

2021 Regular Session

HOUSE BILL NO. 105

BY REPRESENTATIVE PRESSLY AND SENATOR PEACOCK

PORTS/HARBORS/TERMINALS: Amends the rights and powers of the Caddo-Bossier Parish Port Commission

1 AN ACT

2 To amend and reenact R.S. 34:3160(C) and to repeal R.S. 34:3522, relative to the Caddo-
3 Bossier Parish Port Commission; to provide for the rights and powers of the
4 commission; to authorize the commission to perform the functions of an economic
5 and industrial development entity; and to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 34:3160(C) is hereby amended and reenacted to read as follows:

11 §3160. Rights and powers of commission

12 * * *

13 C.(1) The commission shall regulate the commerce and traffic within the
14 port area in such a manner as may, in its judgment, be for the best interests of the
15 state. It shall not be subject in any respect to the authority, control, or supervision
16 of any local regulatory body or any political subdivision of the state. It shall have
17 charge of and administer public wharves, docks, sheds, landings, industrial parks,
18 industrial buildings, and other property or facilities owned, operated or controlled by

1 the commission. It shall have authority to construct or acquire and equip wharves
2 and landings and other structures useful for the commerce of the port area, and
3 provide mechanical facilities therefor; to erect sheds or other structures on said
4 wharves and landings; to provide light, water, police protection and other services
5 for its facilities as it may deem advisable; to construct or acquire, maintain and
6 operate basins, locks, canals, warehouses, and elevators; to charge for the use of all
7 facilities administered by it, and for all services rendered by it; to establish such fees,
8 rates, tariffs or other charges as it may deem fit; to establish harbor lines within the
9 port area by agreement with the United States Army Corps of Engineers; and to
10 construct, own, operate, and maintain terminal rail facilities and other common
11 carrier rail facilities for the purpose of rendering rail transportation to and from the
12 facilities to be erected, owned, or operated by the commission in both intrastate and
13 interstate commerce and to acquire any land as the commission may deem necessary
14 for the present and future operations of cargo airports. The commission shall have
15 authority to plan, finance, develop, construct, ~~and/or~~ and acquire industrial parks
16 ~~and/or~~ and industrial plant buildings within its port area, including sites and other
17 necessary property or appurtenances therefor, and to acquire, construct, develop,
18 improve, operate, maintain, and provide improvements and services necessary
19 therefor, including but not limited to roads, streets, street lighting, bridges, rail
20 facilities, drainage, sewers, sewerage disposal facilities, solid waste disposal
21 facilities, waterworks and other utilities and related properties. Title to such property
22 and improvements shall be in the public and shall vest in the commission for public
23 administration, subject only to the right of the commission to lease, sell or otherwise
24 dispose of the same in the manner provided in this Chapter.

25 (2) In addition to any other powers and functions, the commission may
26 perform the functions of an economic and industrial development entity. Such
27 functions may include but shall not be limited to the following:

28 (a) Public relations, advertising, marketing, and providing and disseminating
29 information.

1 (b) Government relations, ombudsman, and government liaison.

2 (c) Financial and financing assistance.

3 (d) Tax abatement.

4 (e) Planning and coordination for economic development and resource
5 utilization, including such functions as industrial and economic research and
6 industrial programming and solicitation.

7 (f) Industrial training, technical assistance, and technology transfer.

8 (g) The use of public and other legal powers to facilitate development.

9 (h) Promoting transfer mechanisms to take ideas from their point of origin
10 and development to commercially successful utilization by local enterprises.

11 (i) Fostering entrepreneurial activity in the port area.

12 (j) Promoting the development of new products, processes, or services or
13 new uses for existing products, processes, or services manufactured or marketed in
14 the port area.

15 (k) Supporting market research aimed at identifying new markets for local
16 or regional products and processes, including international markets; determining the
17 characteristics, needs, and preferences of those markets; and developing new
18 marketing techniques to exploit those markets.

19 (l) Fostering and supporting economic industrial development and education
20 in cooperation with private business enterprises, financial institutions, educational
21 institutions, nonprofit institutions and organizations, state government and political
22 subdivisions of the state, the federal government, and other organizations or persons
23 concerned with research, development, education, commercial application, and
24 economic or industrial development in ways which increase the economic base of the
25 port area.

26 (3) For the purposes of Paragraph (2) of this Subsection, the commission
27 may engage in activities and projects it deems most appropriate to encourage and
28 assist economic growth and development in the port area. However, the selection
29 of utility service providers shall be subject to the provisions of R.S. 33:4160.1 and

- (11) Supporting market research aimed at identifying new markets for local or regional products and processes, including international markets; determining the characteristics, needs, and preferences of those markets; and developing new marketing techniques to exploit those markets.
- (12) Fostering the supporting economic industrial development and education in cooperation with private business enterprises, financial institutions, educational institutions, nonprofit institutions and organizations, state government and political subdivisions of the state, the federal government, and other organizations or persons concerned with research, development, education, commercial application, and economic or industrial development in ways which increase the economic base of the port area.

Present law provides for the rights and powers for economic and industrial growth for a commission of a port that is not a deep water port and has a population of not less than 250,000 and not more than 400,000 within its jurisdiction.

Proposed law specifies that the utility service providers must comport with applicable law and Public Service Commission orders for facilities constructed or acquired by the commission.

Proposed law repeals present law (R.S. 34:3522) but transfers the content to R.S. 34:3160.

(Amends R.S. 34:3160(C); Repeals R.S. 34:3522)

Summary of Amendments Adopted by House

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

1. Remove proposed language giving airports the authority to acquire and operate existing airports and to acquire adjacent property.
2. Specify that the selection of utility service providers must comport with applicable law and Public Service Commission orders for facilities constructed or acquired by the commission.