

Regular Session, 2014

HOUSE BILL NO. 253

BY REPRESENTATIVES TIM BURNS, HOLLIS, PEARSON, RITCHIE, AND SIMON
AND SENATORS DONAHUE AND NEVERS

DISTRICTS/SPECIAL: Authorizes the governing authority of St. Tammany Parish to
create a geographic information system district

1 AN ACT

2 To enact Subpart B-42 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes
3 of 1950, to be comprised of R.S. 33:130.791 through 130.796, relative to
4 St. Tammany Parish; to authorize the governing authority of the parish to create a
5 geographic information system district; to provide relative to the governing board of
6 the district; to provide for the powers, duties, and functions of the district; to
7 authorize the board to levy certain taxes; and to provide for related matters.

8 Notice of intention to introduce this Act has been published
9 as provided by Article III, Section 13 of the Constitution of
10 Louisiana.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Subpart B-42 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised
13 Statutes of 1950, comprised of R.S. 33:130.791 through 130.796, is hereby enacted to read
14 as follows:

15 SUBPART B-42. ST. TAMMANY PARISH GEOGRAPHIC INFORMATION

16 SYSTEM DISTRICT

17 §130.791. St. Tammany Parish Geographic Information System District; creation;
18 purpose; boundaries

19 A.(1) The governing authority of the parish of St. Tammany may create and
20 establish a body politic and corporate entity for the purpose of the development and
21 application of geographic information systems, including but not limited to base data

1 regarding property ownership, population, demographics, political boundaries,
2 emergency service areas, land use, streets, addresses, roads, bridges, utilities,
3 easements, servitudes, rights-of-way, subdivisions, flood plains, and subdivision
4 restrictions.

5 (2) If created and established pursuant to this Section, the district shall be a
6 political subdivision of the state of Louisiana, as defined in Article VI, Section 44
7 of the Constitution of Louisiana, and shall be known as the St. Tammany Parish
8 Geographic Information System District, referred to in this Subpart as the "district".

9 (3) The district may also assist with homeland security and emergency
10 preparedness as well as the technical aspects and support of the various geographic
11 information system computer systems of political subdivisions and other public
12 entities within the parish of St. Tammany, including but not limited to advice and
13 support on geographic information system hardware, software, networking, or other
14 such geographic information system information technology issues.

15 (4) No other provision of the Subpart shall be effective or operative unless
16 the district is created and established by the governing authority of the parish of
17 St. Tammany pursuant to the provisions of this Section.

18 B. The boundaries of the district shall be coterminous with the boundaries
19 of the parish of St. Tammany.

20 §130.792. Board of commissioners; membership

21 A. The district shall be governed by a board of commissioners, referred to
22 in this Subpart as the "board", composed of no less than five and no more than nine
23 members as follows:

24 (1) The president of the parish of St. Tammany or his designee.

25 (2) The assessor of the parish of St. Tammany Parish or his designee.

26 (3) One member shall be appointed by the governing board of the St.
27 Tammany Parish Communication District No. 1 who may be a member of the
28 governing board of the district.

1 (4) One member who represents municipalities located within the parish of
2 St. Tammany shall be appointed by the governing authority of the parish of
3 St. Tammany. The governing authority shall appoint the person who is selected by
4 a majority of the mayors of all of the municipalities located within the parish of
5 St. Tammany.

6 (5) One member who represents fire districts located within the parish of
7 St. Tammany shall be appointed by the governing authority of the parish of
8 St. Tammany. The governing authority shall appoint the person who is selected by
9 a majority of fire chiefs of all of the fire districts located in the parish of
10 St. Tammany.

11 (6) The governing authority of the parish of St. Tammany may appoint up
12 to four additional members of the board. Each additional member may represent a
13 political subdivision, organization, or other entity located within the parish of
14 St. Tammany; however, only one member may be appointed to represent any
15 particular political subdivision, organization, or entity. The parish governing
16 authority may establish criteria that a political subdivision, organization, or other
17 entity must meet in order to be represented on the board.

18 B.(1) Board members serving pursuant to Paragraphs (A)(3), (4), and (5) of
19 this Section shall serve four-year terms after initial terms as provided for in this
20 Paragraph. One member shall serve an initial term of two years; one member shall
21 serve three years; and one member shall serve four years, all as determined by lot at
22 the first meeting of the board. Board members serving pursuant to Paragraph (A)(6)
23 of this Section shall serve four-year terms. The first two members appointed
24 pursuant Paragraph (A)(6) of this Section shall serve initial terms of two years.

25 (2) Each board member serving pursuant to Paragraphs (A)(1) and (2) of this
26 Section shall serve during his term of office.

27 (3) Any designee serving on the board shall serve at the pleasure of the
28 designating authority.

1 C. Any vacancy which occurs prior to the expiration of the term for which
2 a member of the board has been appointed shall be filled for the remainder of the
3 unexpired term in the same manner as the original appointment.

4 D. Members shall be eligible for reappointment.

5 E. The members of the board shall serve without compensation.

6 §130.793. Board officers; meetings quorum; rules report

7 A. The board shall elect from its members a chair, a vice chair, a secretary,
8 and a treasurer. The board may combine such offices or elect other officers as it
9 deems necessary.

