

2022 Regular Session

HOUSE BILL NO. 732

BY REPRESENTATIVE DUPLESSIS

DISTRICTS/HISTORIC: Provides relative to the Louis Armstrong Park Authority and Historic Jazz District in Orleans Parish

1 AN ACT

2 To enact Chapter 17-E of Title 25 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 25:850.21, and to repeal R.S. 33:2740.26, relative to Orleans
4 Parish; to provide relative to the Louis Armstrong Park Authority and Historic Jazz
5 District; to provide that the district is a political subdivision of the state; to provide
6 relative to the governing board of the district; to provide relative to the membership
7 of the board; to provide relative to the powers and duties of the district; and to
8 provide for related matters.

9 Notice of intention to introduce this Act has been published
10 as provided by Article III, Section 13 of the Constitution of
11 Louisiana.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. Chapter 17-E of Title 25 of the Louisiana Revised Statutes of 1950,
14 comprised of R.S. 25:850.21, is hereby enacted to read as follows:

15 CHAPTER 17-E. LOUIS ARMSTRONG PARK AUTHORITY AND HISTORIC JAZZ

16 DISTRICT

17 §850.21. Louis Armstrong Park Authority and Historic Jazz District; creation,
18 composition, and powers

19 A. There is hereby created within the parish of Orleans, as more specifically
20 provided in Subsection B of this Section, a body politic and corporate which shall

1 be known as the Louis Armstrong Park Authority and Historic Jazz District, referred
2 to in this Section as the "district". The district shall be a political subdivision of the
3 state as defined in the Constitution of Louisiana.

4 B. The boundaries of the district shall be that area of the city of New Orleans
5 bounded on the east by Esplanade Avenue, on the south by Rampart Street, on the
6 west by Canal Street, and on the north by North Claiborne Avenue, including the
7 contiguous property on both sides of these streets.

8 C. The district is established for the primary object and purpose of acquiring
9 ownership, leasing, or entering into a management agreement for the Louis
10 Armstrong Park facility from or with the city of New Orleans. Additionally, the
11 district is authorized to promote, encourage, and enhance the park and all areas
12 within the boundaries of the district through renewed commerce, industry, and
13 utilization and development of the human resources of the area. The objectives of
14 the district may include such matters as music, housing, economic development,
15 skills and technical training, the cultural and historic value of the area, tourism,
16 entertainment, health, and day care facilities.

17 D.(1) The district shall be governed by a seventeen-member board of
18 commissioners, referred to in this Section as the "board". The board shall be
19 composed as follows:

20 (a) The governing board of the Greater Treme Consortium, Inc., shall
21 appoint one member.

22 (b) The governing board of Save Our Soul Coalition, Inc., shall appoint one
23 member.

24 (c) The governing board of the Louis Armstrong Educational Foundation,
25 Inc., shall appoint one member.

26 (d) The governing boards of the Claiborne Cultural Innovation District and
27 the Claiborne Merchants & Business Association shall jointly appoint one member.

28 (e) The governing board of the Historic Faubourg Treme Association shall
29 appoint one member.

1 (f) The governing board of French Quarter Citizens, Inc., shall appoint one
2 member.

3 (g) The governing board of the Congo Square Preservation Society shall
4 appoint one member.

5 (h) The governing board of the New Orleans Black Masking Indian
6 Cooperative shall appoint one member.

7 (i) The governing board of the Kumbuka African Drum and Dance
8 Collective shall appoint one member.

9 (j) The governing board of the New Orleans Culture Preservation Committee
10 shall appoint one member.

11 (k) The governing board of Tamborine and Fan, Inc., shall appoint one
12 member.

13 (l) The governing board of the New Orleans Musicians' Clinic and
14 Assistance Foundation shall appoint one member.

15 (m) The member of the Louisiana Senate whose district encompasses all or
16 the greater portion of the area of the district or his designee.

17 (n) The member of the Louisiana House of Representatives whose district
18 encompasses all or the greater portion of the area of the district or his designee.

19 (o) The member of the United States House of Representatives whose district
20 encompasses all or the greater portion of the area of the district or his designee.

21 (p) The mayor of the city of New Orleans or his designee.

22 (q) The member of the governing authority of the city of New Orleans whose
23 district encompasses all or the greater portion of the area of the district or his
24 designee.

25 (2) All members of the board shall be residents of Orleans Parish.

26 (3)(a) Board members serving pursuant to Subparagraphs (1)(a) through (1)
27 of this Subsection shall serve three-year terms after serving initial terms as provided
28 in this Subparagraph. Four members shall serve initial terms of three years; four

1 shall serve initial terms of two years; and four shall serve initial terms of one year,
2 as determined by lot at the first meeting of the board.

