

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 774 by Representative Dixon

PORTS/HARBORS/TERMINALS: Provides with respect to the Alexandria Regional Port

Synopsis of Senate Amendments	
1.	Reduces the members of the board of commissioners <u>from</u> nine <u>to</u> eight.
2.	Deletes the two members appointed by the parish governing authority of Rapides Parish.
3.	Adds one appointed by a majority of the incorporated municipalities in Rapides outside the cities of Alexandria and Pineville.
4.	Provides that members of the board from Avoyelles and Grant Parishes shall be non-voting members.
5.	Provides for staggered term limits.
6.	Provides that no member shall serve more than four consecutive terms of office.
7.	Provides for termination of members presently on the board upon reappointments.
8.	Removes power of the board of commissioners of the option to acquire land by appropriation.
9.	Provides that board of commissioners shall not acquire any property, wharves, or landings by expropriation.
10.	Provides that the Alexandria Regional Port nor any entity created by such port shall have the authority to issue bonds, notes, or other evidences of indebtedness.
11.	Further provides that a majority of the voting members of the board not including vacancies of voting members shall constitute a quorum.

Digest of Bill as Finally Passed by Senate

Present law creates the Alexandria Port Authority and provides for an eight-member board to serve without compensation and five members appointed by the mayor of Alexandria. Provides that three members shall be the appointees to the Red River Waterway Commission representing the parishes of Rapides, Grant, and Avoyelles.

Present law established the authority as coterminous with the city of Alexandria.

Present law requires election of officers (president, vice president, secretary, and treasurer) from among its members. Allows the board to combine the offices of secretary and treasurer.

Provides the president shall have no vote except in the event of a tie vote. Requires the board to meet regularly once monthly and in special meeting at the call of the president or on written request of five members.

Provides that a majority of the members constitute a quorum. Further requires all actions and

resolutions be approved by an affirmative vote of at least a majority of those attending the meeting.

Provides that the board prescribe its rules of governing its meetings and requires the board to fix a meeting place.

Present law authorizes the board to regulate commerce and traffic within the area and allow for the construction of wharves, locks, canals, warehouses, elevators, docks, sheds, and other buildings necessary to conduct the business of the port.

Present law provides for contracting and leasing authority within political subdivisions including the city of Alexandria, for the management and operation of port and ancillary facilities, including an industrial park associated with the port.

Present law (R.S. 34: 335.4) authorizes the levy and collection of taxes by vote of the people not to exceed 10 mills.

Present law requires the tax collector to collect and remit taxes on a monthly basis to the board and authorizes the issuance of revenue bonds not to exceed \$10 million and the issuance of general obligation bonds with voter approval.

Proposed law repeals provisions of present law of the authority to levy and collect taxes.

Present law requires advertisement of the sale of the bonds in the parish where the parish is domiciled and in either New Orleans, La., or New York, N.Y.

Present law exempts the port from compliance with the provisions of R.S. 43:111, relative to advertising.

Proposed law changes the territorial limits of the port being concurrent with the municipal limits of the city of Alexandria to the boundaries of the port being coterminous with the boundaries of Rapides parish except that its port authority shall not include any private ports, docks, or wharves.

Proposed law Provides for membership of the board of commissioners to be composed of eight members as follows:

- (1) Three members appointed by the mayor of the city of Alexandria, subject to confirmation by the Alexandria City Council.
- (2) Two members appointed by the mayor of the city of Pineville each of whom shall be a resident of the city of Pineville, and shall be subject to confirmation by the Pineville City Council.
- (3) One member appointed by a majority of the incorporated municipalities in Rapides Parish outside the cities of Alexandria and Pineville.
- (4) One member appointed by at large by the parish governing authority of Avoyelles Parish, who is a non-voting member.
- (5) One member appointed by the governing authority of Grant Parish, who is a non-voting member.

Proposed law provides for staggered term limits.

Proposed law requires that any vacancy occurring because of the term being expired or by reason of death, resignation, disqualification, or other by reason to be filled with 30 days after written notification of the vacancy.

Proposed law provides that if the respective appointing authority fails to fill the vacancy within 30 days of receiving the written notification of the vacancy, requires the board to appoint an interim successor to serve on the board until the respective appointing authority fills the appoint in the original manner.

Proposed law provides that no member shall serve more than four consecutive terms of office. Allows for termination of presently seated members and for reappointments and appointments.

Proposed law requires that four members of the board instead of five members can request in writing to call a special meeting of the board. Further provides that a majority of the voting members of the board not including vacancies of voting members shall constitute a quorum.

Proposed law requires that no action of the board be authorized on any of the following matters unless approved by a majority of the **voting** membership of the board:

- (1) Adoption of bylaws and other rules and regulations for conduct of port business.
- (2) Hiring or firing of the port administrator or executive director.
- (3) Adoption or amendment of the annual budget.
- (4) Sale, lease, or alienation of real property or improvements.

Proposed law provides that if a board member misses 50% of the board's meetings whether these meetings are regular or special meetings, the member shall be disqualified and removed from office. Provides that the vacated position on the board shall be filled in the same manner as the original appointment.

Proposed law requires that the former member shall not be eligible for reappointment until expiration of the balance of the vacated term.

Present law requires the board of commissioners to exercise the powers within the port area and the entire city of Alexandria and the port facility owned by the city of Alexandria.

Proposed law removes the authority of the board of commissioners to exercise the powers in the entire city of Alexandria, but adds that the board will exercise the powers in all property and within its territorial boundaries referenced in the provision contained present law, excluding any privately owned port facility.

Proposed law requires the Alexandria Regional Port nor any entity created by the port have the authority to issue bonds, notes, other evidences of indebtedness.

Proposed law provides that the board of commissioners shall not acquire any property, wharves, or landings by expropriation.

Proposed law additional powers of the board include:

- (1) Use of authority on all port property within the boundaries of Rapides Parish, except that its port authority shall not include any private ports.
- (2) Acquire by purchase, or donation any land in the district needed for railways, wharves, sheds, buildings, canals, channels, and other facilities to be owned and operated by the port.
- (3) Receive by gift, grant, or donation, any sum of money, aid, or assistance from the U. S., state of La., or any of the political subdivision for carrying out the objects and purposes of the port.

Present law creates a port authority in parishes with a population between 125,000 and 130,000 as determined by the most recent federal decennial census and provides for it to be governed by a board of six members, who shall serve without compensation.

Present law requires three commissioners to be appointed by the mayor of the municipality having the largest population in the parish as determined by the most recent federal decennial census, subject to the approval by the governing authority of the municipality; one by a mayor of the municipality with the second largest population; and one at-large commissioner appointed by the mayors of the remaining municipalities.

Present law further provides for the port's jurisdiction and the board of commissioners of such port's powers and duties.

Proposed law repeals present law provisions.

(Amends R.S. 34:335.1, 335.2, and 335.3(A); Adds R.S. 34:335.7-335.9; Repeals R.S. 34:335.4, 335.5, and 3522)