

2016 Regular Session

HOUSE BILL NO. 1074

BY REPRESENTATIVE JAMES

DISTRICTS/ECONOMIC DEVEL: Creates the North Baton Rouge Economic Development District in East Baton Rouge Parish

1 AN ACT

2 To enact R.S. 33:2740.70.2, relative to economic development in East Baton Rouge Parish;
3 to create and provide for the North Baton Rouge Economic Development District;
4 to provide for the governance, powers, duties, and plans of the district; and to
5 provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:2740.70.2 is hereby enacted to read as follows:

11 §2740.70.2. North Baton Rouge Economic Development District

12 A. Creation. The North Baton Rouge Economic Development District,
13 referred to in this Section as the "district", is hereby created in the parish of East
14 Baton Rouge. The district shall be a political subdivision of the state created for the
15 purpose of developing the area included within the district in order to provide for
16 substantial economic activity and employment opportunities.

17 B. Boundaries. The district shall include the area within the following
18 boundaries: beginning at the intersection of North 22nd Street and Florida
19 Boulevard, east along Florida Boulevard to its intersection with North Sherwood
20 Forest Drive, then north along North Sherwood Forest Drive to its intersection with

1 Greenwell Springs Road, then southwest along Greenwell Springs Road to its
 2 intersection with Joor Road, then north along Joor Road to its intersection with
 3 Mickens Road, then west along Mickens Road to its intersection with Hooper Road,
 4 then west along Hooper Road to its intersection with Harding Boulevard, continuing
 5 west along Harding Boulevard to its intersection with Scenic Highway, then south
 6 along Scenic Highway to its intersection with Main Street, then east along Main
 7 Street to its intersection with North 22nd Street, then south along North 22nd Street
 8 to the point of beginning.

9 C. Governance. (1) In order to provide for the orderly planning,
 10 development, acquisition, construction, and effectuation of the services,
 11 improvements, and facilities to be furnished by the district and to provide for the
 12 representation in the affairs of the district of those persons and interests immediately
 13 concerned with and affected by the purposes and development of the district, the
 14 district shall be managed by an eleven-member board of commissioners, referred to
 15 in this Section as the "board". The board shall be comprised of members as follows:

16 (a) One member shall be appointed by the state representative for House
 17 District No.29. Such member shall be a representative of the business community.

18 (b) One member shall be appointed by the state senator for Senate District
 19 No. 15.

20 (c) One member shall be appointed by the mayor-president of the parish of
 21 East Baton Rouge.

22 (d) One member shall be appointed by the member or members of the
 23 governing authority of the parish of East Baton Rouge who represent the district.

24 (e) One member shall be appointed by the governing board of the Baton
 25 Rouge Area Chamber.

26 (f) One member shall be appointed by the state representative for House
 27 District No. 61.

28 (g) One member shall be appointed by the state representative for House
 29 District No. 67.

1 (h) One member shall be appointed by the state representative for House
2 District No. 101.

3 (i) One member shall be appointed by the state senator for Senate District
4 No. 14.

5 (j) One member shall be appointed by the president-chancellor of Southern
6 University.

7 (k) One representative of a civic association located within the district to be
8 selected by a subcommittee formed by the board.

9 (2)(a)(i) Members serving pursuant to Subparagraphs (1)(a) through (j) of
10 this Subsection shall serve four-year terms after initial terms as provided by Item (ii)
11 of this Subparagraph.

12 (ii) Three members shall serve an initial term of one year; three shall serve
13 two years; two shall serve three years; and two shall serve four years, as determined
14 by lot at the first meeting of the board.

15 (b) The member serving pursuant to Subparagraph (1)(k) of this Subsection
16 shall serve at the pleasure of the subcommittee formed by the board.

17 (3) Board members shall be eligible for reappointment.

18 (4) Any vacancy which occurs prior to the expiration of the term for which
19 a member of the board has been appointed shall be filled for the remainder of the
20 unexpired term in the same manner as the original appointment.

21 (5) The board shall elect from its members a chairman, a vice chairman, a
22 secretary-treasurer, and such other officers as it may deem necessary. The duties of
23 the officers shall be fixed by the bylaws adopted by the board.