10 B. The board shall keep minutes of all meetings and shall make them
11 available through the secretary of the board to residents of the district. The minute
12 books and archives of the district shall be maintained by the secretary of the board.
13 The monies, funds, and accounts of the district shall be in the official custody of the
14 board.

15 C. The board may adopt bylaws or such other rules and regulations as it
16 deems necessary or advisable for conducting its business affairs.

17 D. The board shall hold regular meetings at least quarterly and may hold
18 special meetings at such times and places within the district as may be prescribed by
19 the board.

20 E. A majority of the members of the board shall constitute a quorum for the
21 transaction of business.

22 §130.794. Powers and duties

23 A. The district shall have and exercise all powers of a political subdivision
24 necessary or convenient for the purpose of funding the district and carrying out its
25 objects and purposes, including but not limited to the following:

26 (1) To incur debt.

27 (2) To sue and be sued.

28 (3) To adopt, use, and alter at will a corporate seal.

29 (4) To adopt bylaws and rules and regulations.

1 (5) To receive by gift, grant, donation, or otherwise any sum of money,
2 property, aid, or assistance from the United States, the state of Louisiana, or any
3 political subdivision thereof, or any person, firm, or corporation.

4 (6) To enter into contracts, agreements, or cooperative endeavors with the
5 state and its political subdivisions or political corporations and with any public or
6 private association, corporation, business entity, or individual.

7 (7) To elect officers and appoint agents and employees, prescribe their
8 duties, and fix their compensation.

9 (8) To acquire property by purchase, gift, grant, donation, lease, or
10 otherwise.

11 (9) To establish monetary, bank, and investment accounts.

12 (10) To establish committees or subcommittees.

13 B. The district shall not be deemed to be an instrumentality of the state for
14 purposes of Article X, Section 1(A) of the Constitution of Louisiana.

15 §130.795. Funding sources; ad valorem tax; sales and use tax

16 A. The board may levy annually and cause to be collected an ad valorem tax
17 if the amount, term, and purpose of such tax, as set out in a proposition submitted to
18 a vote in accordance with the Louisiana Election Code, has been approved by a
19 majority of the qualified electors voting on the proposition at an election held for that
20 purpose.

21 B.(1) The board may levy and collect a sales and use tax within the
22 boundaries of the district for such purposes and at such rate as provided by the
23 proposition authorizing its levy, not exceeding one percent, if the proposition
24 submitted to a vote in accordance with the Louisiana Election Code, has been
25 approved by a majority of the qualified electors voting on the proposition at an
26 election held for that purpose.

27 (2) The tax shall be levied upon the sale at retail, the use, the lease or rental,
28 the consumption, the distribution, and storage for use or consumption of tangible

1 personal property, and upon the sales of services within the district, all in accordance
2 with Chapter 2-D of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950.

3 (3) Except where inapplicable, the procedure established in Chapter 2-D of
4 Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 shall be followed in
5 the imposition, collection, and enforcement of the tax, and procedural details
6 necessary to supplement such provisions and to make them applicable to the tax
7 authorized by this Subsection shall be fixed in the ordinance imposing the tax.

8 §130.796. Budget

9 A. The board shall adopt an annual budget in accordance with the Local
10 Government Budget Act, R.S. 39:1301 et seq.

11 B. The district shall be subject to audit by the legislative auditor pursuant to
12 R.S. 24:513.

13 Section 2. This Act shall become effective upon signature by the governor or, if not
14 signed by the governor, upon expiration of the time for bills to become law without signature
15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
17 effective on the day following such approval.

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)]

Tim Burns

HB No. 253

Abstract: Authorizes the governing authority of St. Tammany Parish to create a geographic information system district.

Proposed law authorizes the governing authority of St. Tammany Parish to create and establish, as a political subdivision, a geographic information system district for the development and application of geographic information systems. Provides that the boundaries of the district are coterminous with the boundaries of the parish.

Proposed law provides that the district is governed by a board composed of no less than five and no more than nine members as follows: the parish president and the assessor or their designees, one member appointed by the governing board of the St. Tammany Communication District No. 1, who may be a member of the governing board, two members appointed by the parish governing authority, one of whom must represent municipalities located within the parish and one of whom must represent fire districts located within the

parish. Provides for appointment of up to four additional members who may represent political subdivisions, organizations, or other entities located in the parish.

Proposed law provides for the powers and duties of the district, including the authority to incur debt, sue and be sued, adopt bylaws and rules and regulations, and to enter into contracts, agreements, or cooperative endeavors with the state and its political subdivisions or political corporations and with any public or private association, corporation, business entity, or individual. Provides that the district shall not be deemed to be an instrumentality of the state for purposes of the state civil service provisions of the state constitution.

Proposed law authorizes the board to levy annually an ad valorem tax and to levy and collect a sales and use tax, not to exceed 1%, all subject to voter approval. Requires the board to adopt an annual budget and provides that the district shall be subject to audit by the legislative auditor.

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

(Adds R.S. 33:130.791-796)