3 (b) The members serving pursuant to Subparagraphs (1)(m) through (q) of
4 this Subsection shall serve during their terms of office. Any designee serving on the
5 board shall serve at the pleasure of the designating authority.

6 (4) Any vacancy in the membership of the board, occurring either by reason
7 of the expiration of the term for which appointed or by reason of death, resignation,
8 or otherwise, shall be filled in the manner of the original appointment. If the entity
9 responsible for the appointment of a member fails to fill a vacancy within thirty days,
10 the board may appoint an interim successor to serve for the remainder of the
11 unexpired term.

12 (5) Board members are eligible for reappointment.

13 (6) The board shall elect from its members a chairman, a vice chairman, a
14 secretary-treasurer, and such other officers as it deems necessary. The duties of the
15 officers shall be fixed by the bylaws adopted by the board.

16 (7) The minute books and archives of the district shall be maintained by the
17 secretary-treasurer of the board. The monies, funds, and accounts of the district shall
18 be in the official custody of the board.

19 (8) The board shall adopt such rules and regulations as it deems necessary
20 or advisable for conducting its business affairs and, to the extent that funds are
21 available, shall hire such assistants and employees as are needed to assist the board
22 in the performance of its duties. Rules and regulations of the board relative to the
23 notice and conduct of meetings shall conform to applicable law, including, if
24 applicable, R.S. 42:11 et seq., relative to open meetings. The board shall hold
25 regular meetings as shall be provided for in the bylaws and may hold special
26 meetings at such times and places within the district as may be prescribed in the
27 bylaws.

1 (9) A majority of the members of the board shall constitute a quorum for the
2 transaction of business. The board shall keep minutes of all meetings and shall make
3 them available through the secretary-treasurer of the board.

4 (10) Each member of the board shall have one vote, and the vote of a
5 majority of the members of the board present and voting, a quorum being present,
6 shall be required to decide any question upon which the board takes action.

7 (11) The members of the board shall serve without compensation but shall
8 receive reimbursement for reasonable expenses directly related to the governance of
9 the district.

10 E. The district shall have and exercise all powers of a political subdivision
11 necessary or convenient for the purpose of funding the district and carrying out its
12 objects and purposes, including but not limited to the following:

13 (1) To incur debt.

14 (2) To sue and be sued.

15 (3) To adopt, use, and alter at will a corporate seal.

16 (4) To adopt bylaws and rules and regulations.

17 (5) To receive by gift, grant, donation, or otherwise any sum of money,
18 property, aid, or assistance from the United States, the state of Louisiana, or any
19 political subdivision thereof, or any person, firm, or corporation.

20 (6) To enter into contracts, agreements, or cooperative endeavors with the
21 state and its political subdivisions or political corporations and with any public or
22 private association, corporation, business entity, or individual.

23 (7) To elect officers and appoint agents and employees and prescribe their
24 duties.

25 (8) To acquire property by purchase, gift, grant, donation, or lease.

26 (9) To establish monetary, bank, and investment accounts.

27 (10) To establish committees or subcommittees.

28 F. In order to provide for the growth and development of the district, to
29 encourage the fullest use of underutilized resources, to provide for the enhancement

1 of the tax base, and to improve communication and coordination among the
2 economic and human development efforts of state, federal, and local governments,
3 the board may:

4 (1) Seek the designation of the park as a national park in any way it deems
5 appropriate, including communication and cooperation with any state or federal
6 authority or commission. Additionally, the board may seek designation as the
7 federal or state management authority for such park.

8 (2) Make recommendations concerning natural and environmental factors,
9 trends in industrial, population, or other developments; the habits and lifestyles of
10 the people of the district; the relation of land use within the district as it relates to the
11 city as a whole; areas for the concentration of wholesale, retail, business, and other
12 commercial uses; and areas for recreational uses, and for spaces and areas of mixed
13 uses.

14 (3) Make recommendations concerning the need for and the proposed
15 general location of public and private works and facilities, including but not limited
16 to pollution control facilities.

17 (4) Make or assist in studies and investigations of the resources of the district
18 and the existing and emerging problems of industry, commerce, transportation,
19 population, housing, public service affecting the redevelopment of the district, and
20 in making such studies to seek the cooperation and collaboration of the appropriate
21 state departments, agencies, and instrumentalities of federal, state, and local
22 government, educational institutions, research organizations, whether public or
23 private, and of civic groups and private persons and organizations.

