

Regular Session, 2014

SENATE BILL NO. 587

BY SENATOR PETERSON

SPECIAL DISTRICTS. Provides relative to the Mid-City Security District. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 33:9091.14(D), (F)(1), (2) and (3)(c), relative to the Mid-City
3 Security District; to provide for governance; to provide for a flat fee per parcel of
4 land; to provide for election dates; to provide for an effective date; and to provide for
5 related matters.

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

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 33:9091.14(D), (F)(1), (2) and (3)(c) are hereby amended and
9 reenacted to read as follows:

10 §9091.14. Mid-City Security District

11 * * *

12 D. Governance. (1) The district shall be governed by a five-member board
13 of commissioners, referred to in this Section as the "board". The board shall be
14 composed as follows:

15 (a) The Mid-City Neighborhood Organization shall appoint ~~two~~ **four**
16 **members, one of whom shall be from the City Park Triangle.**

17 (b) The Parkview Neighborhood Association shall appoint one member.

1 ~~(c) The two members of the governing authority of the city of New Orleans~~
2 ~~who are elected from Council District A and Council District B shall each appoint~~
3 ~~one member.~~

4 (2) All members appointed pursuant to Paragraph (1) of this Subsection shall
5 be qualified voters and residents of the district.

6 (3) Board members appointed pursuant to Paragraph (1) of this Subsection
7 shall serve three-year terms.

8 ~~(4)(a) Upon the expiration of the terms of members serving pursuant to~~
9 ~~Paragraph (1) of this Subsection, board members shall be appointed as provided in~~
10 ~~this Paragraph.~~

11 ~~(i) The Mid-City Neighborhood Organization shall appoint four members,~~
12 ~~one of whom shall be from the City Park Triangle.~~

13 ~~(ii) The Parkview Neighborhood Association shall appoint one member.~~

14 ~~(b) All members appointed pursuant to Subparagraph (a) of this Paragraph~~
15 ~~shall be qualified voters and residents of the district.~~

16 ~~(c) Board members appointed pursuant to Subparagraph (a) of this Paragraph~~
17 ~~shall serve three-year terms after serving initial terms as provided in this~~
18 ~~Subparagraph. One member shall serve an initial term of one year; two shall serve~~
19 ~~initial terms of two years; and two shall serve an initial term of three years, as~~
20 ~~determined by lot at the first meeting of the board held after the members are~~
21 ~~appointed as provided in Subparagraph (a) of this Paragraph.~~

22 ~~(5)~~ Any vacancy which occurs prior to the expiration of the term for which
23 a member of the board has been appointed shall be filled for the remainder of the
24 unexpired term in the same manner as the original appointment. Board members
25 shall be eligible for reappointment; **however, board members shall serve for no**
26 **more than two consecutive three-year terms. A board member shall be eligible**
27 **for reappointment to the commission two years from the date of expiration of**
28 **his or her second term.**

29 ~~(6)~~**(5)** The board shall elect from its members a chairman, a vice chairman,

1 a secretary-treasurer, and such other officers as it may deem necessary. The duties
2 of the officers shall be fixed by the bylaws adopted by the board.

3 ~~(7)~~**(6)** The minute books and archives of the district shall be maintained by
4 the secretary-treasurer of the board. The monies, funds, and accounts of the district
5 shall be in the official custody of the board.

6 ~~(8)~~**(7)** The board shall adopt such rules and regulations as it deems necessary
7 or advisable for conducting its business affairs. Rules and regulations of the board
8 relative to the notice and conduct of meetings shall conform to applicable law,
9 including, if applicable, R.S. 42:11 et seq., relative to open meetings. The board shall
10 hold regular meetings as shall be provided for in the bylaws and may hold special
11 meetings at such times and places within the district as may be prescribed in the
12 bylaws.

13 ~~(9)~~**(8)** A majority of the members of the board shall constitute a quorum for
14 the transaction of business. The board shall keep minutes of all meetings and shall
15 make them available through the secretary-treasurer of the board.

16 ~~(10)~~**(9)** The members of the board shall serve without compensation but shall
17 be reimbursed for reasonable out-of-pocket expenses directly related to the
18 governance of the district.

19 * * *

20 F. * * *

21 (1) The amount of the fee shall be as requested by duly adopted resolution of
22 the board. ~~The~~ **For improved residential parcels, the** fee shall be a flat fee per
23 ~~improved~~ parcel of land ~~of not less than two hundred dollars and not to exceed two~~
24 ~~hundred fifty dollars per year for each improved residential parcel and not less than~~
25 ~~three hundred dollars and.~~ **For improved residential parcels subject to a special**
26 **assessment level pursuant to La. Const. Article VII, Section 18(G), the fee shall**
27 **be a flat fee per parcel of land not to exceed one hundred and fifty dollars per**
28 **year. For commercial parcels, the fee shall be a flat fee per parcel of land** not
29 to exceed three hundred seventy-five dollars for each improved commercial parcel.

1 Any improved parcel consisting of both commercial and residential uses shall be
2 considered commercial for purposes of this Section.

3 (2) The fee shall be imposed on each improved parcel located within the
4 district.

5 * * *

6 (3)(a) * * *

7 (c) If approved, the fee shall expire on December 31, 2014, but the fee may
8 be renewed if approved by a majority of the registered voters of the district voting
9 on the proposition at an election as provided in Subparagraph (a) of this Paragraph.

10 Any election to authorize the renewal of the fee shall be held at the same time as a
11 regularly scheduled ~~mayoral election in the city of New Orleans~~ **municipal, state,**
12 **or federal election.** If the fee is renewed, the term of the imposition of the fee shall
13 be as provided in the proposition authorizing such renewal, not to exceed eight years.

14 * * *

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

The original instrument was prepared by Michael Bell. The following digest,
which does not constitute a part of the legislative instrument, was prepared
by Nancy Vicknair.

DIGEST

Peterson (SB 587)

Present law provides for the district to be governed by a five-member board of commissioners.

Proposed law retains present law five-member board, but replaces the two members appointed by the governing authority of the city of New Orleans with two additional members appointed by the Mid-City Neighborhood Organization.

Present law provides for one member to serve an initial term of one year, two members shall serve initial terms of two years; and two members shall serve an initial term of three years, as determined by lot at the first meeting of the board held after the members are appointed. Provides thereafter members shall serve three-year terms.

Proposed law deletes present law provisions regarding initial terms and adds a term limit of not more than two consecutive three-year terms.

Present law authorizes the board to set a flat fee per parcel for improved residential and commercial property. Provides for residential fees to be set between \$200 and \$250 and commercial fees to be set between \$300 and \$375 per parcel.

Proposed law retains present law, but removes the minimum amount for fees and adds that fees for residential parcels subject to the special assessment level provided in the Louisiana Constitution for certain elderly, veteran and disabled populations shall not exceed \$150.

Present law requires an election for the renewal of a parcel fee to be held at a regularly scheduled mayoral election in the city of New Orleans.

Proposed law requires a renewal election for a parcel fee to be held at the same time as a regularly scheduled municipal, state, or federal election.

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

(Amends R.S. 33:9091.14(D), (F)(1), (2) and (3)(c))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill

1. Retains a five member board of commissioners.
2. Deletes the fee of \$100 for unimproved residential or commercial parcels.
3. Deletes the fee requirement for each municipal address assigned to an improved commercial parcel.

Senate Floor Amendments to engrossed bill

1. Requires the fee to be imposed on each improved parcel located within the district.