

CONFERENCE COMMITTEE REPORT

HB 688

2025 Regular Session

Braud

June 11, 2025

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 688 by Representative Braud, recommend the following concerning the Reengrossed bill:

- 1. That the set of Senate Committee Amendments by the Committee on Transportation, Highways and Public Works (#2885) be rejected.
- 2. That the set of Senate Floor Amendments by Senator Connick (#2995) be adopted.
- 3. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "(2)(b)" and insert "(2)(a)(ii) and (c)"

AMENDMENT NO. 2

On page 1, line 14, after the semicolon ";" and before "and" insert "to provide for an effective date;"

AMENDMENT NO. 3

On page 1, at the end of line 16, delete "(2)(b)" and insert "(2)(a)(ii) and (c)"

AMENDMENT NO. 4

On page 2, between lines 26 and 27, insert the following:

"(ii) A member or designee of the Council Leaders for A Better Louisiana.
* * *

AMENDMENT NO. 5

On page 3, delete lines 1 through 5 in their entirety and insert a set of asterisks "* * *"

AMENDMENT NO. 6

On page 6, line 21, after "Subsection" and before the period "." insert a comma "," and "except the nominating committee shall submit its nominations for each expected vacancy to the governor for consideration no later than thirty days prior to the start of the Regular Session. If the nominating committee fails to submit nominees for an expected vacancy thirty days prior to the start of the Regular Session, the governor shall follow the procedure outlined in Subparagraph (3)(c) of this Subsection"

AMENDMENT NO. 7

On page 8, line 12, after "All commissioners" and before the comma "," delete "thereafter appointed"

AMENDMENT NO. 8

On page 8, line 15, after "terms" and before the period "." insert a comma "," and "beginning on June 1, 2025"

AMENDMENT NO. 9

On page 8, after line 22, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Respectfully submitted,

Representative Jacob Braud

Senator Patrick Connick

Representative Ryan Bourriaque

Senator Mark Abraham

Representative Chad Boyer

Senator Kirk Talbot

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)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 688

2025 Regular Session

Braud

Keyword and oneliner of the instrument as it left the House

LEVEES/BDS & DISTRICTS: Provides relative to the Southeast Louisiana Flood Protection Authority-East and Southeast Louisiana Flood Protection Authority-West Bank

Report adopts Senate amendments to:

1. Remove the requirement that the board of commissioners for the Southeast Louisiana Flood Protection Authority-East include two members not residing in St. Bernard Parish, Jefferson Parish, or Orleans Parish and one member with no jurisdictional or residency limitation.
2. Require that the board of commissioners Southeast Louisiana Flood Protection Authority-East include three members with no territorial jurisdiction within the authority.

Report rejects Senate amendments which would have:

1. Made technical changes.
2. Changed an appointing authority of the nominating committee from the Council for A Better Louisiana to Leaders for A Better Louisiana.
3. Clarified that the nominating committee must submit nominations to the governor for expected vacancies at least thirty days prior to the start of the Regular Session.
4. Specified that if the nominating committee does not submit nominations at least thirty days prior to the Regular Session the governor will make the appointment.
5. Specified that current and future board members, as of June 1, 2025, are allowed to serve three consecutive terms.
6. Added an effective date upon signature of the governor or lapse of time for gubernatorial action.

Report amends the bill to:

1. Make technical changes.
2. Change an appointing authority of the nominating committee from the Council for A Better Louisiana to Leaders for A Better Louisiana.
3. Clarify that the nominating committee must submit nominations to the governor for expected vacancies at least thirty days prior to the start of the Regular Session.
4. Specify that if the nominating committee does not submit nominations at least thirty days prior to the Regular Session the governor will make the appointment.

5. Clarify that no member can serve more than three consecutive terms, beginning on June 1, 2025.
6. Add an effective date upon signature of the governor or lapse of time for gubernatorial action.

