

2015 Regular Session

HOUSE BILL NO. 327

BY REPRESENTATIVE DOVE

LEVEES/BDS & DISTRICTS: Provides for the membership of the North Lafourche Conservation, Levee and Drainage District

1 AN ACT

2 To amend and reenact R.S. 38:291(T)(2)(a)(introductory paragraph) and (i), (b) and (c), and  
3 (4) and to enact R.S. 38:291(T)(2)(d), relative to the membership of the North  
4 Lafourche Conservation, Levee and Drainage District; to provide relative to the  
5 number of board commissioners; to provide for lengths of terms for board members;  
6 to remove requirement that members of the board of commissioners be from certain  
7 areas; to provide for a definition of a quorum; to provide for an effective date; and  
8 to 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. R.S. 38:291(T)(2)(a)(introductory paragraph) and (i), (b) and (c), and (4)  
14 are hereby amended and reenacted and R.S. 38:291(T)(2)(d) is hereby enacted to read as  
15 follows:

16 §291. Naming; limits of districts; composition of boards

17 \* \* \*

18 T. North Lafourche Conservation, Levee and Drainage District.

19 \* \* \*

1           (2)(a) The governor shall appoint, ~~beginning January 12, 2004 and until such~~  
2 ~~time as provided in Subparagraphs (b) and (c) of this Paragraph~~, subject to Senate  
3 confirmation, a board of commissioners ~~consisting of nine persons~~ from the parish  
4 of Lafourche selected as follows:

5           (i) Each of the ~~six~~ state legislators representing any part of the district shall  
6 submit nominations, and the governor shall appoint one member from each such list  
7 of nominees.

8   \*       \*       \*

9           (b) The term of office of any commissioner appointed pursuant to  
10 Subparagraph (a) of this Paragraph shall cease ~~in January 2008, or thereafter~~, when  
11 his successor is appointed and takes office. ~~Beginning in January 2008, and~~  
12 ~~thereafter, the governor shall appoint a board of commissioners consisting of nine~~  
13 ~~persons, subject to Senate confirmation. Such membership shall be comprised of no~~  
14 ~~fewer than three members from the area within the district lying to the east of Bayou~~  
15 ~~Lafourche, no fewer than three members from the area within the district lying to the~~  
16 ~~west of Bayou Lafourche, and the remaining members from the district at-large, all~~  
17 ~~appointed pursuant to the list of nominations submitted to the governor by the~~  
18 ~~nominating parties as provided in Subparagraph (a) of this Paragraph.~~

19           (c) In the event ~~nine~~ all commissioners are not appointed within sixty days  
20 of the beginning of the term or a vacancy pursuant to the foregoing, then another list  
21 of nominations selected by a majority of the members of the legislature representing  
22 the district shall be submitted, and the governor shall appoint the remaining required  
23 commissioner or commissioners ~~from the list to bring the total number of~~  
24 ~~commissioners to nine~~ to provide for the total number of commissioners required  
25 by Subparagraph (a) of this Paragraph.

26           (d) Excluding any vacancies on the board, a majority of the appointed  
27 commissioners shall constitute a quorum for the transaction of business of the  
28 commission.

29   \*       \*       \*

1                   (4) ~~On and after January 12, 2004, a~~ A vacancy created whether by reason  
2                   of death, resignation, expiration of term, or any other cause of a member of the board  
3                   of commissioners shall be filled in the same manner as provided in Paragraph (2) of  
4                   this Subsection.

5                   Section 2. This Act shall become effective on January 10, 2016.

#### 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 327 Engrossed

2015 Regular Session

Dove

**Abstract:** Changes membership of the North Lafourche Conservation, Levee and Drainage District to reflect increased number of legislators elected from within the district, removes obsolete date references, removes that members shall be from specific areas of the district, and defines "quorum".

Present law provides that the governor shall appoint, subject to Senate confirmation, nine persons from Lafourche Parish to serve as commissioners of the North Lafourche Conservation, Levee and Drainage District.

Present law provides that the governor shall select these nine persons to serve as commissioners from names submitted by the following:

- (1) Each of the six state legislators representing any part of the district shall submit nominations, and the governor shall appoint one member from each such list of nominees.
- (2) One member from three names submitted by the president of Lafourche Parish, subject to ratification by the governing authority of Lafourche Parish.
- (3) One member from three names submitted by the mayor of Thibodeaux, subject to ratification by the governing authority of Thibodeaux.
- (4) One member from three names submitted by the mayor of Lockport, subject to ratification by the governing authority of Lockport.

Proposed law retains present law, but removes references to the total number of commissioners (nine) and the number (six) of state legislators representing the district. This change would allow for the current eight state legislators representing the district to submit nominations to the governor. In addition, this would allow for the total number of commissioners to change, without legislation, due to any changes made due to future redistricting legislation.

Present law provides that the term of any commissioner shall cease in January 2008, or thereafter, when his successor is appointed and takes office.

Proposed law provides that the term of any commissioner shall cease when his successor is appointed and takes office.

Present law requires that the membership of the board of commissioners of the North Lafourche Conservation, Levee and Drainage District shall be comprised of no fewer than three members from the area within the district lying to the east of Bayou Lafourche, no fewer than three members from the area within the district lying to the west of Bayou Lafourche, and the remaining members from the district-at-large, all appointed pursuant to the list of nominations submitted to the governor by the nominating parties.

Proposed law removes present law.

Present law provides that if nine commissioners are not appointed within 60 days of the beginning of the term or a vacancy, another list of nominations selected by a majority of the members of the legislature representing the district shall be submitted, from which the governor shall appoint the remaining required commissioners to bring the total number to nine.

Proposed law replaces reference to "nine" commissioners with the word "all". This change would allow for the current eight state legislators representing the district to submit nominations to the governor. In addition, this would allow for the total number of commissioners to change, without legislation, due to any changes made due to future redistricting legislation.

Proposed law provides that, excluding any vacancies on the board, a majority of the appointed commissioners shall constitute a quorum for the transaction of business of the commission.

Proposed law removes references to obsolete dates.

Proposed law shall be effective Jan. 10, 2016 (the date the next governor is scheduled to take office).

(Amends R.S. 38:291(T)(2)(a)(intro. para.) and (i), (b) and (c), and (4); Adds R.S. 38:291(T)(2)(d))