

First Extraordinary Session, 2011

HOUSE BILL NO. 16

BY REPRESENTATIVES HUTTER AND DOWNS

CENSUS: Provides relative to provisions in Title 34 which are limited in applicability to political subdivisions or local areas meeting specified population characteristics (Item #8)

1 AN ACT

2 To amend and reenact R.S. 34:851.27(B)(8), 3521(A), and 3522(A), relative to provisions  
3 of Title 34 (Navigation and Shipping) of the Louisiana Revised Statutes of 1950  
4 which are limited in applicability to certain political subdivisions or local areas based  
5 upon population classifications; to specify applicability to one or more political  
6 subdivisions or local areas; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 34:851.27(B)(8), 3521(A), and 3522(A) are hereby amended and  
9 reenacted to read as follows:

10 §851.27. Local regulations prohibited; exceptions; speed limits

11 \* \* \*

12 B.

13 \* \* \*

14 (8) Notwithstanding any law to the contrary, the local governing authority  
15 of any parish with a population in excess of four hundred forty thousand according  
16 to the latest federal census the parishes of Orleans and Jefferson may regulate or  
17 prohibit watercraft operating within two hundred fifty feet of any structures on any  
18 water bottoms in Lake Pontchartrain leased by said local governing authority from  
19 the state for recreational purposes.

20 \* \* \*

1 §3521. Additional rights and powers

2 A. In addition to any other authority or power granted by law, the board of  
3 commissioners for a port authority in ~~whose boundaries are coterminous with~~  
4 ~~parishes having a population between thirty-nine thousand and forty thousand,~~  
5 ~~according to the latest federal decennial census,~~ Natchitoches Parish shall have  
6 authority to make and enter into contracts, leases, and other agreements with  
7 railroads, trucking companies, bargelines, and with any and all companies interested  
8 in the transportation, storage, and shipping of goods and other products, whether by  
9 rail, truckline, bargeline, or otherwise, for the use of facilities administered by the  
10 commission or any part or portion thereof for a period of time not exceeding ninety-  
11 nine years. However, no exclusive franchise shall be granted to any carrier.

12 \* \* \*

13 §3522. Authorities in certain parishes

14 A. Notwithstanding any provision of law to the contrary, there is hereby  
15 created in ~~any parish having a population of not more than one hundred thirty~~  
16 ~~thousand and not less than one hundred twenty-five thousand as determined by the~~  
17 ~~most recent federal decennial census,~~ Rapides Parish a port authority in such parish  
18 and adjacent lands, except as provided in Subsection B of this Section.

19 \* \* \*

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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)]

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Hutter

HB No. 16

**Abstract:** Updates applicability of provisions in Title 34 as a result of the 2010 census.

Proposed law, contained in Title 34 (Navigation and Shipping) of the Louisiana Revised Statutes of 1950, legislates with regard to classifications of parishes, municipalities, or other political subdivisions or local areas according to population by amending local bills to limit the application of laws based upon specific classifications to one or more parishes, municipalities, or other political subdivisions or local areas, as follows:

<b>CITATION/ TOPIC</b>	<b>EXISTING LAW</b>	<b>AFFECTED LOCATIONS</b>	<b>PROPOSED LAW</b>
R.S. 34:851.27(B)(8)- Authorizes the regulation or prohibition on operating watercraft for recreational purposes in certain areas	Any parish with a population of 440,000+	Orleans and Jefferson parishes (1990, 2000 census)	Orleans and Jefferson parishes
R.S. 34:3521(A) - Provides for rights and powers of the board of commissioners of the Natchitoches Parish Port	Port authority whose boundaries are coterminous with parishes having a population between 39,000 - 40,000	Natchitoches Parish (2000 census)	Natchitoches Parish
R.S. 34:3522 - Authorizes the creation of a port authority in certain parishes	Any parish having a population of not more than 125,000	Rapides Parish (2000 census)	Rapides Parish

(Amends R.S. 34:851.27(B)(8), 3521(A), and 3522(A))