

SENATE BILL NO. 761

BY SENATOR DUPLESSIS

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AN ACT

To amend and reenact R.S. 33:4701(A), 4702(B)(1), (2), (4) and (6)(b), (C), (E), (F), (G), 4703(A) and (C), and 4706(A) and (B); to enact R.S. 33:4701(C), 4702(B)(3) and (D), and 4706(C) and (D), and to repeal R.S. 33:4702(H),(I) and (J); relative to the New Orleans Regional Business Park; to provide with respect to the purpose of the district; to provide with respect to the members appointed to the board; to provide for an executive director; to provide with respect to plans submitted by the board and the process related to such plans; to provide with respect to issuing bonds; to provide with respect to unpaid and outstanding bonds; to provide with respect to the powers of the district; to provide with respect to the use of district funds; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4701(A), 4702(B)(1), (2), (4) and (6)(b), (C), (E), (F), (G), 4703(A) and (C), and 4706(A) and (B) are hereby amended and reenacted, and R.S. 33:4701(C), 4702(B)(3) and (D), and 4706(C) and (D) are hereby enacted to read as follows:

§4701. The New Orleans Regional Business Park; creation and powers

A. ~~There is hereby created in the city of New Orleans in the hereinafter described area a special municipal district designated as the "New Orleans Regional Business Park," hereinafter referred to as the "district", which, through its board of commissioners, shall have the power to acquire, construct, improve, maintain, and operate projects and to provide additional municipal services within the district.~~ **The New Orleans Regional Business Park, hereinafter referred to as the "district", is hereby constituted and is declared to be a body politic and political subdivision of the state of Louisiana, as defined in Article VI, Section 44 of the**

1 Constitution of Louisiana and shall exist in perpetuity. Pursuant to Article VI,
 2 Sections 19, 20, and 21 of the Constitution of Louisiana, the district, acting
 3 through its board of commissioners, the governing authority of said district, is
 4 hereby granted all of the rights, powers, privileges, and immunities accorded by
 5 law and the Constitution of Louisiana to political subdivisions of the state,
 6 including but not limited to, the power of taxation, the power to incur debt and
 7 issue revenue and general obligation bonds, certificates of indebtedness, bond
 8 and certificate anticipation notes, and refunding bonds, subject to the
 9 limitations hereinafter provided.

10 * * *

11 C. The district is created for the object and purpose of stimulating
 12 industrial and commercial development in Orleans Parish and the parishes
 13 adjacent to Orleans Parish by developing stable and more extensive
 14 employment opportunities, promoting economic development, especially in
 15 disadvantaged communities, improving infrastructure, and promoting the
 16 overall welfare of the citizens of Orleans Parish. It may do so through
 17 diversified activities, including but not limited to, activities and planned land
 18 uses to foster creation of new jobs, economic development, industry, health care,
 19 commerce, manufacturing, tourism, relocation of people and businesses to the
 20 district or areas near the district, aviation, military, warehousing,
 21 transportation, offices, recreation, housing, environmental conservation, the
 22 acquisition of land and improvements, and, when necessary, the construction,
 23 operation, and maintenance of facilities, improvements and infrastructure,
 24 including buildings, runways, roads, bridges, drainage, and utilities.

25 §4702. Board of commissioners; appointment and term; organization

26 * * *

27 B.(1) In order to provide for the orderly planning, development, acquisition,
 28 construction, and effectuation of the services, projects, improvements, and facilities
 29 to be provided or furnished by the district, and to provide for the representation in
 30 the affairs of the district of those persons and interests immediately concerned with

1 and affected by the functions, operation, purposes, and developments of the district,
 2 the New Orleans Regional Business Park shall be managed by a board of
 3 commissioners comprised of **qualified voters and** legal Louisiana residents.

