

Regular Session, 2014

SENATE BILL NO. 550

BY SENATOR BROWN

ECONOMIC DEVELOPMENT. Creates the Southeast Louisiana Authority for Growth and Opportunity. (8/1/14)

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AN ACT

To enact R.S. 36:109(X) and Chapter 44 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2701 and 2702, relative to the Southeast Louisiana Authority for Growth and Opportunity; to provide for membership; to provide for certain powers, duties, and functions; to provide for officers; to provide for meeting dates; and to provide for terms, conditions, and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 36:109(X) and Chapter 44 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2701 and 2702 are hereby enacted to read as follows:

§109. Transfer of boards, commissions, departments, and agencies to Department of Economic Development

* * *

X. The Southeast Louisiana Authority for Growth and Opportunity (R.S. 51:2701 et seq.) is placed within the Department of Economic Development and shall exercise and perform its functions, duties, and responsibilities as provided by law.

* * *

CHAPTER 44. SOUTHEAST LOUISIANA AUTHORITY

FOR GROWTH AND OPPORTUNITY

§2701. Southeast Louisiana Authority for Growth and Opportunity; creation; membership; terms; officers; meetings

A. There is hereby created, within the Department of Economic Development, the Southeast Louisiana Authority for Growth and Opportunity, hereinafter referred to as "authority". The authority shall exercise the powers and duties as specified herein to promote, stimulate, develop, and enhance business prosperity and economic welfare of the region, which shall be composed of the parishes of Ascension, Iberville, St. Charles, St. James, and St. John the Baptist.

B. The members of the authority shall represent the diversity of the population of the region and shall be appointed as follows:

(1) From Ascension Parish, two members appointed by the Ascension Parish Council.

(2) From Iberville Parish, two members appointed by the Iberville Parish Council.

(3) From St. Charles Parish, two members appointed by the St. Charles Parish Council.

(4) From St. James Parish, two members appointed by the St. James Parish Council.

(5) From St. John the Baptist, two members appointed by the St. John the Baptist Parish Council.

C. Members shall be confirmed by the Senate.

D. Members shall serve four-year terms, concurrent with that of the governor.

E. Vacancies shall be filled in the manner of original appointment and each member shall serve until his successor is appointed and takes office.

1 **F. The domicile of the authority shall be Baton Rouge, Louisiana, but**
2 **public meetings may be held elsewhere in the state.**

3 **G.(1) The board shall hold its first meeting no later than August 15,**
4 **2014. At this meeting the members shall elect a chairman, vice chairman, and**
5 **other officers as deemed appropriate. The chairman and vice chairman shall**
6 **be representatives from two different parishes. No per diem shall be paid to any**
7 **member for attendance at authority meetings.**

8 **(2)(a) The authority shall be subject to open meetings and public records**
9 **laws.**

10 **(b) Meetings shall be held at the call of the chairman or at the call of a**
11 **quorum of members upon not less than seven days advance written notice. A**
12 **quorum shall be necessary to transact business.**

13 **H.(1) The chairman of the authority may appoint committees to fulfill**
14 **the purposes of the authority.**

15 **(2) The chairman shall appoint a committee chairman and shall**
16 **designate the functions and responsibilities of each committee appointed. The**
17 **chairman may appoint on an ad hoc basis committee members who are not**
18 **members of the authority, who shall serve without per diem or other**
19 **compensation.**

20 **§2702. General powers of the authority**

21 **A. The authority shall have all the rights, powers, and duties to give**
22 **effect to and carry out the purposes and provisions of this Chapter, including**
23 **the power:**

24 **(1) To sue or be sued.**

25 **(2) Adopt bylaws and establish policies to govern the operations of the**
26 **authority.**

27 **(3) To make and execute contracts and all other instruments necessary**
28 **or convenient for the exercise of its powers and functions under this Chapter**
29 **with any federal or state governmental agency, local political subdivision, public**

1 or private corporation, lending institution, or other entity or person, including
2 but not limited to loan contracts for the acquisition, sale or lease, or sale-back
3 or lease-back of property, issuance and security of bonds, payment of
4 premiums, fees, or charges, and the purchase or guarantee of bonds, notes,
5 loans, or other debt obligations of political subdivisions of the state. The
6 issuance and security of bonds shall follow the same procedures set forth in R.S.
7 33:4548.1 et seq.

8 (4) To contract with professionals and to pay such professionals for
9 services rendered.

10 (5) To receive and accept from any agency of the United States or the
11 state or any public entity or from any individual, association, or public or
12 private corporation, gifts, grants, or donations of monies, the proceeds of bonds
13 or other property, labor, or other things of value.

