

powers upon the commission, not inconsistent with the provisions hereof; provided, however, that it shall not impair any contract lawfully entered into by the commission. Title to all property and improvements thereon operated by the commission shall vest in the port commission.

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Section 2. Chapter 42 of Title 34 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 34:3251 through R.S. 34:3256, is hereby enacted to read as follows:

#### CHAPTER 42. GRAND ISLE PORT COMMISSION

##### §3251. Creation of Grand Isle Port Commission

A. There is hereby created the Grand Isle Port Commission, hereinafter referred to as the commission. It shall be composed of five members, appointed by the mayor and the board of aldermen of the town of Grand Isle, who shall be domiciled in the town of Grand Isle and shall serve without compensation. Two of the initial members shall be appointed for a two-year term, two initial members shall be appointed for a four-year term, and the remaining initial member shall be appointed for a six-year term. Thereafter, all members shall be appointed for six-year terms.

B. Any vacancy on the commission for any reason shall be filled in the same manner as the original appointments and for the unexpired term of office. Each commissioner shall be a citizen of the United States and a qualified voter and taxpayer of the state of Louisiana and a resident of Ward 11 in Jefferson Parish.

##### §3252. Officers of the board; meetings

The commission shall elect from its own members a president, a vice president, a secretary, and a treasurer, whose respective duties shall be prescribed by the commission. At the option of the commission, the office of the secretary and treasurer may be held by one person. The commission shall meet in regular session once each month and shall also meet in special session at the call of the president of the commission or on the written request of three members of the commission. A majority of the members of the commission shall constitute a quorum, and all actions or resolutions of the commission must be approved by the affirmative vote of not less than a majority of all members of the commission. The commission shall prescribe rules to govern its meetings and shall fix the place at which meetings shall be held.

##### §3253. Rights and powers of the commission

A. The commission shall exercise the powers herein conferred

upon it within the port area, consisting of the entire town of Grand Isle as the boundaries and limits of said town are presently or hereafter fixed by law and all of Ward 11 of Jefferson Parish. Provided however that the power and jurisdiction of said commission shall not apply or extend to any existing publicly or privately owned wharf, dock, warehouse, elevator or any facility or industrial structure constructed on or adjacent to any navigable waterway, natural or man-made, or the replacement, improvement and operation thereof by the owners, lessees, permittees, or the successors and assigns thereof; provided further that nothing herein shall affect R.S. 34:991 through 34:1004 relative to pilotage.

B. The commission may authorize a reasonable travel allowance for its members in the performance of their official duties, and it may employ such officers, agents and employees as it may find necessary in the performance of its duties, and may prescribe the duties, powers and compensation of such officers, agents and employees. The commission may upon such terms as may be agreed upon, contract for legal, financial, engineering and other professional services necessary or expedient in the conduct of its affairs, and it may, upon terms and conditions mutually agreeable, utilize the services of the executive departments of the state.

C. The commission may regulate commerce and traffic within the port area in such manner as may, in its judgment, be for the best interest of the port area. It shall have charge of and administer public wharves, docks, sheds and landings and shall be empowered to construct or acquire and equip wharves and landings and other structures useful for the commerce of the port area and to provide mechanical facilities therefor; to erect sheds or other structures on such wharves and landings; to maintain proper depths of water at all such wharves and landings; to provide light, water, police protection and other services for its facilities as it may deem advisable; to construct or acquire, maintain and operate basins, locks, canals, warehouses and elevators; to charge for the use of all facilities administered by it and for all services rendered by it, such fees, rates, tariffs or other charges as it may establish; to establish harbor lines within the port area by agreement with the United States Corps of Engineers; and to construct, own, operate and maintain terminal rail facilities and other common carrier rail facilities for the purpose of rendering rail transportation to and from the facilities to be erected, owned and operated by the commission in both intrastate and interstate commerce. The legislature may confer additional powers upon the commission, not inconsistent with the provisions hereof; provided, however, that it shall not impair any contract lawfully entered into by the commission. Title to all property and improvements thereon operated by the commission shall vest in the port commission.

D. The commission may charge a reasonable fee to each vessel using the public facilities administered by the commission. It also may charge for each copy of any certificate issued by it or by any of its officers or employees for inspecting hatches, surveying cargo, or making other surveys or inspections of vessels using the public facilities administered by the commission but shall furnish, without charge, to the master of each vessel one copy of all surveys upon his vessel or cargo.

E. The commission shall have authority to make and enter into contracts, leases and other agreements with railroads, trucking companies, barge lines, and with any and all companies interested in the transportation, storage and shipping of goods and other products, whether by rail, truck line, barge line, ocean going vessels or otherwise for the use of facilities administered by the commission or any part or portion thereof, for a period of time not exceeding forty years. No exclusive franchise, however, shall be granted to any carrier.

