paragraph),
3 (1), (5), (12), and (13), relative to the Iberville Parks and Recreation District; to
4 provide relative to the name of the district; to provide relative to the board of
5 commissioners; to provide relative to the membership of the board; and to provide
6 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. 33:4569, 4569.1, 4569.2, and 4569.3(introductory paragraph), (1),
12 (5), (12), and (13) are hereby amended and reenacted to read as follows:

13 §4569. Iberville Parish Parks and Recreation District; creation; limits; purpose
14 There is hereby created the Iberville Parish Parks and Recreation District,
15 referred to in R.S. 33:4569 through 4569.3 as the "district", whose authority shall
16 encompass all territory within the geographic limits of the parish of Iberville,
17 notwithstanding the provisions of any law to the contrary. The district is created for
18 the purposes set forth in R.S. 33:4569 through R.S. 33:4569.3 and shall be
19 responsible for the acquisition, construction, development, maintenance, and
20 operation of parks and recreational facilities and programs in Iberville Parish.

1 §4569.1. Board of commissioners; ~~appointment; terms; vacancies;~~ membership;
2 officers; compensation; personnel

3 A. The control and management of the affairs of the ~~Iberville Parish Parks~~
4 ~~and Recreation District~~ district shall be vested in a board of commissioners ~~that is~~
5 ~~hereby created,~~ referred to in this Section, R.S. 33:4569.2, and 4569.3 as the "board".
6 ~~The commission shall consist of eleven members charged with administering all~~
7 ~~parks and recreation activities, to be composed as follows:~~

8 (1) ~~Seven citizen members appointed by the parish governing authority in~~
9 ~~such manner as to provide geographical representation on the commission from all~~
10 ~~areas of the parish. The parish governing authority shall specify by resolution the~~
11 ~~geographic areas from which the seven members are appointed. However, no citizen~~
12 ~~member shall be an elected official.~~

13 (2)(a) ~~Four ex officio members to serve as advisers to the commission as~~
14 ~~follows:~~

- 15 (i) ~~One school board member appointed by the parish school board.~~
16 (ii) ~~Two members of the parish governing authority appointed by the~~
17 ~~governing authority.~~
18 (iii) ~~The Iberville Parish county agent.~~

19 (b) ~~The four ex officio members shall be nonvoting members of the~~
20 ~~commission.~~

21 (c) ~~The Iberville Parish county agent may be represented at any meeting by~~
22 ~~his designee who shall have all powers of an ex officio member at such meeting.~~

23 B.(1) ~~The seven citizen members shall serve initial terms as determined by~~
24 ~~the governing authority as follows:~~

25 (a) ~~Four for three years, and~~

26 (b) ~~Three for two years.~~

27 ~~They shall serve until their successors have been appointed and qualified.~~

28 ~~Thereafter, the terms of the successors of any such members shall be for three years.~~

29 (2) ~~The four ex officio members shall serve as follows:~~

1 ~~(a) The two members of the parish governing authority shall serve at the~~
2 ~~discretion of the governing authority.~~

3 ~~(b) The school board member shall serve until the expiration of the term to~~
4 ~~which he was elected; and~~

5 ~~(c) The county agent shall serve during the period he serves as county agent.~~

6 ~~C. All vacancies occurring in the membership of the commission shall be~~
7 ~~filled in the manner of the original appointment. In the event any citizen member is~~
8 ~~elected to any public office or removes his residence from the geographic area from~~
9 ~~which he was appointed, his membership shall be immediately vacated and his~~
10 ~~successor shall be immediately appointed. The members of the governing authority~~
11 ~~of the parish of Iberville shall serve as the members of the board.~~

12 ~~D.(1)B.(1) The commission board shall prescribe rules fixing its meetings~~
13 ~~and procedure and may elect such officers as may be needed, including a chairman,~~
14 ~~from among its membership. A majority of the ~~citizen membership of the~~~~
15 ~~commission membership of the board shall constitute a quorum for the transaction~~
16 ~~of business. Members of the commission board shall serve without compensation~~
17 ~~or reimbursement of expenses incurred; ~~except that the citizen members may receive~~~~
18 ~~a per diem of twenty-five dollars per meeting for each meeting in attendance not to~~
19 ~~exceed eighteen meetings per year to be paid from the funds of the district.~~

20 (2) The commission board may appoint, employ, and fix the salary of a full-
21 time director of parks and recreation who shall have such duties and responsibilities
22 as may be determined by the commission board, and may also employ and fix the
23 salaries, duties, and responsibilities of an assistant director and such additional staff
24 as necessary to operate park and recreational facilities and programs.

