

Regular Session, 2011

SENATE BILL NO. 166

BY SENATOR WALSWORTH

PORTS/HARBORS/TERMINALS. Provides for the membership of the Greater Ouachita Port Commission. (gov sig)

1 AN ACT

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4 To amend and reenact R.S. 34:1401(A) and (B), and to enact R.S. 34:1402(C), relative to  
5 membership on the commission; to provide for residency requirements and removal  
6 of commissioners failing to attend the required number of regular meetings; and to  
7 provide for related matters.

8 Notice of intention to introduce this Act has been published.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 34:1401(A) and (B) are hereby amended and reenacted and R.S. 34:  
11 1402(C) is hereby enacted to read as follows:

12 §1401. Creation of commission; membership; qualifications; vacancy

13 A. The Greater Ouachita Port Commission, the "commission", is hereby  
14 created. The commission shall be composed of seven members, who shall serve  
15 without compensation. The members must be citizens of the United States and  
16 qualified electors of the parish of Ouachita and shall be appointed by the governor  
17 for overlapping terms of six years, as follows:

1 (1) Two commissioners shall be appointed at large.

2 (2) Two commissioners shall be residents of ~~Ward 3, 4, or 10~~ District 3  
3 consisting of precincts 10 through 24, District 4 consisting of precincts 25 and  
4 26, or District 10 consisting of precincts 59 through 72 and 74 through 79 and  
5 shall be appointed by the governor from a list of three nominees submitted by the  
6 state legislators representing these ~~wards~~ precincts.

7 (3) Two commissioners shall be residents of ~~Ward 5, 6, 7, 8, or 9~~ District 5  
8 consisting of precincts 27 through 50, District 6 consisting of precincts 51  
9 through 53, District 7 consisting of precincts 54 and 55, District 8 consisting of  
10 precincts 56 and 57 or District 9 consisting of precinct 58 and shall be appointed  
11 by the governor from a list of three nominees submitted by the state legislators  
12 representing these ~~wards~~ precincts.

13 (4) One commissioner shall be a resident of ~~Ward 1 or 2~~ District 1 consisting  
14 of precincts 1 through 5 and precinct 73, or District 2 consisting of precincts 2  
15 through 9A and shall be appointed by the governor from a list of three nominees  
16 submitted by the state legislators representing these wards.

17 B. The commissioner initially appointed from ~~Ward 1 or 2~~ District 1  
18 consisting of precincts 1 through 5 and precinct 73, or District 2 consisting of  
19 precincts 2 through 9A and one of the commissioners initially appointed from ~~Ward~~  
20 ~~5, 6, 7, 8, or 9~~ District 5 consisting of precincts 27 through 50, District 6  
21 consisting of precincts 51 through 53, District 7 consisting of precincts 54 and  
22 55, District 8 consisting of precincts 56 and 57, or District 9 consisting of  
23 precinct 58 shall serve terms of two years; one of the commissioners initially  
24 appointed at large and one of the commissioners initially appointed from ~~Ward 3, 4,~~  
25 ~~or 10~~ District 3 consisting of precincts 10 through 24, District 4 consisting of  
26 precincts 25 and 26, or District 10 consisting of precincts 59 through 72 and 74  
27 through 79 shall serve terms of four years; and the other three commissioners  
28 initially appointed shall serve terms of six years, all as designated by the governor.  
29 The successors shall serve terms of six years. Each commissioner shall take and

1 cause to be recorded the oath of office, as required by Article X, Section 30 of the  
2 Constitution of Louisiana and R.S. 42:161 et seq.

3 \* \* \*

4 §1402. Officers; meetings; quorum; **removal**

5 \* \* \*

6 **C. Members who fail to attend three or more consecutive regular**  
7 **meetings may be removed by a majority of commission members present at a**  
8 **regular or special meeting of the commission. Filling vacancies created by**  
9 **removal shall be pursuant to the provisions of Subsections A and B of this**  
10 **Section.**

11 Section 3. This Act shall become effective upon signature by the governor or, if not  
12 signed by the governor, upon expiration of the time for bill to become law without signature  
13 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana; if  
14 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
15 effective on the day following such approval by, whichever is later.

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

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#### DIGEST

Present law provides for membership on the Greater Ouachita Port Commission and residency requirements that all legislators use to determine their nominees to the governor for appointment to the commission.

Present law provides for staggered, overlapping terms by commissioners, initially consisting of two-year, four-year and six-year terms, with all subsequent terms to be six years.

Proposed law provides for conversion from wards to precincts in the residency requirements for commissioners.

Proposed law provides for possible removal of commissioners by a majority vote of the commission for failing to attend three or more consecutive, regular meetings.

Proposed law provides for filling vacancies on the commission created by removal of a commissioner for failing to meet attendance requirements at regular meetings.

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

(Amends R.S. 34:1401(A) and (B); adds R.S. 34:1402(C))