

2022 Regular Session

HOUSE BILL NO. 469

BY REPRESENTATIVE TRAVIS JOHNSON

BOARDS/COMMISSIONS: Creates the Delta Bike Trail Commission

1 AN ACT

2 To enact Chapter 33 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 25:1301 through 1306, relative to the "Delta Bike Trail Commission"; to
4 create and provide with respect to the Delta Bike Trail Commission; to provide for
5 the membership of the commission; to provide for the duties and responsibilities of
6 the commission; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 33 of Title 25 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 25:1301 through 1306, is hereby enacted to read as follows:

10 CHAPTER 33. DELTA BIKE TRAIL COMMISSION

11 §1301. Short title

12 This Chapter shall be known and may be referred to as the "Delta Bike Trail
13 Commission", which shall be created to be a body politic and corporate and a
14 political subdivision of the state with all of the powers of a political subdivision and
15 with such further powers and functions as are set forth in this Chapter.

16 §1302. Delta Bike Trail Commission; purpose; domicile

17 A. The commission shall be domiciled in the municipalities of Concordia,
18 Tensas, Madison, and East Carroll parishes, with its headquarters in Vidalia,
19 Louisiana.

1 B.(1) The commission is created for the purpose of overseeing the
2 development and upkeep of the Delta Bike Trail, a bike and walking trail along and
3 on the Mississippi River in Northeast Louisiana through the parishes of Concordia,
4 Tensas, Madison, and East Carroll, referred to in this Chapter as the "trail".

5 (2) The commission has the authority to do the following:

6 (a) Receive funding from the Department of Transportation and
7 Development, the Department of Culture, Recreation, and Tourism, or any federal
8 state funds or grants for the development of the Delta Bike Trail.

9 (b) Promote marathons, nature-based, recreational, scenic, cultural, historic,
10 and other forms of tourism.

11 (c) Improve transportation and communication facilities and access within
12 the trail area.

13 (d) Further develop family-oriented recreational facilities along the trail area.

14 (e) Promote and market the region through a variety of communications
15 media including maps, guides, tapes, videos, advertisement, signage, and electronic
16 media.

17 §1303. Delta Bike Trail Commission; membership; officers

18 A. The commission members shall serve four-year terms.

19 B. The commission shall consist of seven members designated and appointed
20 by each of the following:

21 (1) The lieutenant governor.

22 (2) The secretary of the Department of Transportation and Development.

23 (3) The state representative for District 21.

24 (4) The president of the Concordia Parish Police Jury.

25 (5) The president of the East Carroll Parish Police Jury.

26 (6) The president of the Tensas Parish Police Jury.

27 (7) The president of the Madison Parish Police Jury.

1 C. The members of the commission shall not receive any salary for the
2 performance of their duties. The commissioners may be reimbursed for mileage
3 expenses incurred for attendance at meetings of the commission, subject to the
4 availability of funds. The mileage allowance shall be fixed by the commission in an
5 amount not to exceed the mileage allowance authorized under state travel regulations
6 at rates and standards as promulgated by the division of administration.

7 D. The members of the commission shall elect from among themselves a
8 chair and other officers as they deem necessary.

9 E. The commission shall meet not less than quarterly. The commission may
10 hold such other meetings as it deems necessary. Meetings may be called by the
11 chairman or by a majority of the members.

12 F. The commission shall adopt bylaws to govern its affairs and activities.

13 G. The commission created pursuant to this Chapter shall be subject to the
14 provisions of R.S. 42:1101 et seq.

15 H. The commission may perform, procure from the Department of
16 Transportation and Development with the consent of its secretary, or procure from
17 outside service providers any service or portion of services necessary to fulfill the
18 duties and obligations of the commission.

