

2022 Regular Session

SENATE BILL NO. 465

BY SENATOR CONNICK

FLOOD PROTECTION AUTH. Provides for vacancies in the board of commissioners of the Southeast Louisiana Flood Protection Authority-East and Southeast Louisiana Flood Protection Authority-West. (8/1/22)

1 AN ACT

2 To amend and reenact R.S. 38:330.1(C)(2)(c), (3)(a), (b), and (c), and (4)(a), relative to
3 flood protection authorities; to provide for vacancies on a flood protection authority
4 board; to provide for nominating committees; to provide for the custodian of records;
5 to provide for notifications; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:330.1(C)(2)(c), (3)(a), (b), and (c), and (4)(a) are hereby amended
8 and reenacted to read as follows:

9 §330.1. Southeast Louisiana Flood Protection Authority-East and Southeast
10 Louisiana Flood Protection Authority-West Bank; territorial
11 jurisdiction; board of commissioners; appointments; terms;
12 compensation; vacancy; officers; meetings; domicile

13 * * *

14 C. * * *

15 (2) * * *

16 (c) ~~The chairman of the Coastal Protection and Restoration Authority Board~~
17 regional directors, or in the absence of a regional director, the presidents of the

1 boards of commissioners, of the Southeast Louisiana Flood Protection
2 Authority-East and the Southeast Louisiana Flood Protection Authority-West
3 Bank shall be the custodian of the records of the nominating committee for their
4 respective flood authority. The chairman of the authority nominating committee,
5 or in his absence, the ~~chairman of the Coastal Protection and Restoration Authority~~
6 ~~Board~~ regional directors, or in the absence of a regional director, the presidents
7 of the boards of commissioners, of the Southeast Louisiana Flood Protection
8 Authority-East and the Southeast Louisiana Flood Protection Authority-West
9 Bank, shall call the meeting of the nominating committee for their respective flood
10 authority. The ~~chairman of the Coastal Protection and Restoration Authority Board,~~
11 or his designee regional directors, or in the absence of a regional director, the
12 presidents of the boards of commissioners, of the Southeast Louisiana Flood
13 Protection Authority-East and the Southeast Louisiana Flood Protection
14 Authority-West Bank, or their designees, shall serve as secretary for the
15 nominating committee for their respective flood authority.

16 * * *

17 (3)(a) Within ten days after the occurrence of an unexpected vacancy on the
18 flood protection authority board, the board shall notify the ~~chairman of the Coastal~~
19 ~~Protection and Restoration Authority Board~~ chair of the nominating committee
20 and regional directors, or in the absence of a regional director, the presidents
21 of the boards of commissioners, of the Southeast Louisiana Flood Protection
22 Authority-East and the Southeast Louisiana Flood Protection Authority-West
23 Bank of such unexpected vacancy within the flood authority. For purposes of this
24 Paragraph, a vacancy shall be unexpected whenever it occurs for a reason other than
25 the expiration of a term. The ~~chairman of the Coastal Protection and Restoration~~
26 ~~Authority~~ regional directors, or in the absence of a regional director, the
27 presidents of the boards of commissioners, of the Southeast Louisiana Flood
28 Protection Authority-East and the Southeast Louisiana Flood Protection
29 Authority-West Bank shall cause notification of the unexpected vacancy to be

1 published in the official journal of the state and of each parish within the territorial
2 jurisdiction of the authority. Such notification shall be published no later than thirty
3 days following receipt by the ~~chairman of the Coastal Protection and Restoration~~
4 ~~Authority~~ **regional directors, or in the absence of a regional director, the**
5 **presidents of the boards of commissioners, of the Southeast Louisiana Flood**
6 **Protection Authority-East and the Southeast Louisiana Flood Protection**
7 **Authority-West Bank** of notice of the unexpected vacancy.