4 (2) The board shall be composed of ~~fifteen~~ **twelve** members who shall be
 5 appointed as follows:

6 ~~(a) The New Orleans East Business Association shall appoint one member~~
 7 ~~who shall serve an initial term of one year.~~

8 ~~(b) The New Orleans Chamber Inc. of Commerce shall appoint one member~~
 9 ~~who shall serve an initial term of one year.~~

10 ~~(c)~~**(b)** The state representative whose representative district is defined in R.S.
 11 24:35.5(A)(100) shall appoint one member ~~who shall serve an initial term of two~~
 12 ~~years.~~

13 ~~(d)~~**(c)** The state senator whose senatorial district is defined in R.S. 24:35.1
 14 as District 2 shall appoint two members ~~each of whom shall serve an initial term of~~
 15 ~~three years.~~

16 ~~(e)~~**(d)** The ~~councilman~~ **councilperson** of the ~~councilmanic~~ **council** district
 17 in which the ~~special municipal district~~ **New Orleans Regional Business Park** is
 18 located shall appoint one member ~~who shall serve an initial term of three years.~~

19 ~~(f)~~**(e)** The mayor of the city of New Orleans shall appoint ~~two~~ **three** members
 20 ~~each of whom shall serve an initial term of three years.~~

21 ~~(g)~~**(f)** The state representative whose representative district is defined in R.S.
 22 24:35.5(A)(103) shall appoint one member ~~who shall serve an initial term of two~~
 23 ~~years.~~

24 ~~(h)~~**(g)** The state representative whose representative district is defined in R.S.
 25 24:35.5(A)(101) shall appoint one member ~~who shall serve an initial term of two~~
 26 ~~years.~~

27 **(h) The secretary of the Department of Economic Development shall**
 28 **appoint one member.**

29 ~~(i)~~**(i)** The board of commissioners of the Port of New Orleans shall appoint
 30 one member ~~who shall serve an initial term of two years.~~

1 ~~(i) The New Orleans East Economic Development Foundation shall appoint~~
2 ~~one member who shall serve an initial term of one year.~~

3 ~~(j) The governor shall appoint one member who shall serve an initial term of~~
4 ~~one year.~~

5 ~~(k) The lieutenant governor shall appoint one member who shall serve an~~
6 ~~initial term of one year.~~

7 ~~(l) The board of commissioners of the Port of New Orleans shall appoint one~~
8 ~~member who shall serve an initial term of two years.~~

9 ~~(m) The Regional Planning Commission for Jefferson, Orleans, Plaquemines,~~
10 ~~St. Bernard, and St. Tammany parishes shall appoint one member who shall serve~~
11 ~~an initial term of two years.~~

12 **(3) Any vacancy in the membership of the board occurring by reason of**
13 **the expiration of the term of office, or by reason of death, resignation,**
14 **disqualification, or otherwise, shall be filled by the respective nominating entity**
15 **within sixty days after receipt by such nominating entity of written notification**
16 **of the vacancy. In the event that the respective nominating entity fails to fill the**
17 **vacancy within sixty days after receipt of written notification of the vacancy, the**
18 **board shall appoint an interim successor to serve on the board until the position**
19 **is filled by the respective nominating entity responsible for the appointment of**
20 **such member. If the board fails to fill a vacancy in its membership within the**
21 **next sixty day period, the mayor shall appoint such member. Any board**
22 **member appointed by the board or mayor pursuant to this Paragraph may be**
23 **replaced at any time by the nominee of the appointing authority.**

24 ~~(4) In the event any of the foregoing organizations or public officials fail to~~
25 ~~make an appointment within sixty days of the date on which notice to make such~~
26 ~~appointment is sent to such organization or public official by the mayor, then the~~
27 ~~mayor shall appoint such member as would have been authorized for such~~
28 ~~organization or public official. **Any member who has unexcused absences of fifty**~~
29 ~~**percent or more of the meetings, regular and special, of the board in any**~~
30 ~~**calendar year shall be disqualified and removed automatically from office and**~~

1 that person's position shall be vacant, as of the first day of the succeeding
2 calendar year. Such vacated position shall be filled by the respective nominating
3 entity for the balance of the vacated term. The former member shall not be
4 eligible for reappointment until expiration of the balance of the vacated term.

5 * * *

6 (6) * * *

7 (b) Any member of the board appointed pursuant to ~~Subparagraph~~
8 Subparagraphs (2)(a) through ~~(i)~~ (h) of this Subsection may be removed by his
9 respective appointing authority at any time, with or without cause.