25 §4569.2. Corporate status; domicile

26 The district shall constitute a body corporate in law, with all the powers of
27 a corporation, and with all the powers and rights of a political subdivision of the state
28 relative to the incurring of debt and the issuing of bonds therefor. The domicile of
29 the district shall be designated by the members at the first regular meeting of the

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 ~~commission~~ board. The district may buy and sell property, incur debt and contract
2 obligations in accordance with law, sue and be sued, and perform any and all acts in
3 its corporate capacity and in its corporate name which are necessary and proper for
4 effectuating the purposes and objects for which it is created.

5 §4569.3. Powers and duties of ~~commission~~ board

6 The ~~commission~~ board shall have all powers necessary or convenient to
7 effectuate the purposes of the district, including but not limited to the following
8 rights and powers:

9 (1) To acquire, purchase, lease as lessee, and hold and use any property, real,
10 personal or mixed, tangible or intangible, or any interest therein necessary or
11 desirable for effectuating its purposes, and to sell, transfer, lease as lessor, and
12 dispose of any property or interest therein at any time acquired by the ~~commission~~
13 board; however, title to all such property shall be acquired in the name of the
14 Iberville Parish governing authority and shall be held for the ~~Iberville Parish Parks~~
15 ~~and Recreation District~~ district.

16 * * *

17 (5) To adopt and implement a parishwide recreation and parks program in
18 accordance with priorities developed in conjunction with ~~advisory commission~~
19 ~~members~~, local elected officials, other community leaders, and citizens of Iberville
20 Parish.

21 * * *

22 (12) To issue bonds for the purpose of constructing, acquiring, improving,
23 maintaining, or extending park and recreational facilities of the ~~commission~~ district
24 pursuant to Article VI, Section 33 of the Louisiana Constitution and other
25 constitutional and statutory authority supplemental thereto. Such bonds may be
26 issued only after authorization by a majority of voters in the district voting at an
27 election called by the parish governing authority and held for that purpose.

28 (13) Any revenues collected or generated from the P.W. Holiday & Son, Ltd.
29 (Assessment # 0700848575) shall be used to maintain the P.W. Holiday Park

1 (established by donated property to either ~~Iberville Parks and Recreation District~~ the
2 district or Iberville Parish).

3 Section 2. The terms of the members of the board of commissioners of the Iberville
4 Parks and Recreation District in office on the effective date of this Act shall terminate on the
5 effective date of this Act; however, such members shall remain in office until the members
6 of the governing authority of Iberville Parish take office as provided in this Act.

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 42 Original

2019 Regular Session

Chad Brown

Abstract: Makes changes to the name and governance of the Iberville Parks and Recreation District.

Present law creates and provides for the Iberville Parks and Recreation District as a political subdivision of the state to administer all parks and recreation activities in Iberville Parish.

Proposed law changes the name of the district to the Iberville Parish Parks and Recreation District.

Present law provides for an 11-member board of commissioners composed of seven citizen members who are not elected officials and four ex officio members which include a member of the school board, two members of the parish governing authority, and the parish county agent. Additionally provides that the county agent may be represented at a meeting by his designee, who shall have the powers of an ex officio member for the meeting. Provides that the members of the commission serve without compensation or reimbursement of expenses but provides that the citizen members may be paid a per diem of \$25 for each meeting attended, not to exceed 18 meetings per year, to be paid from funds of the district.

Proposed law removes present law and provides instead that the Iberville parish governing authority shall serve as the members of the district's board of commissioners.

Proposed law provides that the terms of the members of the board in office on the effective date of proposed law terminate on the effective date of proposed law; however, the members must remain in office until the members of the parish governing authority take office.

(Amends R.S. 33:4569, 4569.1, 4569.2, 4569.3(intro para.), (1), (5), (12), and (13))