
HOUSE COMMITTEE AMENDMENTS

2024 Regular Session

Substitute for Original House Bill No. 685 by Representative Wright as proposed by the House Committee on Transportation, Highways and Public Works

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To enact Chapter 53 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:5221 through 5224, relative to Louisiana ports; to create the Louisiana Ports and Multimodal Council; to provide for powers, duties, functions, and governance of the council; to provide for the transfer of certain powers, duties, functions, and resources; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:5221 through 5224 are hereby enacted to read as follows:

CHAPTER 53. LOUISIANA PORTS AND MULTIMODAL COUNCIL

§5221. Creation; purpose

A. The Louisiana Ports and Multimodal Council, referred to as the "council" in this Chapter, is hereby created within the independent governor's office. The domicile of the council shall be East Baton Rouge Parish.

B. The council is created to serve as an advocate for all of the state's ports and multimodal interests. To that end, the council is charged with the following:

(1) Articulating a vision for the future of the state's ports and multimodal commerce through development of a master plan for such purpose.

(2) Providing focus and coordination for the state's efforts to attract international trade to the state's ports.

(3) Setting funding over all priorities for the development and growth of the state's ports and its water transportation system.

(4) Leveraging the financing capacity of the state's ports through coordinated financing arrangements, all as more specifically provided for by this Chapter.

§5222. Board of directors

A. The council shall be governed by a board of directors, which shall be solely responsible for setting policy and managing the activities of the council.

B. The board shall be composed of the following members:

(1) The chairman who shall be appointed directly by the governor and shall serve as executive of the office.

(2) The commissioner of Multimodal Commerce in the Department of Transportation and Development.

(3) The secretary of the Office of International Commerce, Louisiana Economic Development, or his designee.

(4) One member of the House of Representatives appointed by the speaker of the House.

(5) One member of the Senate appointed by the Senate President.

(6) Six members appointed by the Ports Association of Louisiana as follows:

(a) Two members from inland ports.

(b) Two members from coastal ports.

(c) Two members from deep water ports.

(7) One representative of Louisiana Railroads Association appointed by the general counsel.

(8) One representative of Louisiana Motor Transport Association appointed by the executive director.

C. A majority of the members of the board shall constitute a quorum for the transaction of business and all official actions of the board shall require the favorable vote of two-thirds of the entire membership of the board.

D. The board shall adopt rules for transacting its business and shall keep an accurate record of all of its proceedings and official actions. All papers, documents, and records pertaining to the board shall be filed at the domicile of the board.

§5223. Powers and duties of the council

A. The council shall:

(1) Represent the public interest in the administration of this Chapter and shall be responsible to the governor, the legislature, and the public therefor.

(2) Promulgate and amend rules and regulations, in accordance with the Administrative Procedure Act, necessary for the administration of the functions of the council.

(3) Organize, plan, supervise, direct, administer, execute, and be responsible for the functions and programs vested in the council, in the manner and to the extent provided by this Chapter.

(4) Advise the governor on problems concerning the administration of the council and the functions and operations of Louisiana ports.

(5) Make reports and recommendations on its own initiative or upon the request of the governor, the legislature, or any committee or member thereof.

(6) Compile and provide, on an annual basis, all information necessary for confecting an annual budget.

B.(1) The council may:

(a) Employ, appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of the council and the performance of its powers, duties, functions, and responsibilities.

(b) Accept and use, in accordance with law, gifts, grants, bequests, and endowments for purposes consistent with the responsibilities and functions of the council and take such actions as are necessary to comply with any conditions required for such acceptance.

(2) Any decision made by the council shall require a two-thirds vote of the entire membership to be approved

(3) Take any other action, consistent with law, as may be necessary to properly perform the functions vested in it.

§5224. Master plan

A.(1) The board shall, in accordance with the procedures set forth in this Section, do the following:

(a) Develop a master plan for the economic development of Louisiana Ports.

(b) Review, revise, and amend the master plan when necessary or, at a minimum, every four years.

