

## RÉSUMÉ DIGEST

ACT 755 (HB 971)

2024 Regular Session

Wright

New law creates the La. Ports and Waterways Investment Commission 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 waterways investment through the development of strategic plan and investment program 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.

New law provides for governance of the commission by a board of directors composed of the following members:

- (1) One member appointed by the governor and who will serve as chairman.
- (2) The commissioner of multimodal commerce in the Dept. of Transportation and Development, who will serve as vice chairman.
- (3) The secretary of the Dept. of Economic Development or his designee.
- (4) One member of the House of Representatives appointed by the speaker of the House of Representatives.
- (5) One member of the Senate appointed by the president of the Senate.
- (6) Six members, each of whom must be the executive director of their port or their designee, appointed by the governor from a list of four nominated individuals, submitted per port classification by the Ports Association of La., and confirmed by the Senate to be determined 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 the La. Railroads Association appointed by the governor.
- (8) One representative of the La. Motor Transport Association appointed by the governor.

New 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 2/3rds the entire membership of the board.

New law requires the commission to do the following:

- (1) Represent the public interest in the administration of new law.
- (2) Promulgate and amend rules and regulations necessary for the administration of the functions of the commission.
- (3) Organize, plan, supervise, direct, administer, execute, and be responsible for the functions and programs vested in the commission.
- (4) Advise the commissioner on problems concerning the administration of the commission 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.

New law authorizes the commission to do the following:

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

New law requires a 2/3rds vote for any decision by the commission.

New law requires the board to develop a strategic plan and investment program for the economic development of La. Ports. In addition, requires the board to review, revise, and amend the strategic plan and investment program when necessary, or every two years.

New law requires that the strategic plan and investment program be separate and distinct from the port priority program with the office of multimodal commerce.

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

New law specifies that the strategic plan and investment program will only receive an appropriation upon agreement of the governor and the legislature.

New law requires that after the adoption of a plan or revisions, that the board submit the plan or revisions to the House and Senate committees on Transportation for review and comment. Specifies that the committees, acting individually or jointly, have 60 days to hold a hearing on the plan or revisions. Additionally, requires the board to consider the committee's recommendations.

New law requires the plan or program be submitted to the La. Board of International Commerce for review and advice.

New law requires the strategic plan and investment program 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.

Prior law created the La. International Deep Water Gulf Transfer Terminal Authority, the Southeast La. Port Authority Advisory Commission, and the office of port development within the Dept. of Economic Development.

New law repeals prior law.

Prior law renamed and reorganized the Dept. of Economic Development as the Department of Commerce and moved multimodal commerce from the Dept. of Transportation and Development to the Dept. of Commerce.

New law repeals prior law.

Effective August 1, 2024.

(Adds R.S. 34:5221-5224; Repeals R.S. 34:3491- 3506 and 5210- 5215, R.S. 51:2701, and Sec. 1 and 3(A) of Act No. 459 of the 2023 R.S.)