
DIGEST

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Harris

HB No. 426426

Abstract: Provides with respect to the Alexandria Regional Port, its boundaries, its board of commissioners, powers, authority to levy and collect taxes, and the authority to incur debt.

Present law provides the territorial limits of the Alexandria Regional Port shall be concurrent with the municipal limits of the city of Alexandria. Proposed law specifies the territorial limits of the Alexandria-Pineville Regional Port Authority must be concurrent with the territorial limits of Rapides Parish.

Proposed law provides for a nine-member board of commissioners, rather than an eight-member board. Changes membership as follows:

- (1) Removes provisions for one commissioner appointed by the mayor of Alexandria and confirmed by the Alexandria City Council. Provides instead for four commissioners appointed by the mayor of Alexandria and confirmed by the Alexandria City Council.
- (2) Removes provisions for one at-large commissioner appointed by the parish governing authority of Rapides Parish. Provides instead for three commissioners appointed by the Rapides Parish Police Jury.
- (3) Removes provisions for one at-large commissioner appointed by the governing authority of Grant Parish and one at-large commissioner appointed by the governing authority of Avoyelles Parish. Provides instead for two commissioners appointed by the mayor of Pineville and confirmed by the Pineville governing authority.

Proposed law requires each commissioner appointed be a U.S. citizen and a domiciliary of and qualified voter in Rapides Parish for at least one year preceding the date of his appointment and during the entirety of his term of office.

Proposed law requires appointees to be individuals with experience in one or more of the following areas:

- (1) Economic development.
- (2) Public finance or administration.

- (3) Senior level management.
- (4) Urban planning.
- (5) Banking or finance.
- (6) Practice of law, medicine, or another licensed profession.
- (7) Public relations.
- (8) Construction.
- (9) Real estate, appraisal, or commercial development.
- (10) Labor.

Present law provides that if a commissioner ceases to be a commissioner for any reason, his successor shall be appointed in the same manner as the original appointment, and serve the balance of the unexpired term. Proposed law removes present law.

Proposed law specifies that the commissioners appointed in 2014 by the mayor of Alexandria will serve initial terms of one year. Further specifies that the successors to these appointments will serve terms of four years. Additionally specifies that the commissioners appointed in 2014 by the mayor of Pineville will serve initial terms of two years. Further specifies that the successors to these appointments will serve terms of four years. Also specifies that the Rapides Parish Police Jury appointees will serve terms of four years.

Proposed law provides that any commissioner who does not attend at least half of the board meetings annually will be automatically removed from office. Provides that the vacant position will be filled by the respective nominating entity for the remainder of the vacated term. Provides that the former commissioner is not eligible for appointment until the expiration of the remainder of the vacated term.

Proposed law provides that a vacancy occurring due to expiration of term of office, or by reason of death, resignation, disqualification, or otherwise, will be filled by the respective nominating entity within 30 days after receipt of written notice of the vacancy. Provides that in the event that the respective nominating entity fails to fill the vacancy within 30 days after the receipt of written notification of the vacancy, the board will appoint an interim successor to serve on the board until the position is filled by the respective nominating entity responsible for the appointment of such member. Provides that if the board fails to fill a vacancy in its membership within such 30-day period, any two authorities of either the Rapides Parish Police Jury, city of Alexandria, or city of Pineville, by resolutions adopted by a majority thereof, will appoint an interim successor to serve on the board until the position is filled by the respective nominating entity responsible for the appointment of such member.

Present law authorizes the board of commissioners to exercise powers within the port area, consisting of the city of Alexandria. Proposed law specifies that the board exercises powers throughout the port area, consisting of the entirety of Rapides Parish.

Proposed law modifies present law in regards to the authorities, powers, and duties of the board of commissioners. Additional powers specified include employment of an executive director, adopting board bylaws and other rules and regulations, the adoption of an annual budget in accordance with the La. Local Government Budget Act, recordkeeping during all meetings, and selecting an official journal.

Present law gives the board of commissioners power to regulate commerce and traffic within the port area. Proposed law retains this authority and grants the board all powers necessary for operation of a freshwater inland port.

Proposed law grants the board of commissioners power to operate and administer public wharves, docks, sheds, and landings on the Red River within the territorial jurisdiction of Rapides Parish.

Present law provides that title to all property and improvements acquired by the port must rest in the port. Proposed law removes present law.

Proposed law gives the board of commissioners power to:

- (1) Sue and be sued.
- (2) Acquire by gift, grant, purchase, lease, expropriation, or otherwise, and to hold and use any property, real, personal, or mixed, tangible or intangible, or any interest therein.
- (3) Sell, transfer, and convey any property acquired by it or interests therein.
- (4) Enter into contracts, cooperative endeavors, and agreements to achieve the port's objectives and purposes, including agreements to acquire, sell, construct, operate, maintain and improve land, public works, and facilities.
- (5) Borrow money and pledge all or part of its revenues, leases, rentals, and other advantages as security for such loans. No bonds or other debts held by the port shall become an obligation of Rapides Parish or municipalities in the parish.
- (6) Allow the use of any facilities, land, and improvements for lawful purposes.

Proposed law designates the board of commissioners as the appropriate governing body for all purposes provided in the La. Enterprise Free Zone Act.

Present law authorizes the port to levy an ad valorem tax not to exceed 10 mills on the dollar subject to voter approval. Proposed law specifies that the provisions apply to voters in Rapides

Parish.

Proposed law provides that the board of commissioners may incur funded general or bonded debt, levy taxes, and call for any tax or other election by first obtaining approval by authorizing ordinance adopted by the governing authorities of the cities of Alexandria and Pineville or Rapides Parish.

Present law provides that the provisions of securities of public entities are applicable to the Alexandria Regional Port. Proposed law specifies that said provisions are applicable to the Alexandria-Pineville Regional Port Authority.

Present law provides that the prohibition contained in present law against advertising in any newspaper, book, pamphlet, or periodical does not apply to the board of commissioners of the Alexandria Regional Port. Proposed law adds Pineville under the jurisdiction of the port to the Alexandria-Pineville Regional Port Authority.

Proposed law provides that the governing authority of the port by resolution and in compliance with proposed law may authorize the issuance of refunding bonds, and such refunding bonds may be either sold and the proceeds applied to or deposited in escrow for the retirement of outstanding bonds or they may be delivered in exchange for the outstanding bonds.

Proposed law provides that bonds, certificates, or other evidences of indebtedness issued by the port or any subdistrict of the port, pursuant to proposed law are deemed to be securities of public entities within the meaning of present law, relative to securities of public entities and fully registered securities of public entities, and will be subject to defeasance in accordance with present law, relative to defeasance of securities of public entities, and may be refunded in accordance with the provisions of present law, relative to refunding of securities of public entities and advance refunding of bonds, and may be also issued as short-term revenue notes of a public entity under present law, relative to short-term revenue notes of public entities.

Proposed law provides that the terms of members of the board of commissioners serving on Aug. 1, 2014, terminate on that date and requires that new members be appointed as provided in proposed law.

(Amends R.S. 34:335.1, 335.2, 335.3(A), (B), (C), and (E), 335.4(A), 335.5(C), 335.6, and 338.4; Adds R.S. 34:338.5)