(2) The master plan shall include requests for funding of projects and programs related to port development. The annual plan shall include at least a three-year projection of funding of projects and programs, including but not limited to relevant public or private funding sources.

B. The board shall develop the master plan in accordance with the following procedures:

(1) The board shall conduct not less than three public hearings in separate locations at three ports in different regions for the purpose of receiving comments and recommendations from the public and elected officials. A round of such hearings shall be conducted every other year to receive comments on the effectiveness of the existing plan and proposals for revisions to the plan.

(2) After adoption of a plan or revisions to a plan, the board shall submit the plan or revisions to the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways, and Public Works for review and comment. The committees, acting individually or jointly, shall have sixty days to hold a hearing on the proposed plan or revisions.

(3) The board shall consider any recommendations made by either committee that were adopted at a meeting of the committee and incorporate such recommendations as it deems appropriate.

(4) The board shall submit the plan or revisions to the Louisiana Board of International Commerce for review and advice.

C. The master plan shall include but not be limited to the following:

(1) A list of projects and programs intended to enhance trade utilizing Louisiana ports.

(2) A schedule and estimated cost for the implementation of each project or program.

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 Draft

2024 Regular Session

Abstract: Creates the Louisiana Ports and Multimodal Council.

Proposed law creates the Louisiana Ports and Multimodal Council (LPMC) to serve as an advocate for all of the state's ports, to articulate a vision for the future of the state's ports and multimodal commerce through the development of a master plan for such purpose, to provide focus and coordination for the state's efforts to attract international trade to the state's ports, to set funding priorities for the development and growth of the state's ports and its water transportation system, and to leverage the financing capacity of the state's ports through coordinated financing arrangements.

Proposed law provides for governance of the council by a board of directors composed of the following members:

- (1) The chairman, appointed directly by the governor and serves as the executive of the office
- (2) The commissioner of Multimodal Commerce in the (DOTD).
- (3) The Secretary or their designee of International Commerce of (LED).
- (4) One member of the House of Representatives appointed by the speaker of the House.
- (5) One member of the Senate appointed by the senate President.
- (6) Six members appointed by the (PAL):
 - (a) Two members from inland ports.
 - (b) Two members from coastal ports.
 - (c) Two members from deep water ports.
- (7) One representative of the (LRA) appointed by the general counsel.
- (8) One representative of the (LMTA) appointed by the executive director.

Proposed law requires a majority of the members of the board to constitute a quorum for the transaction of business and all official action of the board requires the favorable vote of 2/3 of the entire membership of the board.

Proposed law requires the council do the following:

- (1) Represent the public interest in the administration of proposed law.
- (2) Promulgate and amend rules and regulations, in accordance with the Administrative Procedure Act, necessary for the administration of the functions of council.
- (3) Organize, plan, supervise, direct, administer, execute, and be responsible for the functions and programs vested in the council.
- (4) Advise the commissioner on problems concerning the administration of the council and the functions and operations of La. ports.

- (5) Make reports and recommendations.
- (6) Compile and provide all information necessary for confecting an annual budget.

Proposed law authorizes the council to do the following:

- (1) Employ personnel as necessary.
- (2) Accept and use, in accordance with law, gifts, grants, bequests, and endowments for purposes consistent with the responsibilities and functions of the council and take such actions as are necessary to comply with any conditions required for such acceptance.
- (3) Do such other things, consistent with law, as are necessary to perform properly the functions vested in it.

Proposed law requires the board to develop a master plan for the economic development of La. Ports. In addition, requires the board to review, revise, and amend the master plan when necessary, or every four years.

Proposed law requires the board to submit the plan, or revisions to the La. Board of International Commerce for review and advice.

Proposed law requires the master plan to include but not be limited to the following:

- (1) A list of projects and programs intended to enhance trade utilizing La. ports.
- (2) A schedule and estimated cost for the implementation of each project or program.

(Adds R.S. 34:5221-5224)