

Regular Session, 2013

SENATE BILL NO. 48

BY SENATOR ALLAIN

PORTS/HARBORS/TERMINALS. Authorizes a contract or cooperative agreement between Iberia Parish and the Port of Iberia for the operation and management of the Acadiana Regional Airport and the Le Maire Memorial Airport. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 34:243, to enact R.S. 2:609.2, and to repeal R.S. 2:602(A)(2),
3 relative to the Board of Commissioners of the Port of Iberia; to provide for the
4 powers of the board; to provide for the authority of the board with respect to airports
5 in the parish of Iberia; to authorize the parish to enter into contracts or cooperative
6 agreements with the board for the operation and management of certain airports in
7 the parish; to provide that such agreements may include a transfer of ownership, a
8 nominal long term lease agreement, or a management agreement; to repeal
9 provisions regarding the membership of the Iberia Parish Airport Authority; and to
10 provide for related matters.

11 Notice of intention to introduce this Act has been published.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 2:609.2 is hereby enacted to read as follows:

14 **§609.2. Iberia Parish; airport contracts**

15 **A. The governing authority of the parish of Iberia may execute a**
16 **contract or cooperative agreement with the Board of Commissioners of the Port**
17 **of Iberia for the operation and management of the Acadiana Regional Airport**

1 **and the Le Maire Memorial Airport in Jeanerette, together with the adjacent**
2 **property at both facilities, as may be deemed appropriate under such terms and**
3 **conditions as it may be agreed to by the parties, including but not limited to a**
4 **transfer of ownership, a nominal long term lease, a management agreement, or**
5 **other cooperative endeavor agreement which is approved by both parties.**

6 **B. The governing authority of the parish of Iberia may by ordinance**
7 **authorize the parish president or chairman of the parish council to enter into**
8 **a contract or cooperative agreement with the board as authorized in Subsection**
9 **A of this Section.**

10 Section 2. R.S. 34:243 is hereby amended and reenacted to read as follows:

11 §243. Powers of board

12 **A.** The board may regulate the commerce and traffic of the harbor and port
13 district in such manner as may in its judgment be best for the public interest; it shall
14 have and enjoy all the rights, privileges and immunities granted to corporations; it
15 may own and have charge of, administer, contract for, operate and maintain wharves,
16 sheds, belt and connecting railroads, canals, basins, and any and all structures and
17 facilities necessary or proper for the use and development of the business of the
18 district, including buildings and equipment for the accommodation of passengers and
19 the handling, storage, transportation and delivery of freight, express and mail; it may
20 lease or sell for manufacturing, commercial and business purposes, lands or
21 buildings owned or acquired by it; it may borrow from any person or corporation
22 using or renting any facility of the district such sums as shall be necessary to
23 improve the same and to erect and construct such improvements, and agree that the
24 loan therefor shall be liquidated by deducting from the rent, dockage, wharfage or
25 tollage charges payable for such property, a percentage thereof to be agreed on; it
26 may maintain proper depth of water to accommodate the business of the district;
27 provide mechanical facilities and equipment for use in connection with the wharves,
28 sheds, and other structures; provide lights, water and police protection for the district
29 and for all harbor and terminal facilities situated therein; and make reasonable

1 charges and collect the same for the use of all structures, works and facilities
2 administered by the board, and for any and all services rendered by the board.

3 **B. The board may make and enter into contracts, including cooperative**
4 **endeavor agreements, with the parish of Iberia, upon such terms as the parties**
5 **may agree upon, to exercise all powers which may be exercised by an airport**
6 **authority in Iberia Parish as provided in Chapter 4 of Title 2 of the Louisiana**
7 **Revised Statutes of 1950.**

8 Section 3. R.S. 2:602(A)(2) is hereby repealed.

9 Section 4. This Act shall become effective upon signature by the governor or, if not
10 signed by the governor, upon expiration of the time for bills to become law without signature
11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
12 vetoed by the governor and subsequently approved by the legislature, this Act shall become
13 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

Proposed law authorizes the governing authority of the parish of Iberia to execute a contract or cooperative agreement with the Board of Commissioners of the Port of Iberia for the operation and management of the Acadiana Regional Airport and the Le Maire Memorial Airport in Jeanerette, together with the adjacent property at both facilities, as it may be deemed appropriate, under such terms and conditions as it may be agreed to by the parties, including but not limited to a transfer of ownership, a nominal long term lease, a management agreement, or other cooperative endeavor agreement which is approved by both parties.

Proposed law further authorizes the governing authority of Iberia Parish to authorize by ordinance the parish president or chairman of the parish council to enter into a contract or cooperative agreement with the board for operation and management of the Acadiana Regional Airport and the Le Maire Memorial Airport in Jeanerette.

Proposed law authorizes the Board of Commissioners of the Port of Iberia to enter into contracts, including cooperative endeavor agreements, with the parish of Iberia, upon such terms as the parties may agree upon, to exercise all powers which may be exercised by an airport authority in Iberia Parish as provided in Chapter 4 of Title 2 of the Louisiana Revised Statutes of 1950.

Present law requires that the Iberia Parish Airport Authority be composed of six members, one of whom shall be an Iberia Parish citizen residing at a location with a Jeanerette address as established by the United States Postal Service.

Proposed law repeals present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 34:243; adds R.S. 2:609.2; repeals R.S. 2:602(A)(2))