Digest of the bill as proposed by the Conference Committee

Present law creates the board of commissioners (board) for each flood protection authority which includes the board of the Southeast La. Flood Protection Authority-East (SLFP-E) composed of nine members of whom there must be at least one member from St. Bernard Parish, two members from Jefferson Parish, and three members from Orleans Parish who must reside within the territorial jurisdiction of the authority. These members are appointed by the governor from nominations submitted by the nominating committee as follows:

- (1) Five members in an engineering or a science-related field with one of the members, being a civil engineer.
- (2) Two members in any other discipline other than that occurring in present law with at least 10 years of professional experience in that discipline.

Proposed law modifies present law by adding three members who do not reside within the territorial jurisdiction of the authority. Further reduces the number of members with engineering or science-related backgrounds from five to four and increasing the number of members in any other discipline other than that occurring in a science-related field from two to three.

Present law requires the nominating committee for each board to be composed of members or designees from the following entities:

- (1) The Public Affairs Research Council of La.
- (2) The Council for A Better La.
- (3) The La. Geological Survey at LSU.
- (4) The Assoc. of State Floodplain Managers.
- (5) The National Society of Black Engineers.
- (6) The College of Engineering at the University of N.O.
- (7) The School of Science and Engineering at Tulane University.
- (8) The College of Engineering at Southern University and Agricultural and Mechanical College.
- (9) The College of Engineering at LSU.
- (10) The American Society of Civil Engineers.
- (11) The La. Engineering Society.

Proposed law modifies present law by changing an appointing authority of the nominating committee from the Council for A Better Louisiana to Leaders for A Better Louisiana and includes the executive director or designee of the Coastal Protection and Restoration Authority (CPRA) as a member.

Present law requires the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the Southeast Louisiana Flood Protection Authority-West Bank (SLFP-W) be the custodian of records of the nominating committee for their respective flood

authority. Further requires the chair of either the SLFP-E or the SLFP-W nominating committee, or in his absence, the regional directors, or in the absence of a regional director, the presidents of the boards to call the meeting of the committee for their respective flood authority. Additionally, requires the regional directors, or in their absence, the presidents of the SLFP-E and SLFP-W boards or their designees, serve as secretary for the nominating committee for their respective flood authority.

Proposed law modifies present law by replacing the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W with the executive director of the CPRA or his designee to be custodian of records of the nominating committee for their respective flood authority. Further replaces the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W with the chair to call the meeting of the committee for the respective flood authority.

Present law requires all nominating committee members be appointed for eight years. Further provides that a former nominating committee member be reappointed to a nominating committee four years from the completion of previous terms and that service for four or more years of an unexpired term will constitute a term.

Proposed law modifies present law by including a term end date of Jan. 1st at the end of each term. Further requires that a term for nominating committee members whose eight-year term expires in 2025 will end on Jan. 1, 2026.

Present law specifies that the nominating committee is a "public body" for the purposes of Open Meetings Law and Public Records Law applies to such committee.

Proposed law allows nominating committee members to attend meetings and convene remotely.

Proposed law requires the CPRA assign a staff representative to assist the nominating committee in its work and preparation of meetings.

Proposed law requires the nominating committee be represented by the attorney general.

Present law requires the board notify the chair of the nominating committee and regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W of an unexpected vacancy within the flood authority. Clarifies that a vacancy is unexpected whenever it occurs for a reason other than the expiration of a term. Requires the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W cause notification of the unexpected vacancy to be published in the official journal of the state and of each parish within the territorial jurisdiction of the authority. Further requires the publishing of the notice of the unexpected vacancy no later 30 days following receipt by the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W.

Proposed law modifies present law by eliminating the requirements for the board to notify the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W of the unexpected vacancy within the flood district. Further replaces the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W with the chair to provide notice of an unexpected vacancy and publish it in the official journal of the state and of each parish within the territorial jurisdiction of the authority.

Present law requires the nominating committee meet to determine the nominations for each unexpected vacancy within the time limitations set forth in present law. Further requires the committee consider each name submitted and select the nominees for each unexpected vacancy. Further requires the committee to submit one nominee for each vacancy. Additionally, requires a majority vote for nominations and such nominations be submitted to the governor for consideration no later than 120 days after the notification of the occurrence of such unexpected vacancy to the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W. Requires the governor appoint one of the nominees submitted by the committee within 30 days of submission of the

nominations and submit an appointee to the Senate for confirmation 48 hours from the appointment.

