

**ACT No. 434**

2015 Regular Session

HOUSE BILL NO. 830

BY REPRESENTATIVES HARRIS AND HALL

1 AN ACT

2 To amend and reenact R.S. 34:335.1, 335.2(A), (B), and (C), and 335.3(A) and (E) and to  
3 repeal R.S. 34:3522, relative to a port in Rapides Parish; to change the territorial  
4 limits of the Alexandria Regional Port to be generally conterminous with the  
5 boundaries of Rapides Parish; to change the name of the Alexandria Regional Port;  
6 to provide relative to the membership of a board of commissioners for a port that has  
7 boundaries that are generally coterminous with the boundaries of Rapides Parish; to  
8 provide for the powers of a board of commissioners for a port that has boundaries  
9 that are generally coterminous with the boundaries of Rapides Parish; to provide for  
10 the terms of board commissioners for a port that has boundaries that are generally  
11 coterminous with the boundaries of Rapides Parish; to repeal authority for a port  
12 whose territorial limits are generally conterminous with the boundaries of Rapides  
13 Parish; to provide for transitional matters; and to provide for related matters.

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

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. R.S. 34:335.1, 335.2(A), (B), and (C), and 335.3(A) and (E) are hereby  
18 amended and reenacted to read as follows:

19 §335.1. Creation and territorial limits

20 The ~~Alexandria Regional Port~~ Central Louisiana Regional Port, hereinafter  
21 referred to as the "port", is hereby created as a political subdivision of the state, and  
22 its territorial limits shall be concurrent with that of the ~~municipal limits of the city~~  
23 ~~of Alexandria~~ parish of Rapides, excluding any private port facility.

1 §335.2. Board of commissioners; membership; officers; meetings

2 A. The port shall be governed by a board of commissioners composed of  
 3 ~~eight~~ the following members, who shall serve without compensation and who shall  
 4 be appointed ~~for terms~~ as follows:

5 (1) ~~Five~~ Four of the commissioners shall be appointed by the mayor of the  
 6 city of Alexandria and confirmed by the Alexandria City Council. Each  
 7 commissioner shall be a citizen of the United States, a qualified voter of the state of  
 8 Louisiana, and a resident of the city of Alexandria.

9 (2) ~~Three of the commissioners shall be appointed as follows:~~

10 (a) ~~One commissioner~~ Three commissioners shall be appointed at large by  
 11 the parish governing authority of Rapides Parish. Each commissioner shall be a  
 12 citizen of the United States, a qualified voter of the state of Louisiana, and a resident  
 13 of Rapides Parish.

14 (b) ~~(3) One commissioner appointed at large by the parish governing~~  
 15 ~~authority of Grant Parish.~~ Two commissioners shall be appointed by the mayor of  
 16 Pineville and confirmed by the Pineville City Council. Each commissioner shall be  
 17 a citizen of the United States, a qualified voter of the state of Louisiana, and a  
 18 resident of the city of Pineville.

19 (c) ~~(4) One commissioner appointed at large by the parish governing~~  
 20 ~~authority of Avoyelles Parish.~~ One commissioner shall be appointed by the mayor  
 21 of Boyce and confirmed by the Boyce Board of Aldermen. The commissioner shall  
 22 be a citizen of the United States, a qualified voter of the state of Louisiana, and a  
 23 resident of Rapides Parish.

24 B. ~~One of the commissioners initially appointed by the mayor shall serve an~~  
 25 ~~initial term of one year. Two of the commissioners initially appointed by the mayor~~  
 26 ~~shall serve an initial term of two years. Two of the commissioners initially~~  
 27 ~~appointed by the mayor shall serve an initial term of three years. Thereafter, the~~  
 28 ~~successors to each of the commissioners appointed by the mayor shall be appointed~~  
 29 ~~for terms of four years. The commissioners representing the Red River Waterway~~  
 30 ~~Commission shall serve terms concurrent with their terms on that commission.~~

1 Commissioners shall be appointed to four-year terms after the initial terms as  
2 provided in Paragraphs (1) through (4) of this Subsection:

3 (1) The four commissioners appointed by the mayor of the city of Alexandria  
4 and confirmed by the Alexandria City Council shall serve initial terms of four years,  
5 three years, two years, and one year, respectively, as designated by the mayor.

6 (2) The three commissioners appointed by the governing authority of  
7 Rapides Parish shall serve initial terms of four years, three years, and two years,  
8 respectively, as designated by the governing authority of Rapides Parish.

9 (3) The two commissioners appointed by the mayor of Pineville and  
10 confirmed by the Pineville City Council shall serve initial terms of four years and  
11 three years, respectively, as designated by the mayor.

12 (4) The commissioner appointed by the mayor of Boyce and confirmed by  
13 the Boyce Board of Aldermen shall serve an initial term of four years.

14 C. (1) In the event that any commissioner ceases to be a commissioner for  
15 any reason, his successor shall be appointed in the same manner as the original  
16 appointment and shall serve for the remainder of the unexpired term.