19 §1304. Public records; public meetings; right of public agencies to records

20 The board created by this Chapter shall be subject to and fully comply with
21 the public records law, R.S. 44:1 et seq., and the open meetings law, R.S. 42:11 et
22 seq., of the state. The proceedings and documents of the board shall be public
23 records. All reports, maps, or other technical documents produced in whole or in
24 part by the board may be utilized by the board or any other public agency in any
25 manner that it deems necessary and advisable in the conduct of its duties.

26 §1305. Advice

27 The parish planning and zoning departments of Concordia, Tensas, Madison,
28 and East Carroll parishes, and all its subcommittees, shall serve in an advisory

1 capacity to the commission, relative to the trail or any projects contemplated by or
2 to be undertaken by the commission.

3 §1306. Duties and authority

4 The commission may exercise powers necessary, appurtenant, convenient,
5 or incidental to the carrying out of its purposes, including but not limited to the
6 following rights and powers:

7 (1) To adopt rules and regulations necessary to carry out the purposes of the
8 commission, for the governance of its affairs, and for the conduct of its business.

9 (2) To adopt, use, and alter at will an official seal.

10 (3) To plan, construct, reconstruct, maintain, improve, operate, own, or lease
11 projects within the trail area in the manner determined by the commission and to pay
12 any project costs in connection therewith.

13 (4) To sue and be sued in its own name.

14 (5) To impose and revise fees and charges in connection with its projects
15 sufficient to pay all project costs, maintenance, operation, debt service, and reserve
16 or replacement costs, and other necessary or usual charges.

17 (6) To receive grants, donations, funds, or other resources from any source,
18 including proceeds from the sale of services.

19 (7) To acquire property, including rights-of-way; and hold and use any
20 franchise or property, immovable, movable, or mixed, tangible or intangible, or any
21 interest therein, necessary or desirable for carrying out the purposes of the
22 commission.

23 (8) To contract with any person, partnership, association, or corporation
24 desiring the use of any part of the trail or trail area, including the right-of-way
25 adjoining the paved portion, for placing thereon any of the following: a telephone,
26 fiber optic, telegraph, electric light, or power lines, gas stations, garages, and
27 restaurants, or for any other purpose, and to fix the terms, conditions, rents, and rates
28 of charges limited to no more than the direct and actual cost of the commission in
29 administering the permitting process.

1 (9) To enter into contracts including those for purchase, construction, and
2 improvement of works and facilities necessary in connection with the planning and
3 development of the trail.

4 (10) To sell or lease property owned by it when such property is no longer
5 needed for public purposes.

6 (11) To appoint agents or employees, prescribe their duties, and fix their
7 compensation.

8 (12) To provide matching grants for the restoration or improvement of
9 private properties located within the trail or trail area, when such restoration or
10 improvement is determined by the commission to be consistent with the master plan
11 for the development of the trail.

12 (13) To do all acts and perform things necessary or convenient to execute the
13 powers granted to the commission by law.

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 469 Original

2022 Regular Session

Travis Johnson

Abstract: Creates the Delta Bike Trail Commission.

Proposed law creates the Delta Bike Trail Commission as political subdivision of the state with power and functions as set forth in proposed law.

Proposed law requires the commission be domiciled in Concordia, Tensas, Madison, and East Carroll parishes, with its headquarters in Vidalia, La.

Proposed law provides that the commission is created for the purpose of overseeing the development and upkeep of the Delta Bike Trail (trail), a bike and walking trail along and on the Mississippi River in Northeast La. through the parishes of Concordia, Tensas, Madison, and East Carroll.

Proposed law authorizes the commission to do the following:

- (1) Receive funding from the Dept. of Transportation and Development (DOTD), the Dept. of Culture, Recreation, and Tourism, or any federal state funds or grants for the development of the trail.
- (2) Promote marathons, nature-based, recreational, scenic, cultural, historic, and other forms of tourism.
- (3) Improve transportation and communication facilities and access within the trail area.

- (4) Further develop family-oriented recreational facilities along the trail area.
- (5) Promote and market the region through a variety of communications media including maps, guides, tapes, videos, advertisement, signage, and electronic media.