10 * * *

11 C.(1) The board of commissioners shall elect from its members a chairman,
12 a vice chairman, a secretary-treasurer and such other officers as it may deem
13 necessary at its first meeting; the chairman shall serve at the pleasure of the board.
14 The board of commissioners may also select one person as ~~president~~ executive
15 director; three people as ~~vice presidents~~ directors to be in charge of marketing,
16 operations, and finance respectively, who shall not be members of the board, but who
17 shall be qualified voters and legal Louisiana residents.

18 (2) The secretary-treasurer shall furnish such bonds as may be required by the
19 board of commissioners. The premium on the bond shall be paid out of the operating
20 funds of the district. The ~~president~~ executive director shall be the chief executive
21 officer of the district, shall manage its affairs and operation, subject to the rules and
22 regulations and bylaws adopted by the council and the board. The ~~president~~
23 executive director and three ~~vice presidents~~ directors shall receive such salary and
24 office expense allowance, if any, as shall be fixed and determined by the board of
25 commissioners.

26 D. The executive director, with the concurrence of the board of the
27 district, may hire such staff and other necessary personnel as may be necessary
28 to carry out the directions and instructions of the board and may perform such
29 other acts as may be directed by the board.

30 E.(1) ~~The board of the district shall prepare, or cause to be prepared a plan~~

1 or plans, such plan or plans being hereinafter referred to, collectively, as the plan,
2 specifying the public improvements, projects, facilities, and services proposed to be
3 furnished, provided, constructed or acquired, for the district, and it shall conduct
4 such public hearings, publish such notice with respect thereto and disseminate such
5 information as it in the exercise of its sound discretion may deem to be appropriate
6 or advisable and in the public interest.

7 (2) Any such plan may specify and encompass any public services, which the
8 city of New Orleans is then furnishing or providing, or may then, or in the future, be
9 obligated to furnish or provide with respect to persons or property within the
10 boundaries of the district.

11 (3) Any plan shall include (a) an estimate of the annual and aggregate cost
12 of acquiring, constructing, or providing the public services, capital improvements,
13 projects, or facilities set forth therein; (b) an estimate of the proportion of the tax to
14 be levied on the taxable real property within the district which is to be set aside and
15 dedicated to paying the cost of furnishing specified public services, and an estimate
16 of the proportion of such tax to be set aside and dedicated to paying the cost of
17 projects or capital improvements, or paying the cost of debt service on any bonds to
18 be issued to pay the cost of projects or capital improvements, such proportions, in
19 each case, to be expressed in numbers of mills, and (c) an estimate of the aggregate
20 number of mills required to be levied in each year on the taxable real property within
21 the district in order to provide the funds required for the implementation or
22 effectuation of the plan for furnishing the public services specified and for projects,
23 capital improvements or debt service, or any combination thereof.

24 (4) The board of the district shall also submit its plan to the planning
25 commission of the city of New Orleans. Said planning commission shall review and
26 consider the plan in order to determine whether or not it is consistent with the
27 comprehensive plan for the city of New Orleans, and shall within thirty days
28 following receipt thereof submit to the city council its written opinion as to whether
29 or not the plan or any portion or detail thereof is inconsistent with the comprehensive
30 plan for the city, together with its written comments and recommendation with

1 respect thereto.

2 ~~(5) After receipt of the plan together with the written comments and~~
3 ~~recommendations of the city planning commission, the council shall review and~~
4 ~~consider the plan, together with such written comments and recommendations. The~~
5 ~~council may by a majority vote of its members adopt or reject the plan as originally~~
6 ~~submitted by the board, or it may alter or modify the plan or any portion or detail~~
7 ~~thereof, but only by a majority vote of all of its members. If the plan as originally~~
8 ~~submitted by the board is adopted by a majority vote of the council, it shall become~~
9 ~~final and conclusive and may thereafter be implemented. If, however, the council~~
10 ~~alters or modifies the plan by a majority vote of its members, the plan so altered or~~
11 ~~modified shall be resubmitted to the board of the district for its concurrence or~~
12 ~~rejection. The board of the district may concur in such modified plan by a majority~~
13 ~~vote of all of its members. If the board so votes to concur in the plan as modified by~~
14 ~~the council, it shall notify the council in writing of its action. Thereafter, and as often~~
15 ~~and at such time or times as the board may deem to be necessary or advisable, it shall~~
16 ~~prepare, or cause to be prepared, a plan or plans and submit the same to the city~~
17 ~~planning commission in accordance with the same procedure hereinabove prescribed~~
18 ~~with respect to the original plan. The city planning commission shall, in turn, submit~~
19 ~~such plan, together with its written comments and recommendations to the council~~
20 ~~for its adoption, modification or rejection in the same manner and with the same~~
21 ~~effect as hereinabove provided with respect to the original plan submitted, as~~
22 ~~aforsaid.~~

