

Regular Session, 2011

ACT No. 279

HOUSE BILL NO. 356

BY REPRESENTATIVES BROSSETT, ABRAMSON, ARNOLD, AUSTIN BADON,
BISHOP, HENDERSON, LEGER, MORENO, AND STIAES AND SENATORS
HEITMEIER, MORRELL, AND WILLARD-LEWIS

1 AN ACT

2 To amend and reenact R.S. 33:4530(A), relative to the city of New Orleans; to provide
3 relative to the Public Belt Railroad Commission for the city of New Orleans; to
4 provide relative to the appointment and terms of commission members; and to
5 provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:4530(A) is hereby amended and reenacted to read as follows:

11 §4530. New Orleans public belt railroad; operation by city of New Orleans through
12 public belt railroad commission

13 A.(1) Except as ~~hereinafter~~ provided in ~~§4531~~ R.S. 33:4531, the city of New
14 Orleans shall continue the operation of a public belt railroad by and through a
15 commission to be known as the Public Belt Railroad Commission for the city of New
16 Orleans, to be composed of the mayor of ~~said~~ the city of New Orleans and ~~sixteen~~
17 ~~citizen taxpayers~~ nine citizens from within the New Orleans-Metairie-Kenner
18 Metropolitan Statistical Area who shall ~~now and hereafter be chosen in the manner~~
19 ~~and for the terms provided in Ordinance 2683, New Council Series of the city of~~
20 ~~New Orleans, approved October 8, 1904, except that, in case any commercial~~
21 ~~organization mentioned therein shall cease to exist, and there be no other~~
22 ~~organization performing similar functions, the members thereof appointed on~~
23 ~~recommendation of such organization shall be appointed by the public belt railroad~~

1 ~~commission. The mayor of the city of New Orleans shall be the president of said~~
2 ~~commission and shall have the right to vote at all meetings. The president pro tem~~
3 ~~shall be chosen by the commission from those members appointed from the~~
4 ~~commercial organizations described in said city ordinance. The present members of~~
5 ~~the commission shall continue to serve until the expiration of their terms. be~~
6 ~~appointed as provided in Paragraph (2) of this Subsection.~~

7 (2)(a) Nine citizens shall be appointed by the mayor of the city of New
8 Orleans, six of whom shall be appointed from a list of nominations submitted to the
9 mayor from a group of nominating persons or entities as determined by ordinance
10 of the governing authority of the city of New Orleans. All appointments shall be
11 confirmed by the governing authority of the city of New Orleans.

12 (b) All appointed members shall serve four-year staggered terms after
13 servng initial terms as follows: three members shall serve an initial term of one
14 year; two shall serve two years; two shall serve three years; and two shall serve four
15 years, as determined by lot at the first meeting of the commission after the effective
16 date of this Subparagraph.

17 (c) The mayor shall serve during his term of office.

18 (3) Vacancies resulting from the expiration of a term or any other reason
19 shall be filled for the remainder of the unexpired term in the manner of the original
20 appointment. Members shall be eligible for reappointment.

21 (4) The mayor of the city of New Orleans shall be the president of the
22 commission and shall have the right to vote at all meetings. The members of the
23 commission shall select from among themselves a president pro tempore and such
24 other officers as they deem appropriate.

25 Section 2. The terms of the members of the Public Belt Railroad Commission for the
26 city of New Orleans in office on the effective date of this Act shall terminate on the effective
27 date of this Act. The members of the Public Belt Railroad Commission for the city of New
28 Orleans shall be appointed and shall take office as provided in this Act and shall serve initial
29 terms as provided in this Act. This Section shall not be construed to prevent the
30 reappointment to the commission of a member in office on the effective date of this Act.

1 Section 3. This Act shall take effect and become operative on the first day of January
2 following an election at which a majority of the voters of the city of New Orleans who vote
3 on the proposition approve an amendment of Article V, Chapter 2, Section 5-201 of the
4 home rule charter of the city to change the composition of the Public Belt Railroad
5 Commission for the city of New Orleans to provide the identical composition of the board
6 as contained in this Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____