SLS 18RS-529 **ORIGINAL**

2018 Regular Session

SENATE BILL NO. 229

BY SENATOR MORRELL

PORTS/HARBORS/TERMINALS. Provides relative to the Board of Commissioners of the Port of New Orleans. (8/1/18)

AN ACT

To amend and reenact R.S. 34:1(A)(3) and (2), relative to the Board of Commissioners of the Port of New Orleans; to remove exception for individuals employed in the maritime industry from the Code of Governmental Ethics for public servants; to require Senate confirmation of board members appointed by the governor; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:1(A)(3) and (2) are hereby amended and reenacted to read as follows:

§1. Continuation; qualifications; appointments; terms; vacancies

A. Membership; qualifications; vacancies.

* * *

(3) All members shall be experienced in the commerce or industry, or both, of the port area, and shall otherwise possess the qualifications prescribed by law. ~~Notwithstanding any prohibition contained in Part II of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950, individuals employed in the maritime industry may serve as members hereunder.~~ The present members, seven in number, shall

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continue to serve on the board for the duration of their respective terms.

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§2. Confirmation ~~not~~ required; removal; procedure

All appointments of members of the board shall be made by the governor as provided in this Subpart and ~~without the need for~~ **with** confirmation by the Senate. No member thus appointed shall be removed except for cause on charges preferred against him in writing by the attorney general and after public hearing and proof of the sufficiency of the changes to justify his removal, before a commission of three disinterested citizens residing within the jurisdictional area of this port, one to be appointed by the governor, one to be appointed by the president of Tulane University of Louisiana, and one to be appointed by the president of Loyola University in New Orleans; however, any member so removed shall have the right to test in the courts the sufficiency of the charges and the evidence in support of the charges.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

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Present law allows individuals employed in the maritime industry to serve as board members notwithstanding any prohibition contained in the Code of Governmental Ethics for public servants, Part II of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950. (R.S. 42:1111 et seq.)

Proposed law removes the exception.

Present law provides for the governor to appoint board members from nominating lists and without Senate confirmation.

Proposed law changes present law to require Senate confirmation of board members appointed by the governor.

Effective August 1, 2018.

(Amends R.S. 34:1(A)(3) and (2))

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