24 (5) Prepare and from time to time revise inventory listings of the district's
25 resources and of the major public and private works and facilities of all kinds which
26 are deemed necessary to the redevelopment of the district.

27 (6) Cooperate and confer with and upon request supply information to
28 federal agencies and to local and regional agencies created pursuant to a federal

1 program or which receive federal support and to cooperate and confer with economic
2 development authorities in and outside of the state.

3 (7) Advise and supply information to civic groups and private persons and
4 organizations who may request such information or advice or who study or otherwise
5 concern themselves with the district's problems and development of the fields of
6 business and industry, labor, natural resources, urban growth, housing, and public
7 service activities such as public health and education, insofar as such problems and
8 development may be relevant to the district's redevelopment.

9 (8) Provide information to officials of departments, agencies, and
10 instrumentalities of state and local government and to the public at large in order to
11 foster public awareness and understanding of the objectives of the district in order
12 to stimulate public interest and participation in the orderly, integrated development
13 of the district.

14 (9) Accept and receive, in furtherance of its functions, funds, grants, and
15 services from the federal government or its agencies, from departments, agencies,
16 and instrumentalities of state, parish, municipal, or local government, or from private
17 or civic sources.

18 (10) Solicit the assistance and active cooperation of industry and private
19 civic organizations which are active in anti-litter and recycling efforts to assist in the
20 control and reduction of litter within the boundaries of the district. The board may
21 also encourage industry and private civic organizations to participate in the
22 "adopt-a-road" program as provided in R.S. 48:235 for the purpose of controlling
23 litter along the public roads in the district.

24 (11) Hold public hearings and sponsor public forums whenever it deems
25 necessary or useful in the execution of its functions.

26 (12) Contract with the city of New Orleans for the purchase or
27 lease-management of any parks within the boundaries of the district and to assess an
28 admission fee regarding any such park.

29 Section 2. R.S. 33:2740.26 is hereby repealed in its entirety.

1 Section 3. The terms of members serving on the governing board of the Louis
 2 Armstrong Park Authority and Historic Jazz District on the effective date of this Act shall
 3 terminate on the effective date of this Act. The members of the governing board of the Louis
 4 Armstrong Park Authority and Historic Jazz District shall be appointed and shall take office
 5 as provided in this Act and shall serve terms of office as provided in this Act.

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)]

HB 732 Reengrossed

2022 Regular Session

Duplessis

Abstract: Relative to the Louis Armstrong Park Authority and Historic Jazz District in the city of New Orleans, provides relative to the governance and powers and duties of the district.

Present law establishes the Louis Armstrong Park Authority and Historic Jazz District for the primary object and purpose of acquiring ownership, leasing, or entering into a management agreement for the Louis Armstrong Park facility from or with the city of New Orleans. Present law provides that the district is authorized to promote, encourage, and enhance the park and all areas within the boundaries of the district through renewed commerce, industry, and for the utilization and development of the human resources of the area. Provides for district boundaries.

Proposed law retains present law and additionally provides that the district is a political subdivision of the state.

Present law provides that the district's governing board is composed of 25 members as follows:

- (1) Four members appointed by the Treme Community Improvement Assoc., Inc.
- (2) One member appointed by the New Orleans Jazz and Heritage Foundation, Inc.
- (3) One member appointed by the Congo Square Foundation, Inc.
- (4) One member appointed by the New Orleans Musicians Organized, Inc.
- (5) One member appointed by the Women Entrepreneurs for Economic Development, Inc.
- (6) One member appointed by the St. Bernard/N. Claiborne Merchants Assoc.
- (7) One member appointed by the Treme Community Education Program from a list of nominations by the Treme Brass Band, the Dirty Dozen Brass Band, and the New Birth Brass Band.
- (8) One member appointed by the Treme Community Education Program.
- (9) One member appointed by the Kumbuka African Drum and Dance Collective.

- (10) One member appointed by the Treme Community Education Program, who shall be a tavern or jazz club operator.
- (11) One member appointed from a Mardi Gras Indians Tribe by the Tamborine and Fan Club, Inc.
- (12) One member appointed by the UMOJA.
- (13) One member appointed by the Tamborine and Fan Club.
- (14) The state senator from the 4th Senatorial District or his designee.
- (15) The state representative from the 96th Representative District or his designee.
- (16) The state senator from the 3rd Senatorial District or his designee.
- (17) The state representative from the 93rd Representative District or his designee.
- (18) One member appointed by the Downtown Development District.
- (19) The mayor of the city of New Orleans or his designee.
- (20) The governor or his designee.
- (21) The city council member from District C or his designee.
- (22) One member appointed by the New Orleans Music Commission.

