

2016 Regular Session

SENATE BILL NO. 51

BY SENATORS JOHNS AND MORRISH

PORTS/HARBORS/TERMINALS. Authorizes the board of the Lake Charles Harbor and Terminal District to levy additional mills of ad valorem tax to be dedicated to channel operation, maintenance, and improvement. (gov sig)

1 AN ACT

2 To enact R.S. 34:219, relative to funding the maintenance of the Calcasieu River and Pass

3 Project; to authorize the board of commissioners to levy additional mills of ad

4 valorem tax for maintenance of the Calcasieu River and Pass Project; and to provide

5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 34:219 is hereby enacted to read as follows:

8 **§219. Calcasieu River and Pass Project maintenance; ad valorem tax**

9 **A.(1) Notwithstanding any provision of law to the contrary and without**

10 **the approval of any other body, the Lake Charles Harbor and Terminal District**

11 **board of commissioners may, by a majority vote of the board membership, levy**

12 **annually an ad valorem tax not to exceed five mills on the dollar on the property**

13 **subject to taxation situated in the district. Any tax levied under authority of this**

14 **Section shall be in addition to all other taxes which other political subdivisions**

15 **in the district, including the board, are authorized by law to levy and collect.**

16 **(2) All revenues collected pursuant to this Section shall be retained in a**

17 **separate account and shall be expended only for the following costs and not for**

1 any other purpose:

2 (a) Costs borne by the local sponsor, as defined by the provisions of the
3 Water Resources Development Act, 33 U.S.C. Section 2201, et seq., and any
4 other applicable federal law or regulation.

5 (b) Costs borne by the local sponsor, as defined by the Project
6 Partnership Agreement implementing the Dredged Material Management Plan
7 for the Calcasieu River and Pass Project.

8 (c) Reimbursement of funds as may be advanced or expended by the
9 board for the Calcasieu River and Pass Project.

10 B. The board shall likewise have the right to borrow money, from time
11 to time, and to issue certificates of indebtedness therefor, to be secured by
12 dedication and pledge of the revenues from any taxes authorized under this
13 Section; provided that the term of any such loan shall not exceed fifteen years
14 and the amount of the loan shall not exceed that portion of the anticipated
15 revenues authorized to be dedicated and pledged to the payment thereof.

16 C. The provisions of R.S. 34:212 regarding the collection of taxes shall
17 apply to taxes levied pursuant to this Section.

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

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

DIGEST

SB 51 Original

2016 Regular Session

Johns

Proposed law authorizes the board of commissioners for the Lake Charles Harbor and Terminal District (the board) to levy an additional ad valorem tax on property in the district of up to five mills.

Proposed law requires that any ad valorem tax collected be accounted for separately and be used solely for the maintenance of the Calcasieu River and Pass Project, including costs borne by the local sponsor of the Project and reimbursement of advances by the board.

Proposed law permits the board to use future proceeds of ad valorem tax so levied to be used as loan security. However, the term of any such loan may not exceed fifteen years.

Proposed law provides for the collection of taxes by the tax collector for Calcasieu Parish.

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

(Adds R.S. 34:219)