14 (6) To plan, develop, coordinate, operate, and maintain activities and
15 planned land use to foster the creation of new jobs, economic development,
16 industry, healthcare, general public and social welfare, commerce, tourism,
17 relocation of individuals and businesses to the region, transportation,
18 recreation, housing development, and conservation in the region.

19 (7) To borrow money and issue negotiable bonds, or other obligations on
20 behalf of or for the benefit of or for any participating political subdivision, in
21 the principal amounts and for the purposes authorized by law, and to provide
22 for the rights of the owners of such bonds, notes, or other obligations, and to
23 provide other financing assistance to participating political subdivisions.

24 (8) In connection with the issuance of bonds or obligations of the
25 authority, to make and collect such rents and charges including but not limited
26 to reimbursement of all costs of financing by the authority as the authority shall
27 determine to be reasonable and required.

28 (9) To execute loan agreements, reimbursement agreements, investment
29 agreements, bond purchase agreements, and all documents as may be necessary

1 to carry out and comply with the provisions of this Chapter, and to take any
2 and all actions and execute and deliver all other documents as it may deem
3 necessary in connection with the issuance of any bonds, notes, certificates,
4 reimbursement obligations, or other evidences of indebtedness referred to in
5 this Chapter.

6 (10) To accept, administer, and expend donations of movable or
7 immovable property from any source, and receive, administer, and expend
8 appropriation from the legislature and financial assistance, guarantees,
9 insurance, or subsidies from the federal or state government.

10 (11) To procure or provide for the procurement of insurance or
11 reinsurance against any loss in connection with its property or operations,
12 including but not limited to insurance, reinsurance or other guarantees from
13 any federal or state governmental agency or private insurance company for the
14 payment of any bonds issued by the authority, or bonds, notes, or any other
15 obligations or evidences of indebtedness issued by the state or any political
16 subdivision or by any lending institution or other entity or person, or insurance
17 or reinsurance against loss with respect to loans to political subdivisions,
18 including the power to pay premiums on such insurance or reinsurance.

19 (12) To finance, develop, manage, and operate utility projects in the
20 region.

21 (13) To construct, operate, maintain facilities, improvements, and
22 infrastructure, including buildings, roads, bridges, drainage and utilities, and
23 to perform other functions and activities on property owned or leased by the
24 authority.

25 (14) In coordination with public or private entities as provided by law,
26 provide resources for the development of levees and other improvements to
27 prevent flooding and other issues arising from natural disasters.

28 (15) To develop, activate, construct, exchange, acquire, improve, repair,
29 operate, maintain, lease, mortgage, sell, and grant a security device affecting the

1 movable and immovable property, servitudes, facilities, and works within the
2 region.

3 (16) To borrow money and to pledge or grant a security device affecting
4 all or part of its revenues, leases, rents, and other advantages as security for
5 such loans.

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

9 (18) To finance, develop, manage, and operate rural and occupational
10 health clinics.

11 (19) To undertake and complete development projects and related
12 activities.

13 B. On or before March first of each year, the authority shall submit a
14 written report detailing the activities of the authority to the House Committee
15 on Commerce and the Senate Committee on Commerce, Consumer Protection
16 and International Affairs.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michelle Ducharme.

DIGEST

Brown (SB 550)

Present law provides for the transfer of boards, commissions, departments, and agencies to the Department of Economic Development (department).

Proposed law retains present law and places the Southeast Louisiana Authority for Growth and Opportunity (authority) within the department.

Proposed law provides that the authority shall exercise its powers and duties to promote, stimulate, develop, and enhance business prosperity and economic welfare of the region, which shall be composed of the parishes of Ascension, Iberville, St. Charles, St. James, and St. John the Baptist.

Proposed law provides that the members of the authority shall represent the diversity of the population of the region and shall be appointed as follows:

- (1) From Ascension Parish, two members appointed by the Ascension Parish Council.
- (2) From Iberville Parish, two members appointed by the Iberville Parish Council.
- (3) From St. Charles Parish, two members appointed by the St. Charles Parish Council.

- (4) From St. James Parish, two members appointed by the St. James Parish Council.
- (5) From St. John the Baptist, two members appointed by the St. John the Baptist Parish Council.

Proposed law provides that members shall be confirmed by the Senate and serve a four-year term, concurrent with that of the governor.

Proposed law provides that vacancies shall be filled in the manner of original appointment and each member shall serve until his successor is appointed and takes office.

Proposed law provides that the domicile of the authority shall be Baton Rouge, Louisiana, but public meetings may be held elsewhere in the state.

