

Louisiana Revised Statutes

Title 34. Navigation and Shipping

^ Chapter 1. Ports and Harbors

^ Part VII-A. West St. Mary Parish Port, Harbor and Terminal District (Refs & Annos)

⇒ § 334.31. Creation and territorial limits

The West St. Mary Parish Port, Harbor and Terminal District, hereinafter referred to as the district, is hereby created as a political subdivision of the state of Louisiana, and its territorial limits are fixed as follows:

Except for Ward 5 of St. Mary Parish, all of that portion of St. Mary Parish not included in the Morgan City Harbor and Terminal District created by R.S. 34:321, being all that portion of St. Mary Parish except for Ward 5 thereof west of the township line between R11E and R12E described in R.S. 34:321.

CREDIT(S)

Added by Acts 1974, No. 604, § 1. Amended by Acts 1975, No. 5, § 1.

HISTORICAL AND STATUTORY NOTES

1985 Main Volume

The 1975 amendment, in the description of territorial limits, inserted "Except for Ward 5 of St. Mary Parish" and "except for Ward 5 thereof".

Title of Act:

An Act to amend Chapter 1 of Title 34 of the Louisiana Revised Statutes of 1950 by adding thereto a new part to be designated as Part VII-A thereof to contain R.S. **34:334.31** through R.S. 34:334.41, providing for the creation and establishment of the West St. Mary Parish Port, Harbor and Terminal District; providing for the governing body thereof; providing for the powers to be exercised by said district and its governing body; providing for the manner of the operation of said district; authorizing the acquisition of property and facilities by said district; authorizing taxation and the borrowing of money and the issuance of bonds by said district; and to provide for the powers, duties and functions of the governing body and district and related matters. Notice of intention to apply for the passage of this Act has been published and evidence of such publication exhibited to the legislature, both as provided by Section 6 of Article IV of the Constitution of Louisiana. Acts 1974, No.

604.

LSA-R.S. **34:334.31**, LA R.S. **34:334.31**

Current through all 2004 First Extraordinary and Regular Session Acts

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Louisiana Revised Statutes

Title 34. Navigation and Shipping

Chapter 1. Ports and Harbors

Part VII-A. West St. Mary Parish Port, Harbor and Terminal District (Refs & Annos)

⇒§ 334.32. Board of commissioners; members; vacancy; composition; officers; agents and employees

A. A board of commissioners hereinafter referred to as the board, is hereby created, which shall be the governing authority of said district. It shall consist of nine members, who shall be citizens of the United States and qualified voters within the limits of said district during their term of office. The commissioners shall be appointed as follows:

- (1) Three shall be appointed by the mayor and council of the city of Franklin in St. Mary Parish;
- (2) One shall be appointed by the mayor and aldermen of the town of Baldwin in St. Mary Parish;
- (3) Two shall be appointed by the St. Mary Parish Police Jury, to be selected from the persons residing in Wards 1, 2, 7, and 10 of St. Mary Parish;
- (4) Two shall be appointed by the St. Mary Parish Police Jury, to be selected from the persons residing in Wards 3 and 4 of St. Mary Parish; and
- (5) One shall be appointed by the St. Mary Parish Police Jury, to be selected at large from the persons residing in that portion of St. Mary Parish which comprises the district.

B. The commissioner initially appointed by the mayor and aldermen of the town of Baldwin shall be appointed for a term of two years. Two of the three commissioners initially appointed by the mayor and council of the city of Franklin shall be appointed for a term of three years. One of the three commissioners initially appointed by the mayor and council of the city of Franklin and one of the two members initially appointed by the parish governing authority from Wards 3 and 4 shall be appointed for a term of four years. One of the commissioners initially appointed by the parish

governing authority from Wards 3 and 4 and one of the commissioners initially appointed by the parish governing authority from Wards 1, 2, 7, and 10 shall be appointed for a term of five years. One of the commissioners initially appointed by the parish governing authority from Wards 1, 2, 7, and 10 and shall be appointed for six year terms. The commissioners initially appointed by the parish governing authority at large shall be appointed for a seven year term. Thereafter, the successors to each of such commissioners shall be appointed for terms of seven years, and each successor shall be appointed by the same authority that appointed his predecessor.