23 ~~F. The executive director, with the concurrence of the board of the district,~~
24 ~~may hire such staff and other necessary personnel as may be necessary to carry out~~
25 ~~the directions and instructions of the board, and may do such other acts as may be~~
26 ~~directed by the board.~~

27 ~~G. All services to be furnished within the district pursuant to any plan finally~~
28 ~~and conclusively adopted hereunder, shall be furnished and supplied by the city of~~
29 ~~New Orleans through its regularly constituted departments, agencies, boards,~~
30 ~~commissions, and instrumentalities as appropriate in the circumstances, and all~~

1 capital improvements, projects and facilities to be acquired, constructed or provided
 2 within the district, whether from the proceeds of bonds or otherwise, shall likewise
 3 be so acquired, constructed, or provided by the city of New Orleans through its
 4 regularly constituted departments, agencies, boards, commissions, and
 5 instrumentalities as appropriate in the circumstances, it being the intent hereof to
 6 avoid duplication of administrative and management efforts and expense in the
 7 implementation of any plan adopted for the benefit of the district. In order to provide
 8 such public services and provide, construct or acquire such capital improvements,
 9 projects and facilities the board, upon the recommendation of its executive director,
 10 may enter into contracts with the city of New Orleans. The cost of any such public
 11 services, projects, capital improvements and facilities shall be paid to the city of New
 12 Orleans out of the proceeds of the special tax levied upon real property within the
 13 district as herein provided, or from the proceeds of bonds, as the case may be.

14 ~~H.~~ The board, in addition to all other taxes which it is now or hereafter may
 15 be authorized by law to levy and collect, is hereby authorized to levy and collect, ~~as~~
 16 ~~specifically provided in Subsection K hereinafter,~~ for a term not to exceed fifty years
 17 from and after the date the first tax is levied pursuant to the provisions of this
 18 Section, in the same manner and at the same time as all other ad valorem taxes on
 19 property subject to taxation by the city are levied and collected, a special ad valorem
 20 tax upon all taxable real property situated within the boundaries of the district except
 21 property occupied in whole or in part as a residence by an owner thereof. The
 22 number of mills hereby authorized shall not exceed twenty mills on the dollar of
 23 assessed valuation on all taxable property within the district. ~~Said~~ **The** tax, when
 24 levied, shall be from year to year, or for such period of years not to exceed fifty years
 25 as may be designated in the resolution by which the election is called on the question
 26 of the imposition of said tax. No such tax shall be levied until a plan requiring or
 27 requesting the levy of a tax is finally and conclusively adopted in accordance with
 28 the procedures prescribed in this Section. The proceeds of ~~said the~~ tax shall be used
 29 solely and exclusively for the purposes and benefit of the district.

