

Regular Session, 2014

HOUSE BILL NO. 577

BY REPRESENTATIVE BROWN

DISTRICTS/WATERWORKS: Authorizes Waterworks District No. 3 of Rapides Parish to acquire a privately owned water system located in Grant Parish

1 AN ACT

2 To enact R.S. 33:3815.5, relative to the parishes of Grant and Rapides; to provide relative
3 to Waterworks District No. 3 of Rapides Parish; to provide relative to water services
4 supplied by the district to the residents of the parishes of Grant and Rapides; to
5 authorize the district to acquire a privately owned water system located in Grant
6 Parish for the purpose of supplying such services; to require the approval of the
7 governing authority of Grant Parish prior to the district supplying water services
8 from the system to the residents of Grant Parish and prior to any expansion of the
9 acquired water district located in Grant Parish by a water district located in another
10 parish; to provide relative to existing franchise agreements between the parishes of
11 Grant and Rapides; and to provide for related matters.

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

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 33:3815.5 is hereby enacted to read as follows:

17 §3815.5. Waterworks District No. 3 of Rapides Parish; authority to acquire privately
18 owned system in Grant Parish

19 A. Notwithstanding any other provision of law to the contrary, Waterworks
20 District No. 3 of Rapides Parish may acquire, by donation, one privately owned
21 water system located in Grant Parish for the purpose of supplying water services to

1 the residents of the parishes of Grant and Rapides. The district may acquire all
2 property or facilities owned by any such system and may acquire all machinery
3 deemed necessary by the district to maintain and operate the system. The district
4 shall own in full ownership all property or facilities acquired pursuant to the
5 provisions of this Subsection, and all such property or facilities shall be considered
6 publicly owned by the district.

7 B. The district shall not supply any water service to the residents of Grant
8 Parish from any water system acquired pursuant to the provisions of Subsection A
9 of this Section or expand the acquired water district located in Grant Parish by a
10 water district located in another parish until the governing authority of Grant Parish
11 adopts a resolution authorizing the district to supply such services. The district shall
12 supply water services to the residents of Grant Parish pursuant to the terms and
13 conditions set forth in an agreement between the district and the parish.

14 C. The provisions of this Section shall not be construed as to void the
15 provisions of any franchise agreement between the parishes of Grant and Rapides in
16 effect prior to the effective date of this Section, and the district may continue to
17 supply water services to the residents of the parishes of Grant and Rapides pursuant
18 to any franchise agreement in effect prior to the effective date of this Section for as
19 long as the agreement remains in effect.

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)]

Brown

HB No. 577

Abstract: Relative to Waterworks District No. 3 of Rapides Parish, authorizes the district to acquire a privately owned water system located in Grant Parish for the purpose of supplying water services to the residents of the parishes of Grant and Rapides.

Present law authorizes parishes to create waterworks districts to oversee the installation, operation, and maintenance of waterworks systems. Provides that each waterworks district is governed by a board of five commissioners, with certain exceptions.

Proposed law retains present law.

Present law provides for the powers and duties of the waterworks districts, including the authority to expropriate property for any purpose that it may find necessary in the operation of its waterworks system, and the authority to acquire by donation or purchase any existing waterworks system in the district. Authorizes the districts to acquire all machinery necessary for the purpose of affecting the object for which it is formed. Authorizes the districts to cooperate with other districts within their respective parishes and with private individuals, associations, corporations, or municipalities.

Proposed law retains present law.

Present law relative to waterworks districts that own property in an adjoining parish, authorizes the districts to expropriate property within their respective districts and to acquire by donation, purchase, exchange, lease, or otherwise, any property or facilities located at any location which affects the object for which the district was formed. Provides that the provisions of present law shall not be construed so as to restrict a waterworks district in one parish from supplying water services to other waterworks districts or fire districts in an adjoining parish, when permission has been granted by the governing authority of the adjoining parish pursuant to a resolution or franchise agreement. Provides exceptions.

Proposed law retains present law and additionally authorizes the Waterworks District No. 3 of Rapides Parish to acquire, by donation, one privately owned water system located in the Grant Parish for the purpose of supplying water services to the residents of the parishes of Grant and Rapides. Authorizes the district to acquire all property or facilities owned by the system and to acquire all machinery deemed necessary by the district to maintain and operate the system. Provides that all properties and facilities acquired are considered publicly owned by the district.

Proposed law requires the approval of the governing authority of Grant Parish prior to the district supplying water services from the system acquired pursuant to proposed law to the residents of Grant Parish or expanding the acquired water district. Requires the district to supply water services pursuant to the terms and conditions of an agreement between the district and Grant Parish.

Proposed law provides that proposed law shall not be construed as to void the provisions of any franchise agreement between the parishes of Grant and Rapides in effect prior to proposed law and authorizes the district to continue to supply water services to the residents of both parishes pursuant to any franchise agreement in effect prior to proposed law.

(Adds R.S. 33:3815.5)

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Added a provision that prohibits the district from expanding the acquired water district without approval of the governing authority of Grant Parish.