

SENATE BILL NO. 212

BY SENATOR MARIONNEAUX

1 AN ACT

2 To enact R.S. 2:654.1 and to repeal R.S. 2:650 through 661, relative to the Louisiana Airport
3 Authority; to provide for certain changes in membership of the Board of
4 Commissioners for the Louisiana Airport Authority; to provide for completion of
5 certain items by the Department of Economic Development; to abolish the Louisiana
6 Airport Authority; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 2:654.1 is hereby enacted to read as follows:

9 **§654.1. Board of Commissioners; creation; membership; terms; officers;**
10 **meetings**

11 **A. The Board of Commissioners of the Louisiana Airport Authority is**
12 **hereby authorized and established as the governing authority of the Authority.**

13 **The powers of the authority shall be vested in the board.**

14 **B. The board shall be comprised of eleven voting members appointed as**
15 **follows:**

16 **(1) Two members shall be appointed by the governor representing**
17 **Ascension Parish.**

18 **(2) One member shall be appointed by the governor representing St.**
19 **James Parish.**

20 **(3) Two members shall be appointed by the governor representing**
21 **Assumption Parish.**

22 **(4) Two members shall be appointed by the governor representing**
23 **Iberville Parish.**

24 **(5) One member to be appointed at large by the governor.**

1 (6) The secretary of the Department of Economic Development or his
2 designee.

3 (7) The secretary of the Department of Transportation and Development
4 or his designee.

5 (8) The governor or his designee.

6 C. For purposes of selecting members as provided in Paragraphs (1)
7 through (8) of Subsection B of this Section, the governor shall appoint the
8 members by July 1, 2008. The members shall be subject to confirmation by the
9 Senate; however, the members appointed by the governor by July 1, 2008, shall
10 serve without confirmation by the Senate until July 1, 2009. The term of
11 members of the board serving prior to the repeal of R.S. 2:654 shall expire on
12 July 1, 2008. The first meeting of the board shall occur not later than sixty days
13 after August 15, 2008.

14 D. Each member of the board shall be a citizen of the United States, a
15 resident of Louisiana, and shall be of an outstanding personal and professional
16 reputation.

17 E. The members of the board shall serve without compensation.

18 F. A vacancy occurring on the board for any reason shall be filled for
19 the remainder of the term in the same manner as the original appointment.

20 G. The members of the board shall serve terms concurrent with that of
21 the appointing governor.

22 H. The board shall appoint one of its members to serve as the chairman
23 and vice-chairman of the board to serve at the pleasure of the governor. At its
24 first meeting, the board shall elect one of its members as secretary. The board
25 may elect such additional officers as it may deem necessary and appropriate for
26 the conduct of its business affairs. The authority may employ an executive
27 director, airport manager, technical experts, and such other officers, agents and
28 employees, permanent and temporary, as it may require, and shall determine
29 their qualifications, duties and compensation. The authority may delegate to
30 one or more of its agents or employees such powers or duties as it may deem

1 **proper.**

2 **I. The board shall hold regular monthly meetings and may hold**
3 **additional meetings as it deems necessary. A board member who fails to attend**
4 **three consecutive meetings, or four or more meetings in a one-year period, shall**
5 **automatically be recommended by the board to the appropriate appointing**
6 **authority for removal, and, upon removal, a vacancy in that position shall be**
7 **declared and filled as provided herein. All meetings of the board and all**
8 **minutes and records thereof shall be subject to the Open Meetings Law and the**
9 **Public Records Act. A majority of the members of the board shall constitute a**
10 **quorum, and such quorum shall be required for the transaction of all business**
11 **of the board. Action by the authority shall require an affirmative vote of a**
12 **majority of the members present.**

13 **J. The board shall adopt bylaws for the governance of the board and for**
14 **the operation and governance of the Authority.**

15 **K. No member of the board shall own or have any interest or part in any**
16 **public or private organization, business, company, or entity conducting business**
17 **of any kind with the authority or any of the facilities controlled by the**
18 **authority.**

19 **L. Notwithstanding any provision of law to the contrary, any member**
20 **of the board who is convicted of a felony shall be removed from the board**
21 **within thirty days after conviction. Any member of the board who signs a**
22 **consent opinion regarding a violation of the Code of Governmental Ethics, R.S.**
23 **42:1101 et seq., or any other ethical violation, or who is found in violation of the**
24 **Code of Governmental Ethics, R.S. 42:1101 et seq., shall be removed from the**
25 **board. In addition, the board may recommend to the governor the removal of**
26 **any member of the board who regularly fails to attend board meetings. The**
27 **board shall establish standards and procedures for the removal of a member in**
28 **its bylaws.**

29 **M. The domicile of the authority shall be the city of Baton Rouge, in**
30 **East Baton Rouge Parish.**

1 **N. The authority shall be subject to the Public Bid Law.**

2 Section 2. R.S. 2:654 is hereby repealed in its entirety.

3 Section 3. Chapter 5 of Title 2 of the Louisiana Revised Statutes of 1950, comprised
4 of R.S. 2:650 through 661, is hereby repealed in its entirety.

5 Section 4. Subject to the appropriation of funding, the Department of Economic
6 Development shall complete the following items relating to the project commonly referred
7 to the Louisiana Transportation Center by May 1, 2009, and shall ensure the independence
8 of all data collected relating to such items by only utilizing consultants, advisors and study
9 firms which have no vested interest in the development of the Louisiana Transportation
10 Center:

11 (a) Draft a preliminary business plan, including critical business factors, key team
12 members, established principles for management, marketing and operating all airport
13 facilities if built, for development of the Louisiana Transportation Center;

14 (b) Prepare a commercial program description discussing the location, land uses,
15 likely marketing efforts and resources needed, potential financial and economic values,
16 timing and phasing of the development;

17 (c) Develop a preliminary development program and budgetary schedule for the
18 Louisiana Transportation Center;

19 (d) Report identifying contract principles to be prepared;

20 (e) Submit a recommendation as to whether or not the Louisiana Transportation
21 Center is or is not economically feasible to the Joint Legislative Committee on the Budget.

22 Section 5. Should the Department of Economic Development recommend the
23 Louisiana Transportation Center is not economically feasible, Section 3 of this Act shall be
24 effective July 1, 2009. In the event that the Department of Economic Development
25 recommendation that the Louisiana Transportation Center is economically feasible, Section
26 3 of this Act shall become null and void.

27 Section 6. Should Section 3 of this Act become effective, all books, papers, records,
28 money, equipment, actions, and other property of every kind, movable and immovable, real
29 and personal, heretofore possessed, controlled, or used by the Louisiana Airport Authority,
30 shall be transferred to the Department of Economic Development within one hundred and

1 eighty days of the effective date of Section 3.

2 Section 7. Sections 1, 2, 4, 5, 6 and this Section of this Act, shall become effective
3 upon signature of the governor or, if not signed by the governor, upon expiration of the time
4 for bills to become law with or without signature by the governor, as provided by Article III,
5 Section 18 of the Constitution of Louisiana. If vetoed by the governor subsequently
6 approved by the legislature, this Act shall become effective on the day following such
7 approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____