30 ~~H.F.~~(1) The board, by resolution adopted by a vote of a majority of the

1 members of the board of the district, shall have power and is hereby authorized to
2 incur indebtedness for and on behalf and for the sole and exclusive benefit of the
3 district, and to issue at one time, or from time to time, negotiable bonds, notes and
4 other evidence of indebtedness, herein referred to collectively as bonds, of the
5 district, the principal of, premium if any, and interest on which shall be payable
6 solely from the proceeds of the special tax authorized, levied, and collected pursuant
7 to the provisions of this Section for the purpose of paying the cost of acquiring and
8 constructing capital improvements, projects, and facilities within the district. Such
9 bonds shall not constitute general obligations of the city of New Orleans, nor shall
10 any property situated within the city other than property situated within the
11 boundaries of the district be subject to taxation for the payment of the principal of,
12 premium, if any, and interest on such bonds. Furthermore, any indebtedness incurred
13 by the city of New Orleans for and on behalf and for the benefit of the district
14 pursuant to the provisions of this Section, whether evidenced by bonds, notes or
15 other evidences of indebtedness, or otherwise, shall be excluded in determining the
16 power of the city of New Orleans to incur indebtedness and to issue its general
17 obligation bonds. ~~The principal amount of such bonds which may be outstanding and~~
18 ~~unpaid at any one time in the district shall never exceed the sum of fifty million~~
19 ~~dollars.~~ All such bonds shall be sold by the board, and shall bear such rate or rates
20 of interest, and shall, except as herein otherwise specifically provided, be in such
21 form, terms, and denominations, be redeemable at such time or times at such price
22 or prices, and payable at such times and places, within a period of not exceeding fifty
23 years from the date thereof, as the board, shall determine.

24 (2) ~~Said~~ **The** bonds shall be signed by the ~~president~~ **chairperson** of the board
25 of commissioners, and countersigned by the secretary of the board, and the coupons
26 attached to ~~said~~ **the** bonds shall bear the facsimile signatures of ~~said~~ **the** ~~president~~
27 **chairperson** and ~~said~~ **the** secretary. In case any such officer whose signature or
28 countersignature appears upon such a bond or coupon shall cease to be such officer
29 before delivery of ~~said~~ **the** bonds or coupons to the purchaser, such signature or
30 countersignature shall nevertheless be valid for all purposes. The cost and expense

1 of preparing and selling the bonds authorized herein shall be paid out of the proceeds
2 realized from the sale of such bonds.

3 (3) The resolution of the board, authorizing the issuance and sale of such
4 bonds and fixing the form and details thereof, may contain such other provisions, not
5 inconsistent or in conflict with the provisions of this Section, as it may deem to be
6 necessary or advisable to enhance the marketability and acceptability thereof by
7 purchasers and investors, including, but without limiting the generality of the
8 foregoing, covenants with bond holders setting forth (a) conditions and limitations
9 on the issuance of additional bonds constituting a lien and charge on the special tax
10 levied on real property within the district ~~pari passu~~ pari passu with bonds
11 theretofore issued and outstanding and (b) the creation of reserves for the payment
12 of the principal of and interest on such bonds. These bonds and the interest thereon
13 are exempt from all taxation levied for state, parish or municipal or other local
14 purposes; and savings banks, tutors of minors, curators of interdicts, trustees and
15 other fiduciaries are authorized to invest the funds in their hands in ~~said~~ the bonds.

16 ~~(4) The Board of Liquidation, City Debt, as now organized and created, and~~
17 ~~with the powers, duties and functions prescribed by existing laws, shall be continued~~
18 ~~so long as any bonds authorized by this Section are outstanding and unpaid.~~

19 F.G. Notwithstanding any other provision of this Section to the contrary, no
20 tax authorized herein shall be levied and no bonds shall be issued unless and until the
21 amount of the tax authorized to be levied and the amount of the bonds authorized to
22 be issued has been approved by a majority of the electors voting thereon in the city
23 of New Orleans in an election called for that purpose. No bonds issued pursuant to
24 this Section shall be general obligations of the state of Louisiana, the parish of
25 Orleans or the city of New Orleans.

26 §4703. ~~Corporate status; domicile;~~ Domicile; purpose and powers

27 A. ~~The New Orleans Regional Business Park a special municipal district~~
28 ~~created under the provisions of this Part, shall constitute a body corporate in law,~~
29 ~~with all the powers of a corporation, and with all the powers and rights of a political~~
30 ~~subdivision of the state as provided by the constitution and laws of this state;~~

1 including but not limited to the power to incur debt and issue, or secure the issuance
 2 of, negotiable bonds in accordance with the power and authority and in the form and
 3 manner, and with the effect and security now or hereafter provided by the
 4 constitution and laws of the state of Louisiana, and particularly subject to the
 5 provisions of R.S. 33:4702. The district through its board of commissioners may sue
 6 and be sued, have a corporate seal, and do and perform any and all acts in its
 7 corporate capacity and in its corporate name which are necessary and proper for
 8 carrying out the purposes and objects for which it is created. All of the property
 9 belonging to the district shall be exempt from taxation.

