

SENATE BILL NO. 118

BY SENATOR MILLS

1 AN ACT

2 To enact R.S. 33:2740.40, relative to St. Martin Parish; to create the St. Martinville
3 Downtown Development District within the parish; to provide relative to the
4 boundaries, purpose, and powers and duties of the district; to provide relative to
5 district funding, including the authority to levy taxes; and to provide for related
6 matters.

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

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 33:2740.40 is hereby enacted to read as follows:

10 **§2740.40. St. Martinville Downtown Development District**

11 **A. Intent. The legislature hereby finds and declares that it is necessary**
12 **for the public health, safety, and welfare of the city of St. Martinville that the**
13 **property value deterioration in the downtown area be halted and that the causes**
14 **of such deterioration be halted.**

15 **B. Creation. (1) The St. Martinville Downtown Development District,**
16 **hereinafter referred to as the "district", is hereby created for the primary**
17 **purpose of redevelopment of the central business district.**

18 **(2) The boundaries of the district shall be that area within and including**
19 **the following perimeters: Railroad St. to Bayou Teche to Denbas St. to Lewis St.**
20 **and Washington St. and back to Railroad St.**

21 **C. Governance. (1) The governing authority of the district shall be a**
22 **board consisting of seven members, referred to in this Section as the "board",**
23 **appointed as follows:**

24 **(a) The governing authority of St. Martinville shall appoint three**
25 **members.**

26 **(b) The mayor of St. Martinville shall appoint one member.**

27 **(c) The state representative for the House of Representatives district**

1 which encompasses all or the greater portion of the area of the district shall
2 appoint one member.

3 (d) The state senator for the Senate district encompassing all or the
4 greater portion of the area of the district shall appoint one member.

5 (e) The parish president of St. Martin Parish shall appoint one member.

6 (2) The appointments made pursuant to Subparagraphs (1)(b) through
7 (e) of this Subsection shall be subject to confirmation by the governing authority
8 of St. Martinville.

9 (3) If any appointing authority fails to make an appointment within
10 thirty days after notification by the board of a vacancy, the governing authority
11 of St. Martinville may appoint a member of its own choosing. Each member of
12 the board shall be a registered voter of St. Martin Parish. The appointing
13 authority may remove any member for cause.

14 (4) Terms of members shall be four years, except for initial terms which
15 shall be as follows: one shall be appointed for a term of one year, two for a term
16 of two years, two for a term of three years, and two for a term of four years as
17 determined by lot at the first meeting of the board. Vacancies occurring prior
18 to the expiration of a term shall be filled in the manner of the original
19 appointment for the remainder of the unexpired term.

20 (5) The board shall elect a chairman, a vice chairman, and a secretary-
21 treasurer from among its members. Officers shall serve one-year terms but
22 shall be eligible for reelection. The board shall adopt such rules for the
23 transaction of its business as it deems necessary and shall keep a record of its
24 resolutions, transactions, studies, findings, and determinations, which record
25 shall be a public record.

26 (6) The board may employ or contract with an executive director and
27 set his compensation and terms of employment. Notwithstanding any other
28 provision of law to the contrary, the board may establish the term of such
29 contract. The board also may employ such other employees as are necessary to
30 carry out the functions of the district as authorized by the board.

1 **D. Redevelopment activities. (1) In order to effectuate the purposes of**
2 **this Section, the board shall have the specific authority provided in R.S.**
3 **33:4625(F); such authority shall be exercised solely within the district.**

4 **(2) The board shall formulate a redevelopment plan or plans for the**
5 **district and submit any plan to the governing authority of St. Martinville for**
6 **review. The board shall formulate a program or programs to implement any**
7 **redevelopment plan. Such a program shall implement the various plans in such**
8 **a manner as to aid and encourage private development of the area and to**
9 **promote and coordinate public development. In formulating such a program,**
10 **the board may conduct studies and may consult with all departments of the city**
11 **of St. Martinville and other public or private agencies concerned with matters**
12 **affecting or affected by the program.**

13 **(3) After adoption of the development program, the board may**
14 **implement any portion thereof in such manner as shall, in its judgment, most**
15 **likely accomplish the program. To that end, the district may employ or**
16 **contract with engineers, architects, attorneys, underwriters, and other**
17 **professionals necessary for the financing and implementation of the**
18 **construction, renovation, maintenance, or operation of facilities described in the**
19 **redevelopment plan and may contract in accordance with law for the**
20 **construction, renovation, maintenance, or operation of the facilities.**

21 **(4) The board shall prepare each year an annual budget in accordance**
22 **with the Louisiana Local Government Budget Act, R.S. 39:1301 et seq.**

23 **E. Revenues. (1) Subject to the approval of the governing authority of**
24 **the city of St. Martinville and the registered voters of the district as provided**
25 **in Paragraph (4) of this Subsection, the district may levy an ad valorem tax not**
26 **exceeding ten mills for such number of years as may be provided in the**
27 **proposition authorizing its levy for the purpose of planning, constructing,**
28 **acquiring, operating, or maintaining public facilities contemplated by the**
29 **redevelopment plan and for the operating expenses of the district.**

30 **(2) Subject to the approval of the governing authority of the city of St.**

1 Martinville and the registered voters of the district as provided in Paragraph
2 (4) of this Subsection, the district may issue general obligation bonds in
3 accordance with the provisions of R.S. 39:551 et seq., for the purpose of
4 constructing, acquiring, or improving any work of public improvement
5 contemplated by the redevelopment plan. As provided by Article VI, Section
6 33 of the Constitution of Louisiana, the bonds shall have pledged thereto the full
7 faith and credit of the district, and the district shall levy and collect taxes on all
8 property subject to taxation in the district sufficient to pay the bonds in
9 principal, interest, and premium, if any, as the same become due and payable.

10 (3) Any ad valorem tax levied by the district, including taxes levied
11 under Paragraph (1) of this Subsection or levied to provide for payment of
12 bonds authorized under Paragraph (2) of this Subsection, being special ad
13 valorem taxes, shall be subject to homestead exemption as provided by Article
14 VII, Section 20 of the Constitution of Louisiana.

15 (4) No ad valorem tax may be levied under the provisions of Paragraph
16 (1) of this Subsection nor may any bonds be issued under the provisions of
17 Paragraph (2) of this Subsection unless authorized by a majority of the
18 registered voters of the district who vote at an election held for that purpose in
19 accordance with the applicable provisions of the Louisiana Election Code. The
20 governing authority of the city of St. Martinville shall call any such election.

21 (5) Any tax levied under authority of this Subsection shall be in addition
22 to all other taxes which other political subdivisions in St. Martin Parish are now
23 or hereafter may be authorized by law to levy and collect. All services and
24 programs to be provided from the proceeds of the tax shall be in addition to the
25 services and programs which are otherwise provided by other governing
26 authorities.

27 F. The district shall be authorized to enter into agreements with any
28 person or persons, public or private, providing for contributions or payments
29 towards the cost of financing public facilities in the district. The district is
30 hereby authorized to issue bonds secured wholly or partly by the revenues of

1 such agreements and wholly or partly by other revenues that may be received,
2 from time to time, by the district provided the bonds are authorized and issued
3 in the manner provided by R.S. 39:1011 et seq.

4 G. The financial records of the district shall be audited pursuant to the
5 provisions of R.S. 24:513.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____