§3254. Authority for issuance of bonds; levy of taxes; election

A. The commission shall have authority, when authorized to do so by a vote of a majority, in number and amount, of the property taxpayers of the port area qualified to vote at an election for the purpose in accordance with law, to levy annually on all property situated within the port area, subject to taxation, an ad valorem tax not to exceed ten mills on the dollar. The commission may, upon its own initiative, call a special election and submit to the qualified taxpaying voters of the port area the question of authorizing the levy of such a tax. The commission shall call such a special election when requested to do so by petition in writing signed by one-fourth of the property taxpayers in number eligible to vote at such election. These special taxes shall be levied, assessed, and collected on the property within the port area under the same methods, terms, and conditions and at the same time as state and parish taxes are levied, assessed, and collected; these taxes shall be secured by the same liens upon the property subject to taxation within the port area as taxes for state and parish purposes; and the property subject to any taxes within said port area shall be sold for failure to pay the said taxes in the same manner as property is sold for delinquent state, parish, and other taxes under the laws of the state.

B. The provisions of the constitution and all laws regulating the collection of taxes, the creating of tax liens and mortgages, tax penalties, and tax sales also shall apply to the collection of all taxes authorized by this Section. The sheriff and ex officio tax collector for the parish of Jefferson shall make a monthly settlement with the treasurer of the commission and receive from him a receipt for the amount of the taxes paid over in the same manner as tax collectors

are required to settle with the auditor of the state. The tax collector shall receive from the treasurer the same quietus for a full settlement of taxes due and exigible in any given year and account for the delinquents or deductions in the same manner as though accounting to the auditor of the state for state taxes. The sheriff and ex officio tax collector shall retain from all taxes collected by him for the port area the same commission allowed thereon to him by law on special taxes and shall deposit the amount thereof with the parish treasurer to the credit of the sheriff's salary fund. Upon the failure of the tax collector to comply with the provisions of this Section, the commission shall proceed against him and the sureties on his official bond for the collection of whatever money may be owing to the commission for such special taxes.

C. The commission, with the approval of the State Bond Commission, is authorized to incur debts for its lawful purposes, and to issue in its name, negotiable bonds or notes therefor, and to pledge for the payment of the principal and interest of such negotiable bonds or notes the revenues derived from the operation of properties and facilities maintained and operated by it, or received by the commission from any taxes authorized under this Section or from other sources; provided, however, that the amount of such bonds or notes outstanding at any one time shall not exceed fifteen million dollars. Such bonds, when authorized to be issued, shall constitute, first, a general obligation of the commission, and secondly, the full faith and credit of the town of Grand Isle is hereby pledged. In addition to the pledge of revenues to secure said bonds and notes, the commission may further secure their payment by conventional mortgage upon any or all of the properties constructed or acquired, or to be constructed and acquired by it. The commission is further authorized to receive, by gift, grant, donation, or otherwise, any sum of money, aid, or assistance from the United States, the state of Louisiana, or any political subdivision thereof, and unless otherwise provided by the terms of such gift, grant, or donation, in its discretion, to pledge all or any part of such monies for the further securing of the payment of the principal and interest of its bonds or notes.

§3255. Limits of the district

A. The commission shall exercise the powers herein conferred upon it, within the port area, consisting of the entire town of Grand Isle as the boundaries and limits of said town are presently or hereafter fixed by law and all of Ward 11 of Jefferson Parish.

B. The commission shall be domiciled in the town of Grand Isle.

§3256. Transitional provisions

All lands and rights of way or servitudes and revenues therefrom

within the hereinabove described district belonging to the Greater Jefferson Port Commission on the effective date of this Act are hereby granted, conveyed, transferred, and delivered to the Grand Isle Port Commission without the necessity of any other act, deed, or instrument of transfer. To evidence the conveyance, an act of transfer shall be executed between the Greater Jefferson Port Commission and the Grand Isle Port Commission within thirty days of the effective date of this Act.

Section 3. If any provision or item of this Act or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this Act which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this Act are hereby declared severable.

Section 4. All laws or parts of laws in conflict herewith are hereby repealed.

Approved by the Governor: August 4, 1982.

Published in the Official Journal of the State: August 26, 1982.

A true copy:

JAMES H. "Jim" BROWN  
Secretary of State.

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ACT No. 865

House Bill No. 1837.

By: Messrs. Bruneau and Heaton (Introduced pursuant to the authority of H.C.R. No. 163).

AN ACT

To amend and reenact Section 3 of Act No. 130 of 1896, to enact R.S. 36:209(M), and to repeal R.S. 33:2401(A)(5), to provide with respect to the management, administration, purposes, functions, uses, and funding of City Park in New Orleans and the powers, duties, functions, responsibilities, and authority of the New Orleans City Park Improvement Association and its board of commissioners, including provisions to establish the purposes for which the park may be used; to provide for the use of particular areas of the park; to require the New Orleans City Council annually to pay certain funds to the association to be used for the park; to require the New Orleans City Park Improvement Association to adopt and annually review and periodically amend a master plan for development of the park; to authorize the association to receive and use or expend gifts, loans, donations, and bequests; to provide for the civil service status of employees of