10 * * *

11 C. ~~The objectives and purposes of the special municipal district created under~~
 12 ~~the provisions of this Part shall be to provide for the acquisition, construction,~~
 13 ~~improvement, maintenance and operation, of special projects, additional municipal~~
 14 ~~services, capital improvements, and facilities within the district. Except as~~
 15 inconsistent with the provisions of this Part, the district created hereby is granted and
 16 shall have and may exercise all powers necessary or convenient for the carrying out
 17 of such objects and purposes including, by way of illustration, but not limitation, and
 18 subject to the provisions of R.S. 33:4702, the following rights and powers:

19 (1) To acquire or purchase any property, or any interest therein, at any
 20 time to accomplish the objects and purposes of the district, ~~lease as lessee and to~~
 21 hold and use any property, real, personal, or mixed, tangible or intangible, or any
 22 interest therein necessary or desirable for carrying out the purposes of the district,
 23 and to sell, **transfer, convey,** ~~lease as lessor, transfer, or dispose of any property or~~
 24 interest therein acquired by it.

25 (2) ~~To acquire by purchase, lease, or otherwise and to construct, improve,~~
 26 ~~maintain, repair, and operate facilities which it deems necessary or convenient to~~
 27 ~~carry out its purposes. lease or sublease, as lessor or lessee or sublessor or~~
 28 **subleasee, all or portion of any property at a fixed or variable rental without**
 29 **advertisement for public bids.**

30 (3) ~~To enter into agreements of any nature with any person or persons, natural~~

1 ~~or artificial, corporation, association or other entity, including public corporations,~~
 2 ~~political subdivisions, municipalities, the United States government and agencies~~
 3 ~~thereof, or any combination thereof or with instrumentalities of every kind, for the~~
 4 ~~operation of the district, including all or any part of the properties and facilities~~
 5 ~~thereof.~~ **To acquire by purchase, lease, or otherwise and to construct, improve,**
 6 **maintain, repair, and operate facilities which it deems necessary or convenient**
 7 **to carry out its purposes.**

8 ~~(4) To make and enter into contracts, conveyances, mortgages, deeds or~~
 9 ~~trusts, bonds, and leases in the carrying out of its corporate objects.~~ **To enter into**
 10 **agreements of any nature with any person or persons, natural or juridical,**
 11 **corporation, association or other entity, including public corporations, political**
 12 **subdivisions, municipalities, the United States government and agencies thereof,**
 13 **or any combination thereof or with instrumentalities of every kind, for the**
 14 **operation of the district, including all or any part of the properties and facilities**
 15 **thereof.**

16 ~~(5) To let contracts for the construction or acquisition in any other manner,~~
 17 ~~except through the power of eminent domain, of property and facilities incident to~~
 18 ~~the carrying out of the purpose or purposes of the district, which contracts shall be~~
 19 ~~let in such manner as shall be determined by the board in conformance with law.~~ **To**
 20 **make and enter into contracts, conveyances, mortgages, deeds or trusts, bonds,**
 21 **and leases in the carrying out of its corporate objects.**

22 ~~(6) To fix, maintain, collect, and revise rates, charges, and rentals for the~~
 23 ~~properties and facilities owned by the district and the services rendered by the~~
 24 ~~district.~~ **To let contracts for the construction or acquisition in any other**
 25 **manner, except through the power of eminent domain, of property and facilities**
 26 **incident to the carrying out of the purpose or purposes of the district, which**
 27 **contracts shall be let in such manner as shall be determined by the board in**
 28 **conformance with law.**

29 ~~(7) To make bylaws for the management and regulation of its affairs, not~~
 30 ~~inconsistent with the rules, regulations, and bylaws adopted by the council for the~~

1 ~~governance of the district.~~ **To fix, maintain, collect, and revise rates, charges, and**
 2 **rentals for the properties and facilities owned by the district and the services**
 3 **rendered by the district.**