24 (6) The minute books and archives of the district shall be maintained by the
25 secretary of the board. The monies, funds, and accounts of the district shall be in the
26 official custody of the board.

27 (7) The board shall adopt such rules and regulations as it deems necessary
28 or advisable for conducting its business affairs. It shall hold regular meetings as

1 shall be provided in the bylaws and may hold special meetings at such times and
2 places within the district as may be prescribed in the bylaws.

3 (8) A majority of the members of the board shall constitute a quorum for the
4 transaction of business. The board shall keep minutes of all meetings and shall make
5 them available through the secretary of the board.

6 (9) The members of the board shall serve without compensation. The board
7 may reimburse any member for expenses actually incurred in the performance of his
8 duties pursuant to this Section.

9 D. Powers and duties. (1) The district, through the board, shall have and
10 exercise all powers of a political subdivision necessary or convenient for the carrying
11 out of its objects and purposes, including but not limited to the following:

12 (a) To sue and be sued.

13 (b) To adopt, use, and alter at will a corporate seal.

14 (c) To adopt bylaws and rules and regulations.

15 (d) To receive by gift, grant, donation, or otherwise any sum of money,
16 property, aid, or assistance from the United States, the state of Louisiana, or any
17 political subdivision thereof, or any person, firm, or corporation.

18 (e) To enter into contracts, agreements, or cooperative endeavors with the
19 state and its political subdivisions or political corporations and with any public or
20 private association, corporation, business entity, or individual.

21 (f) To appoint officers, agents, and employees, prescribe their duties, and fix
22 their compensation.

23 (g) To acquire by purchase, gift, grant, donation, lease, or otherwise such
24 property as may be necessary or desirable for carrying out the objectives and
25 purposes of the board.

26 (2) The district shall not be deemed to be an instrumentality of the state for
27 purposes of Article X, Section 1(A) of the Constitution of Louisiana.

28 E. District plan. (1) The board shall prepare or cause to be prepared a plan
29 or plans, referred to in this Section as the "plan", specifying the public

1 improvements, facilities, and services proposed to be furnished, constructed, or
2 acquired for the district and shall conduct public hearings, publish notice with
3 respect thereto, and disseminate information as it, in the exercise of its sound
4 discretion, may deem to be appropriate or advisable and in the public interest.

5 (2) Any plan may specify and encompass any public services, capital
6 improvements, and facilities which the parish of East Baton Rouge is authorized to
7 undertake, furnish, or provide under the constitution and laws of the state of
8 Louisiana, and such specified public services, improvements, and facilities shall be
9 special and in addition to all services, improvements, and facilities which the parish
10 of East Baton Rouge is then furnishing or providing or may then or in the future be
11 obligated to furnish or provide within the district.

12 (3) Any plan shall include an estimate of the annual and total cost of
13 acquiring, constructing, or providing the services, improvements, or facilities set
14 forth therein.

15 (4) Any monies received by the district shall be used exclusively for the
16 development of the district plan.

17 (5) The board shall submit the plan to the governing authority of the parish
18 of East Baton Rouge. The parish governing authority shall review and consider the
19 plan, but the board need not receive approval of the parish governing authority prior
20 to implementing such plan.

21 F. Services and improvements. (1) All services to be furnished within the
22 district pursuant to any plan finally and conclusively adopted may be furnished,
23 supplied, and administered by the parish of East Baton Rouge through its regularly
24 constituted departments, agencies, boards, commissions, and instrumentalities. All
25 capital improvements and facilities to be acquired, constructed, or provided within
26 the district may likewise be so acquired, constructed, or provided by the parish of
27 East Baton Rouge through its regularly constituted departments, agencies, boards,
28 commissions, and instrumentalities, it being the intention of this Paragraph to avoid

1 the duplication of administrative and management efforts and expense in the
2 implementation of any plan adopted for the benefit of the district.

3 (2) In order to provide services or provide, construct, or acquire capital
4 improvements or facilities, the board may enter into intergovernmental local service
5 contracts with the parish of East Baton Rouge.