Proposed law provides instead that the board is composed of 17 members as follows:

- (1) One member appointed by the governing board of the Greater Treme Consortium, Inc.
- (2) One member appointed by the governing board of Save Our Soul Coalition, Inc.
- (3) One member appointed by the governing board of The Louis Armstrong Educational Foundation, Inc.
- (4) One member appointed jointly by the governing boards of the Claiborne Cultural Innovation District and the Claiborne Merchants & Business Association.
- (5) One member appointed by the governing board of the Historic Faubourg Treme Assoc.
- (6) One member appointed by the governing board of French Quarter Citizens, Inc.
- (7) One member appointed by the governing board of the Congo Square Preservation Society.
- (8) One member appointed by the governing board of the New Orleans Black Masking Indian Cooperative.
- (9) One member appointed by the governing board of the Kumbuka African Drum and Dance Collective.
- (10) One member appointed by the governing board of the New Orleans Culture Preservation Committee.

- (11) One member appointed by the governing board of Tamborine and Fan, Inc.
- (12) One member appointed by the governing board of the New Orleans Musicians' Clinic and Assistance Foundation.
- (13) The member of the La. Senate whose district encompasses all or the greater portion of the area of the district or his designee.
- (14) The member of the La. House of Representatives whose district encompasses all or the greater portion of the area of the district or his designee.
- (15) The member of the U.S. House of Representatives whose district encompasses all or the greater portion of the area of the district or his designee.
- (16) The mayor of the city of New Orleans or his designee.
- (17) The member of the governing authority of the city of New Orleans whose district encompasses all or the greater portion of the area of the district or his designee.

Present law requires board members to be residents of Orleans Parish. Provides that board members serve three-year terms. Proposed law retains present law but provides that terms are staggered. Further provides that the terms of the members of the board in office on the effective date of proposed law shall terminate on that date.

Present law grants the district the power to cooperate with and to engage in cooperative endeavors with other persons and entities as provided by the state constitution (Art. 7, Sec. 21(H)). Additionally grants the district the power to seek the issuance of revenue bonds through appropriate public entities. Provides that provisions of present law shall not be interpreted so as to grant the district any powers with regard to land use, zoning, or taxation.

Proposed law repeals present law and grants the district all powers of a political subdivision for the purpose of funding the district and carrying out its objects and purposes, including but not limited to the following:

- (1) To incur debt.
- (2) To sue and be sued.
- (3) To adopt, use, and alter at will a corporate seal.
- (4) To adopt bylaws and rules and regulations.
- (5) To receive by gift, grant, donation, or otherwise any sum of money, property, aid, or assistance from the U.S., the state of La., or any political subdivision thereof, or any person, firm, or corporation.
- (6) To enter into contracts, agreements, or cooperative endeavors with the state and its political subdivisions or political corporations and with any public or private association, corporation, business entity, or individual.

Present law grants certain powers to the board in order to provide for the growth and development of the district, including but not limited to the following:

- (1) To seek the designation of the park as a national park in any way it deems appropriate, including communication and cooperation with any state or federal authority or commission.

- (2) To make recommendations concerning natural and environmental factors; trends of industrial, population, or other developments; the habits and lifestyles of the people of the district; the relation of land use within the district as it relates to the city as a whole; and areas for the concentration of wholesale, retail, business, and other commercial uses.
- (3) To make recommendations concerning the need for and the proposed general location of public and private works and facilities, including but not limited to pollution control facilities.
- (4) To make or assist in studies and investigations of the resources of the district and the existing and emerging problems of industry, commerce, transportation, population, housing, and public service affecting the redevelopment of the district.
- (5) To prepare and from time to time revise inventory listings of the district's resources and of the major public and private works and facilities of all kinds which are deemed necessary to the redevelopment of the district.
- (6) To cooperate and confer with and upon request supply information to federal agencies and to local and regional agencies created pursuant to a federal program or which receive federal support and to cooperate and confer with economic development authorities in and outside of the state.

Proposed law retains present law.

(Adds R.S. 25:850.21; Repeals R.S. 33:2740.26)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Remove provisions that provide that the district is created for the purpose of acquiring ownership, leasing, or entering into a management agreement.
2. Remove authority granted to the district to fix the compensation of officers, agents, and employees.

The House Floor Amendments to the engrossed bill:

1. Restore present law that provides that the district is created for the purpose of acquiring ownership, leasing, or entering into a management agreement for the park.