4 **(8) In its own name and behalf, to incur debt, and issue general**
 5 **obligation bonds under the authority of and subject to the provisions of Article**
 6 **VI, Section 33 of the Constitution of Louisiana, and Subpart A of Part III of**
 7 **Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, for**
 8 **the establishment, operation, and maintenance of district property as an**
 9 **industrial park or to carry out the other public purposes of this Part, without**
 10 **election, to issue revenue bonds, borrow money, and issue certificates of**
 11 **indebtedness, notes, and other debt obligations as evidence thereof and provide**
 12 **for the manner and method of repayment.**

13 **(9) To require and issue licenses, to regulate the imposition of fees and**
 14 **rentals charged by the district for services rendered by it or fees or rentals**
 15 **charged for use of privately-owned facilities located on district property when**
 16 **such facilities are offered for use by the public or by a private industrial,**
 17 **commercial, research, or other economic development entity or activity.**

18 ~~(10)(8) To cooperate and contract with the government of the United States~~
 19 ~~or any department or agency thereof and with the state of Louisiana or any~~
 20 ~~department or agency thereof and to accept gifts, grants, and donations of property~~
 21 ~~and money therefrom.~~ **To develop, activate, construct, exchange, acquire,**
 22 **expropriate, improve, repair, operate, maintain, lease, mortgage, sell, subject**
 23 **to the provision of this Part, and pledge movable and immovable property,**
 24 **servitudes, facilities, and works under such terms and conditions as the district**
 25 **may deem necessary or appropriate for any public purpose, including industrial**
 26 **and commercial development, notwithstanding the limitations of R.S. 2:131.1**
 27 **and 135.1, Chapter 4 of Title 2, Chapter 13 of Title 33, and Chapter 10 of Title**
 28 **41, of the Louisiana Revised Statutes of 1950.**

29 ~~(11)(9) To cooperate with the state or any other political subdivision,~~
 30 ~~department, agency, or corporation of the state for the construction, operation, and~~

1 maintenance of projects and facilities designed to accomplish the purpose or
 2 purposes for which the district is created on any basis including the matching of
 3 funds and by participating in projects authorized by any federal or state law as it
 4 shall see fit. To make bylaws for the management and regulation of its affairs.

5 ~~(12)~~(10) To pledge all or any part of its revenues. To cooperate and contract
 6 with the government of the United States **of America** or any department or agency
 7 thereof and with the state of Louisiana or any department or agency thereof and to
 8 accept gifts, grants, and donations of property and money therefrom.

9 ~~(13)~~(11) To issue, or secure the issuance of, refunding bonds to refund any
 10 outstanding bonds issued pursuant to this Section. Such refunding bonds may be
 11 exchanged for the outstanding bonds or may be sold and the proceeds applied to the
 12 purchase, redemption, or payment of the outstanding bonds or deposited in escrow
 13 for the retirement of such bonds. The refunding bonds shall be authorized in all
 14 respects as original bonds are herein required to be authorized, and the district, in
 15 authorizing the refunding bonds, shall provide for the security of the bonds, the
 16 sources from which the bonds are to be paid and for the rights of the holders thereof
 17 in all respects as herein provided for other bonds issued under the authority of this
 18 Part. The district may also provide that the refunding bonds shall have the same
 19 priority of lien on the taxes, income, and revenues pledged for their payment as was
 20 enjoyed by the bonds refunded. **To cooperate with the state or any other political**
 21 **subdivision, department, agency, or corporation of the state for the**
 22 **construction, operation, and maintenance of projects and facilities designed to**
 23 **accomplish the purpose or purposes for which the district is created on any**
 24 **basis including the matching of funds and by participating in projects**
 25 **authorized by any federal or state law as it shall see fit.**

26 ~~(14)~~(12) To appoint officers, agents, and employees; to prescribe their duties
 27 and to fix their compensation which shall be payable out of district funds. **To**
 28 **borrow money and pledge all or part of its revenues, leases, rents, and other**
 29 **advantages as security for such loans.**

30 **(15) To incur debt for any one or more of its lawful purposes set forth in**

1 this Section herein, to issue in its name negotiable bonds, notes, certificates of
2 indebtedness, or other evidences of debt and to provide for the security and
3 payment thereof.