Proposed law modifies present law by eliminating the 30 day and no later than 90 day requirement for publication in the official journal. Further increases the number of nominees the committee must submit for unexpected vacancies from one to two. Further reduces the timeframe for submission of nominees to fill the unexpected vacancies from 120 days to 90 days after notification. Further eliminates the 48 hour requirement for submission of appointees to the Senate to fill the unexpected vacancy.

Present law requires the governor appoint a qualified person within the time limitations set forth in present law if the nominating committee fails to submit a nominee within 120 days after the notice of an unexpected vacancy to the regional directors, or in the absence of a regional director, the presidents of the boards of the SLFP-E and the SLFP-W.

Proposed law modifies present law by restricting the nominating committee's timeframe for submission of a nominee to fill the unexpected vacancy from 120 days to 90 days after notification of the vacancy. Further eliminates the requirement that the regional directors, or in their absence, the presidents of the boards of commissioners of the SLFP-E and SLFP-W notify the nominating committee of the vacancy.

Present law requires the board notify the chair of the nominating committee and regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W of any expected vacancy occurring the following year due to expiration of a term. Further requires the regional directors, or in their absence, the presidents of the SLFP-E and the SLFP-W boards publish a notification of each expected vacancy in the official journal of the state and of each parish within the territorial jurisdiction of the authority. Provides that such notification be published no later than 30 days after receipt by the regional directors, or in their absence, the presidents of the SLFP-E and the SLFP-W boards.

Proposed law modifies present law by eliminating the requirement that the board notify the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W of any expected vacancy occurring the following year due to expiration of a term. Further replaces the regional directors, or in their absence, the presidents of the SLFP-E and the SLFP-W boards with chair to provide notice of an unexpected vacancy and publish it in the official journal of the state and of each parish within the territorial jurisdiction of the authority.

Present law requires the nominating committee meet to determine the nominations to fill each expected vacancy at least 30 days after the latest date of the notice publication and no later than 90 days after the latest date of notice publication set forth in present law. Further requires the committee consider each name submitted and select the nominees for each expected vacancy who meet the requirements of present law. Additionally, requires the committee submit one nominee for an expected vacancy in a position provided for in present law and submit two nominees for each expected vacancy in a position provided for in present law. Provides that a majority vote is needed to nominate persons to positions on the board. The committee must submit its nominations for each expected vacancy to the governor for consideration no later than 30 days prior to the start of Regular Session.

Proposed law modifies present law by requiring the nominating committee to follow the procedures in present law and provides for the procedure if nominations are not submitted 30 days prior to the start of the Regular Session. Further removes the timeframe for the nominating committee to provide notice publication in the official journal of each expected vacancy; removes the requirement that the committee consider each name submitted and select the nominees for each expected vacancy who meet the requirements of present law; that a majority vote is needed to nominate persons to positions on the board; that the committee must submit its nominations for each expected vacancy to the governor for consideration no later than 30 days prior to the start of Regular Session; and provides the time limitations for the appointment of nominees.

Proposed law removes present law.

Present law requires members of each board, at their first meeting, determine by lot their terms of office, which terms commence immediately upon their appointment and their expiration including all commissioners appointed, except a commissioner appointed to fill an unexpired term. Further requires the commissioners be appointed for staggered terms of four years and prohibits a member from serving more than two consecutive terms. Specifies that serving two years or more of an unexpired term constitutes a term. Authorizes a former board member be reappointed to the board after sitting out four years from the completion of his last consecutive term.

Proposed law modifies present law by increasing consecutive terms of the members from two to three, beginning on June 1, 2025.

Present law prohibits a person from serving on the board beyond the expiration of a term unless reappointed to a position on the board through the process required by present law.

Proposed law retains present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 38:330.1(C)(1)(a)(intro. para.) and (i) and (ii), (2)(a)(ii) and (c) through (e), (3)(a) through (c), and (4) and (D); Adds R.S. 38:330.1(C)(2)(a)(xii) and (f) and (g))