

ACT No. 336

2022 Regular Session

HOUSE BILL NO. 469

BY REPRESENTATIVE TRAVIS JOHNSON

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.

20 B.(1) The commission is created for the purpose of overseeing the
21 development and upkeep of the Delta Bike Trail, a bike and walking trail along and

1 on the Mississippi River in Northeast Louisiana through the parishes of Concordia,
 2 Tensas, Madison, and East Carroll, referred to in this Chapter as the "trail".

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

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

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

9 (c) Improve transportation and communication facilities and access within
 10 the trail area.

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

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

15 §1303. Delta Bike Trail Commission; membership; officers

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

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

19 (1) The lieutenant governor.

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

21 (3) The state representative for District 21.

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

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

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

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

26 C. The members of the commission shall not receive any salary for the
 27 performance of their duties. The commissioners may be reimbursed for mileage
 28 expenses incurred for attendance at meetings of the commission, subject to the
 29 availability of funds. The mileage allowance shall be fixed by the commission in an

1 amount not to exceed the mileage allowance authorized under state travel regulations
 2 at rates and standards as promulgated by the division of administration.

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

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

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

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

11 H. The commission may perform, procure from the Department of
 12 Transportation and Development with the consent of its secretary, or procure from
 13 outside service providers any service or portion of services necessary to fulfill the
 14 duties and obligations of the commission.

15 §1304. Public records; public meetings; right of public agencies to records

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

22 §1305. Advice

23 The parish planning and zoning departments of Concordia, Tensas, Madison,
 24 and East Carroll parishes, and all its subcommittees, shall serve in an advisory
 25 capacity to the commission, relative to the trail or any projects contemplated by or
 26 to be undertaken by the commission.

27 §1306. Duties and authority

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____