4 (16) To issue, or secure the issuance of, refunding bonds to refund any
5 outstanding bonds issued pursuant to this Section. Such refunding bonds may
6 be exchanged for the outstanding bonds or may be sold and the proceeds
7 applied to the purchase, redemption, or payment of the outstanding bonds or
8 deposited in escrow for the retirement of such bonds. The refunding bonds shall
9 be authorized in all respects as original bonds are herein required to be
10 authorized, and the district, in authorizing the refunding bonds, shall provide
11 for the security of the bonds, the sources from which the bonds are to be paid
12 and for the rights of the holders thereof in all respects as herein provided for
13 other bonds issued under the authority of this Part. The district may also
14 provide that the refunding bonds shall have the same priority of lien on the
15 taxes, income, and revenues pledged for their payment as was enjoyed by the
16 bonds refunded.

17 (17) To borrow the amount of the anticipated ad valorem tax the district
18 is authorized to levy hereunder, not to exceed ten mills, for a period not to
19 exceed twenty years and may issue certificates of indebtedness therefor and may
20 dedicate the avails of the tax for the payment thereof for the period of time said
21 certificates are outstanding.

22 (18) To appoint officers, agents, and employees and to prescribe their
23 duties and to fix their compensation which shall be payable out of district funds.

24 (19)(13) To recommend to the mayor and the council a program of projects
25 within the district to be financed by special liens against the properties improved by
26 the program.

27 (20) To use or allow the use of any facilities, land, and improvements
28 within the district or owned or leased by the district for any lawful purpose.

29 (21) The board of commissioners of the district shall be the appropriate
30 governing body for all purposes provided in the Louisiana Enterprise Zone Act,

1 R.S. 51:1781, et seq., within the area comprised of property owned and formerly
 2 owned by the district, and shall have the power to perform all acts specified by
 3 applicable laws and regulations to achieve such purpose.

4 (14) (22) To report to the mayor and the council, at least quarterly, on the
 5 problems within the district and progress made in amelioration of the problems.

6 * * *

7 §4706. Use of district funds; change in level of services

8 A. ~~Except as provided in Subsection B of this Section, funds~~ **Funds** received
 9 by the board of commissioners of the district from taxes levied, bonds issued, or any
 10 other source or combination of sources, shall ~~only~~ be used **only** for the benefit of the
 11 district or for projects or services within the district.

12 B. In the event that the level of services is increased or decreased for the city,
 13 the increase or decrease shall not discriminate against, or cause a disadvantage to the
 14 ~~special municipal district created hereby. Nor shall there be any diversion by the city~~
 15 ~~of its municipal funds from any part or section thereof because of its inclusion in or~~
 16 ~~exclusion from the special municipal district, designated as the "New Orleans~~
 17 ~~Regional Business Park."~~

18 **C. For a period of thirty days from the date of publication of any**
 19 **resolution or ordinance authorizing the issuance of any bonds, certificates of**
 20 **indebtedness, notes, or other evidence of debt of the district, any interested**
 21 **person may contest the legality of such resolution or ordinance and the validity**
 22 **of such bonds, certificates of indebtedness, notes, or other evidence of debt**
 23 **issued or proposed to be issued thereunder and the security of their payment,**
 24 **after which time no one shall have any cause of action to contest the legality of**
 25 **such resolution or ordinance or to draw in question the legality of such bonds,**
 26 **certificates of indebtedness, notes, or other evidence of debt, the security**
 27 **therefor, or the debts represented thereby for any cause whatsoever, and it shall**
 28 **be conclusively presumed that every legal requirement has been complied with,**
 29 **and no court shall have authority to inquire into such matters after the lapse of**
 30 **thirty days.**

1 **D. The issuance and sale of such bonds, certificates of indebtedness,**
2 **notes, or other evidence of debt by the district shall be subject to approval by**
3 **the State Bond Commission.**

4 Section 2. R.S. 33:4702(H),(I) and (J) are hereby repealed.

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____