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

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1074 Original

2016 Regular Session

James

Abstract: Creates the North Baton Rouge Economic Development District in East Baton Rouge Parish and provides relative to the governance, purpose, powers, duties, and plans of the district.

Proposed law creates the North Baton Rouge Economic Development District as a political subdivision in East Baton Rouge Parish for the purpose of developing the area included within the district in order to provide for substantial economic activity and employment opportunities. Provides for district boundaries.

Proposed law provides that the district shall be managed by an eleven-member board of commissioners comprised of members as follows:

- (1) One member appointed by the state representative for House District No. 29 who must be a representative of the business community.
- (2) One member appointed by the state senator for Senate District No. 15.
- (3) One member appointed by the mayor-president of East Baton Rouge Parish.
- (4) One member appointed by the member(s) of the governing authority of East Baton Rouge Parish who represent the district.
- (5) One member appointed by the governing board of the Baton Rouge Area Chamber.
- (6) One member appointed by the state representative for House District No. 61.
- (7) One member appointed by the state representative for House District No. 67.
- (8) One member appointed by the state representative for House District No. 101.

- (9) One member appointed by the state senator for Senate District No. 14.
- (10) One member appointed by the president-chancellor of Southern University.
- (11) One representative of a civic association located within the district selected by a subcommittee formed by the board.

Proposed law provides that appointed members serve four-year staggered terms. Provides for the filling of vacancies in the same manner as the original appointment. Requires the board to elect from its members a chairman, a vice chairman, a secretary-treasurer, and such other officers as it may deem necessary. Requires members to serve without compensation but authorizes the board to reimburse any member for expenses actually incurred in the performance of his duties.

Proposed law provides that the district, through the board, shall have and exercise all powers of a political subdivision necessary or convenient for the carrying out of its objects and purposes, including but not limited to the following:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To adopt bylaws and rules and regulations.
- (4) To receive by gift, grant, donation, or otherwise any sum of money, property, aid, or assistance from the U.S., the state, or any political subdivision thereof, or any person, firm, or corporation.
- (5) 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.
- (6) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.
- (7) To acquire by purchase, gift, grant, donation, lease, or otherwise such property as may be necessary or desirable for carrying out the objectives and purposes of the board.

Proposed law provides that the district shall not be deemed to be an instrumentality of the state for purposes of the state civil service provisions of the state constitution.

Proposed law requires the board to prepare a plan specifying the public improvements, facilities, and services proposed to be furnished, constructed, or acquired for the district and to conduct public hearings, publish notice with respect thereto, and disseminate information as it, in the exercise of its sound discretion, may deem to be appropriate or advisable and in the public interest.

Proposed law provides that any plan may specify and encompass any public services, capital improvements, and facilities which East Baton Rouge Parish is authorized to undertake, furnish, or provide under the constitution and laws of the state of La. Provides that such specified public services, improvements, and facilities shall be special and in addition to all services, improvements, and facilities which the parish is then furnishing or providing or may then or in the future be obligated to furnish or provide within the district.

Proposed law requires any plan to include an estimate of the annual and total cost of acquiring, constructing, or providing the services, improvements, or facilities set forth therein. Requires that any monies received by the district be used exclusively for the

development of the district plan. Requires the board to submit the plan to the parish governing authority and requires the parish governing authority to review and consider the plan. Provides that the board need not receive approval of the parish governing authority prior to implementing such plan.

Proposed law provides that all services to be furnished within the district pursuant to any plan finally and conclusively adopted may be furnished, supplied, and administered by the parish through its regularly constituted departments, agencies, boards, commissions, and instrumentalities. Provides that all capital improvements and facilities to be acquired, constructed, or provided within the district may likewise be so acquired, constructed, or provided by the parish through its regularly constituted departments, agencies, boards, commissions, and instrumentalities to avoid the duplication of administrative and management efforts and expense in the implementation of any plan adopted for the benefit of the district. Authorizes the board to enter into intergovernmental local service contracts with the parish in order to provide services or provide, construct, or acquire capital improvements or facilities.

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

(Adds R.S. 33:2740.70.2)