Proposed law requires the commissioners serve four-year terms.

Proposed law requires the commission consist of seven members designated and appointed by each of the following:

- (1) The lieutenant governor.
- (2) The secretary of the DOTD.
- (3) The state representative for District 21.
- (4) The president of the Concordia Parish Police Jury.
- (5) The president of the East Carroll Parish Police Jury.
- (6) The president of the Tensas Parish Police Jury.
- (7) The president of the Madison Parish Police Jury.

Proposed law specifies that members of the commission will not receive any salary for the performance of their duties as commissioners. Authorizes reimbursement of mileage expenses incurred for attendance at meetings of the commission.

Proposed law requires mileage allowance be fixed by the commission in an amount not to exceed the mileage allowance authorized under state travel regulations at rates and standards as promulgated by the division of administration subject to the availability of funds.

Proposed law requires the members elect from among themselves a chair and other officers as deemed necessary.

Proposed law requires the commission meet not less than quarterly. Authorizes the commission hold such other meetings deemed necessary and called by the chairman or by a majority of the members. Proposed law requires the members elect from among themselves a chair and other officers as deemed necessary.

Proposed law requires the commission adopt bylaws to govern its affairs and activities. Requires the committee be subject to La. ethics law.

Proposed law authorizes the commission to perform, procure from the DOTD, with the consent of its secretary, or procure from outside service providers any service or portion of services necessary to fulfill the duties and obligations of the commission.

Proposed law requires the commission be subject to and comply with the Public Records Law and the Open Meetings Law. Requires all proceedings and documents of the commission be public records. Authorizes all reports, maps, or other technical documents produced in whole or in part by a commission be utilized by the department or any other public agency in any manner necessary and advisable in the conduct of its duties.

Proposed law requires the parish planning and zoning departments of Concordia, Tensas, Madison, and East Carroll parishes and all of its subcommittees serve in an advisory capacity to the commission relative to any project or projects contemplated by or to be undertaken by the commission.

Proposed law provides the commission have the following duties and authority:

- (1) To adopt rules and regulations necessary to carry out the purposes of the commission, for the governance of its affairs, and for the conduct of its business.
- (2) To adopt, use, and alter at will an official seal.
- (3) To plan, construct, reconstruct, maintain, improve, operate, own, or lease projects within the trail area in the manner determined by the commission and to pay any project costs in connection therewith.
- (4) To sue and be sued in its own name.
- (5) To impose, revise, fees, and charges in connection with its projects sufficient to pay all project costs, maintenance, operation, debt service, and reserve or replacement costs, and other necessary or usual charges.
- (6) To receive grants, donations, funds, or other resources from any source, including proceeds from the sale of services.
- (7) To acquire property, including rights-of-way; and hold and use any franchise or property, immovable, movable, or mixed, tangible or intangible, or any interest therein, necessary or desirable for carrying out the purposes of the commission.
- (8) To contract with any person, partnership, association, or corporation desiring the use of any part of the trail or trail area, including the right-of-way adjoining the paved portion, for placing thereon any of the following: a telephone, fiber optic, telegraph, electric light, or power lines, gas stations, garages, and restaurants, or for any other purpose, and to fix the terms, conditions, rents, and rates of charges limited to no more than the direct and actual cost of the commission in administering the permitting process.
- (9) To enter into contracts including those for purchase, construction, and improvement of works and facilities necessary in connection with the planning and development of the trail.
- (10) To sell or lease property owned by it when such property is no longer needed for public purposes.
- (11) To appoint agents or employees, prescribe their duties, and fix their compensation.
- (12) To provide matching grants for the restoration or improvement of private properties located within the trail or trail area, when such restoration or improvement is determined by the commission to be consistent with the master plan for the development of the trail.
- (13) To do all acts and perform things necessary or convenient to execute the powers granted to the commission by law.

(Adds R.S. 25:1301-1306)