17 (2) In the event that a nominating entity fails to appoint a commissioner  
18 within ninety days after the effective date of this Paragraph, the board shall appoint  
19 an interim commissioner to serve on the board until the position is filled by the  
20 respective nominating entity responsible for the appointment of such commissioner.

21 \* \* \*

22 §335.3. Authority, powers, and duties of board; officers; agents

23 A. The board of commissioners shall exercise the powers herein conferred  
24 upon it within the port area, consisting of the entire ~~city of Alexandria~~ parish of  
25 Rapides, including excluding any private the port facility ~~owned by the city of~~  
26 Alexandria.

27 \* \* \*

28 E. The board of commissioners may make and enter into contracts, leases,  
29 and other agreements with political subdivisions, ~~including the city of Alexandria,~~  
30 for the management and operation of port and ancillary facilities, including industrial

1 park property adjacent to the port facility. This right shall include the construction  
2 and operation of warehouses, storage facilities, and other buildings used in  
3 connection with the port.

4 \* \* \*

5 Section 2. R.S. 34:3522 is hereby repealed in its entirety.

6 Section 3. The commissioners of the Alexandria Regional Port Authority in office  
7 on the effective date of this Act who were appointed by the mayor of Alexandria and the  
8 governing authority of Rapides Parish shall remain as commissioners of the Central  
9 Louisiana Regional Port until such time as appointments are made pursuant to this Act.

10 Section 4. The Central Louisiana Regional Port is hereby assigned and subsumes all  
11 of the duties and responsibilities previously exercised by the Alexandria Regional Port with  
12 regard to previously executed agreements and contracts, the purposes of which are under the  
13 duties, jurisdiction, responsibilities, and powers granted to the Central Louisiana Regional  
14 Port. The Central Louisiana Regional Port is here given the power to execute, sign, modify,  
15 amend, and renew any such agreement on its own behalf or on behalf of the Alexandria  
16 Regional Port.

17 Section 5. All unfinished business, references in laws and documents, employees,  
18 property, obligations, and books and records of the prior plans, projects, policies, and  
19 programs assumed by this Act into the Central Louisiana Regional Port shall be transferred  
20 as provided in this Act. Any pending or unfinished business of the prior plans, projects,  
21 policies, and programs shall be taken over and be completed by the Central Louisiana  
22 Regional Port created by this Act with the same power and authorization as that of prior  
23 plans, projects, policies, and programs and the new port authority shall be the successor in  
24 every way to the prior plans, projects, policies, and programs for the purpose of completing  
25 such business. Any reference in laws and documents to either of the prior plans, projects,  
26 policies, and programs shall be deemed to apply to the new Central Louisiana Regional Port.  
27 Any legal proceeding to which the prior plans, projects, policies, and programs are a party  
28 and which is filed, initiated, or pending before any court on the effective date of this Act, and  
29 all documents involved in or affected by said legal proceeding, shall retain their  
30 effectiveness and shall be continued in the name of the Central Louisiana Regional Port. All

1 further legal proceedings and documents in the continuation, disposition, and enforcement  
2 of such legal proceeding shall be in the name of the Central Louisiana Regional Port, and  
3 the Central Louisiana Regional Port shall be substituted for the prior plans, projects, policies,  
4 and programs without necessity for amendment of any document. This Act shall not be  
5 construed so as to impair the effectiveness of any rule or policy of either of the prior plans,  
6 projects, policies, and programs and any such rule or policy shall remain effective as  
7 provided therein or until changed in accordance with law. This Act shall not be construed  
8 so as to impair the contractual or other obligations of either of the prior plans, projects,  
9 policies, and programs or of the state of Louisiana. All obligations of the prior plans,  
10 projects, policies, and programs shall be the obligations of the new Central Louisiana  
11 Regional Port. The new Central Louisiana Regional Port shall be the successor in every way  
12 to the prior plans, projects, policies, and programs, including all of their obligations and  
13 debts. All dedications and allocations of revenues and sources of revenues heretofore made  
14 to or for either of the prior plans, projects, policies, and programs shall continue in the same  
15 manner, to the same extent, and for the same purposes as were provided prior to the  
16 enactment of this Act, unless and until other provision is made therefor. All books, papers,  
17 records, money, actions, and other property of every kind, movable and immovable, real and  
18 personal, heretofore possessed, controlled, or used by either of the prior plans, projects,  
19 policies, and programs are hereby transferred to the new Central Louisiana Regional Port.  
20 All employees heretofore engaged in the performance of duties of the prior plans, projects,  
21 policies, and programs, insofar as practicable and necessary, are transferred to the new  
22 Central Louisiana Regional Port and insofar as practicable and necessary shall continue to  
23 perform the duties heretofore performed, subject to policies and procedures of the new  
24 Central Louisiana Regional Port, applicable state civil service laws, rules, and regulations,  
25 and other applicable laws. Subject to such laws, positions in the unclassified service shall  
26 remain in the unclassified service.

27 Section 6. This Act shall become effective upon signature by the governor or, if not  
28 signed by the governor, upon expiration of the time for bills to become law without signature  
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
2 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_