Proposed law provides that the board shall hold its first meeting no later than August 15, 2014. At this meeting the members shall elect a chairman, vice chairman, and other officers as deemed appropriate. The chairman and vice chairman shall be representatives from two different parishes. No per diem shall be paid to any member for attendance at authority meetings.

Proposed law provides that meetings of the authority shall be subject to open meetings and public records law.

Proposed law provides that meetings shall be held at the call of the chairman or at the call of a quorum of members upon not less than seven days advance written notice. A quorum shall be necessary to transact business.

Proposed law provides that the chairman of the authority may appoint committees to fulfill the purposes of the authority. The chairman shall appoint a committee chairman and shall designate the functions and responsibilities of each committee appointed. The chairman may appoint on an ad hoc basis committee members who are not members of the authority, who shall serve without per diem or other compensation.

Proposed law provides that the authority shall have all the rights, powers, and duties to give effect to and carry out the purposes and provisions of proposed law, including the power:

- (1) To sue or be sued.
- (2) Adopt bylaws and establish policies to govern the operations of the authority.
- (3) To make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions with any federal or state governmental agency, local political subdivision, public or private corporation, lending institution, or other entity or person, including but not limited to loan contracts for the acquisition, sale or lease, or sale-back or lease-back of property, issuance and security of bonds, payment of premiums, fees, or charges, and the purchase or guarantee of bonds, notes, loans, or other debt obligations of political subdivisions of the state.
- (4) To contract with professionals and to pay such professionals for services rendered.
- (5) To receive and accept from any agency of the United States or the state or any public entity or from any individual, association, or public or private corporation, gifts, grants, or donations of monies, the proceeds of bonds or other property, labor, or other things of value.
- (6) To plan, develop, coordinate, operate, and maintain activities and planned land use to foster creation of new jobs, economic development, industry, healthcare, general

- public and social welfare, commerce, tourism, relocation of individuals and businesses to the region, transportation, recreation, housing development, and conservation in the region.
- (7) To borrow money and issue negotiable bonds, or other obligations on behalf of or for the benefit of or for any participating political subdivision, in the principal amounts and for the purposes authorized by law, and to provide for the rights of the owners of such bonds, notes, or other obligations, and to provide other financing assistance to participating political subdivisions.
 - (8) In connection with the issuance of bonds or obligations of the authority, to make and collect such rents and charges including but not limited to reimbursement of all costs of financing by the authority as the authority shall determine to be reasonable and required.
 - (9) To execute loan agreements, reimbursement agreements, investment agreements, bond purchase agreements, and all documents as may be necessary to carry out and comply with the provisions of proposed law, and to take any and all actions and execute and deliver all other documents as it may deem necessary in connection with the issuance of any bonds, notes, certificates, reimbursement obligations, or other evidences of indebtedness referred to in proposed law.
 - (10) To accept, administer, and expend donations of movable or immovable property from any source, and receive, administer, and expend appropriation from the legislature and financial assistance, guarantees, insurance, or subsidies from the federal or state government.
 - (11) To procure or provide for the procurement of insurance or reinsurance against any loss in connection with its property or operations, including but not limited to insurance, reinsurance or other guarantees from any federal or state governmental agency or private insurance company for the payment of any bonds issued by the authority, or bonds, notes, or any other obligations or evidences of indebtedness issued by the state or any political subdivision or by any lending institution or other entity or person, or insurance or reinsurance against loss with respect to loans to political subdivisions, including the power to pay premiums on such insurance or reinsurance.
 - (12) To finance, develop, manage, and operate utility projects in the region.
 - (13) To construct, operate, maintain facilities, improvements, and infrastructure, including buildings, roads, bridges, drainage and utilities, and to perform other functions and activities on property owned or leased by the authority.
 - (14) In coordination with public or private entities as provided by law, provide resources for the development of levees and other improvements to prevent flooding and other issues arising from natural disasters.
 - (15) To develop, activate, construct, exchange, acquire, improve, repair, operate, maintain, lease, mortgage, sell, and grant a security device affecting the movable and immovable property, servitudes, facilities, and works within the region.
 - (16) To borrow money and to pledge or grant a security device affecting all or part of its revenues, leases, rents, and other advantages as security for such loans.
 - (17) 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.

- (18) To finance, develop, manage, and operate rural and occupational health clinics.
- (19) To undertake and complete development projects and related activities.

Proposed law requires that on or before March first of each year, the authority shall submit a written report detailing the activities of the authority to the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection and International Affairs.

Effective August 1, 2014.

(Adds R.S. 36:109(X) and R.S. 51:2701 and 2702)