8 (b) The nominating committee shall meet to determine the nominations to
9 send to the governor to fill each unexpected vacancy no sooner than thirty days after
10 the latest date of publication set forth in Subparagraph (a) of this Paragraph and no
11 later than ninety days after the latest date of publication set forth in Subparagraph (a)
12 of this Paragraph. The committee shall consider each name submitted to the
13 committee from whatever source and the committee members may propose names
14 of persons to be considered. After review, the committee shall select the nominees
15 for each unexpected vacancy who meet the requirements of this Section. The
16 committee shall submit one nominee for each unexpected vacancy in a position
17 provided for in Item (1)(a)(i) or (b)(i) of this Subsection and shall submit two
18 nominees for each unexpected vacancy in a position provided for in Item (1)(a)(ii)
19 or (iii) of this Subsection or Item (1)(b)(ii) or (iii) of this Subsection. A majority vote
20 of the total membership of the nominating committee shall be required to nominate
21 persons to positions on the board. The committee shall submit its nominations for
22 each unexpected vacancy to the governor for consideration no later than one hundred
23 twenty days after the notification of the ~~chairman of the Coastal Protection and~~
24 ~~Restoration Authority~~ **regional directors, or in the absence of a regional director,**
25 **the presidents of the boards of commissioners, of the Southeast Louisiana Flood**
26 **Protection Authority-East and the Southeast Louisiana Flood Protection**
27 **Authority-West Bank** of the occurrence of such unexpected vacancy. The governor
28 shall appoint one of the nominees submitted by the committee within thirty days of
29 submission of the nominations for any unexpected vacancy and submit such

1 appointee to the Senate for confirmation within forty-eight hours following the
2 appointment, regardless of whether the legislature is in regular session.

3 (c) If the nominating committee fails to submit a nominee within one hundred
4 twenty days after notification of the ~~chairman of the Coastal Protection and~~
5 ~~Restoration Authority~~ **regional directors, or in the absence of a regional director,**
6 **the presidents of the boards of commissioners, of the Southeast Louisiana Flood**
7 **Protection Authority-East and the Southeast Louisiana Flood Protection**
8 **Authority-West Bank** of the occurrence of such unexpected vacancy, the governor
9 shall appoint a person meeting the requirements of this Section within thirty days of
10 the expiration of such time and submit such appointee to the Senate for confirmation
11 within forty-eight hours following the appointment, regardless of whether the
12 legislature is in regular session.

13 * * *

14 (4)(a) Each July first, the board shall notify the ~~chairman of the Coastal~~
15 ~~Protection and Restoration Authority~~ **chair of the nominating committee and**
16 **regional directors, or in the absence of a regional director, the presidents of the**
17 **boards of commissioners, of the Southeast Louisiana Flood Protection**
18 **Authority-East and the Southeast Louisiana Flood Protection Authority-West**
19 **Bank** of any vacancy which will occur on a board in the following year due to
20 expiration of a term, hereinafter in this Paragraph referred to as "expected vacancy".
21 The ~~chairman of the Coastal Protection and Restoration Authority~~ **regional**
22 **directors, or in the absence of a regional director, the presidents of the boards**
23 **of commissioners, of the Southeast Louisiana Flood Protection Authority-East**
24 **and the Southeast Louisiana Flood Protection Authority-West Bank** shall cause
25 notification of each expected vacancy to be published in the official journal of the
26 state and of each parish within the territorial jurisdiction of the authority. Such
27 notification shall be published no later than thirty days following receipt by the
28 ~~chairman of the Coastal Protection and Restoration Authority~~ **regional directors, or**
29 **in the absence of a regional director, the presidents of the boards of**

1 commissioners, of the Southeast Louisiana Flood Protection Authority-East and
2 the Southeast Louisiana Flood Protection Authority-West Bank of notice of an
3 expected vacancy.

4 * * *

The original instrument was prepared by Tyler McCloud. The following digest, which does not constitute a part of the legislative instrument, was prepared by Archana Cadge.

DIGEST

SB 465 Engrossed

2022 Regular Session

Connick

Present law establishes a nominating committee for the boards of commissioners for the Southeast La. Flood Protection Authority-East and the Southeast La. Flood Protection Authority-West Bank.

Present law provides for the duties of the chairman of the Coastal Protection and Restoration Authority Board relative to the nominating committee, including serving as the custodian of records and the secretary, calling meetings, receive notifications of vacancies and causing the publication of notifications of vacancies.

Proposed law changes the responsibility for these duties from the chairman of the Coastal Protection and Restoration Authority Board to the chair of the nominating committee and regional directors, or in the absence of a regional director, the presidents of the boards of commissioners, of the Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank.

Proposed law changes notification of vacancies on the board from the chairman of the Coastal Protection and Restoration Authority Board to the chair of the nominating committee and regional directors.

Effective August 1, 2022.

(Amends R.S. 38:330.1(C)(2)(c), (3)(a), (b), and (c), and (4)(a))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill

1. Changes notification of a vacancy on the board from the chairman of the Coastal Protection and Restoration Authority Board to the chair of the nominating committee and regional directors.