C. Any vacancy occurring during a term shall be filled by appointment for the remainder of the unexpired term by authority that made the original appointment.

D. The commissioners shall serve without compensation and shall have the power to organize and reorganize legal, executive, engineering, clerical and other departments and forces of said board and to fix the duties, powers and compensation of all officers, agents and employees under said board.

CREDIT(S)

Added by Acts 1974, No. 604, § 1. Amended by Acts 1975, No. 5, § 1.

HISTORICAL AND STATUTORY NOTES

1985 Main Volume

The 1975 amendment rewrote the section, which prior thereto read:

"A. A board of commissioners hereinafter referred to as the board, is hereby created, which shall be the governing authority of said district. It shall consist of eleven members, who shall be citizens of the United States and qualified voters within the limits of said district during their term of office. The commissioners shall be appointed as follows:

"(1) Three shall be appointed by the mayor and council of the city of Franklin in St. Mary Parish;

"(2) One shall be appointed by the mayor and aldermen of the town of Baldwin in St. Mary Parish;

"(3) One shall be appointed by the mayor and aldermen of the town of Patterson in St. Mary Parish;

"(4) Two shall be appointed by the St. Mary Parish Police Jury, to be selected from

the persons residing in Wards 1, 2, 7 and 10 of St. Mary Parish;

"(5) Three shall be appointed by the St. Mary Parish Policy Jury, to be selected from the persons residing in Wards 3, 4 and 5 of St. Mary Parish; and

"(6) One shall be appointed by the St. Mary Parish Police Jury, to be selected at large from the persons residing in that portion of St. Mary Parish which comprises the district.

"B. The commissioner initially appointed by the mayor and aldermen of the town of Patterson and the commissioner initially appointed by the mayor and aldermen of the town of Baldwin shall be appointed for a term of two years. Two of the three commissioners initially appointed by the mayor and council of the city of Franklin shall be appointed for a term of three years. One of the three commissioners initially appointed by the mayor and council of the city of Franklin and one of the three members initially appointed by the parish governing authority from Wards 3, 4 and 5 shall be appointed for a term of four years. One of the commissioners initially appointed by the parish governing authority from Wards 3, 4 and 5 and one of the commissioners initially appointed by the parish governing authority from Wards 1, 2, 7 and 10 shall be appointed for a term of five years. One of the commissioners initially appointed by the parish governing authority from Wards 3, 4 and 5 and one of the commissioners initially appointed by the parish governing authority from Wards 1, 2, 7 and 10 shall be appointed for six-year terms. The commissioner initially appointed by the parish governing authority at large shall be appointed for a seven-year term. Thereafter, the successors to each of such commissioners shall be appointed for terms of seven years, and successor shall be appointed by the same authority that appointed his predecessor.

"C. Any vacancy occurring during a term shall be filled by appointment for the remainder of the unexpired term by authority that made the original appointment.

"D. The commissioners shall serve without compensation and shall have the power to organize and reorganize legal, executive, engineering, clerical and other departments and forces of said board and to fix the duties, powers and compensation of all officers, agents and employees under said board."

Section 2 of Acts 1975, No. 5 provided as follows:

"Upon the effective date of this Act, the number of the board of commissioners appointed by the mayor and aldermen of the town of Patterson shall cease to serve. Of the three members of the board appointed by the St. Mary Parish Police Jury from persons residing in Wards 3, 4 and 5 of St. Mary Parish prior to the effective date of this Act, upon the effective date of this Act any member appointed from Ward 5 of the parish shall cease to serve; however, in the event that no such member of the board appointed from persons residing in Wards 3, 4 and 5 of the parish is a person residing in Ward 5 of the parish, then the police jury shall designate one of such members who shall cease to serve. In the event that the member appointed by the

police jury selected at large from the persons residing in that portion of the parish which comprised the district prior to the effective date of this Act resides in Ward 5 of the parish, then that member shall cease to serve upon the effective date of this Act.

"If, pursuant to this Section, the number of members of the board of commissioners is less than nine, then appointment to fill such vacancies shall be made in the manner provided in R.S. **34:334.32.**"

LSA-R.S. **34:334.32**, LA R.S. **34:334.32**

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