

SENATE BILL NO. 465

BY SENATOR CONNICK

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

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

* * *

C. * * *

(2) * * *

(c) ~~The chairman of the Coastal Protection and Restoration Authority Board~~
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 shall be the custodian of the records of the nominating committee **for their respective flood authority**. The chairman of the authority nominating committee, or in his absence, ~~the chairman of the Coastal Protection and Restoration Authority Board~~
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

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

8 * * *

9 (3)(a) Within ten days after the occurrence of an unexpected vacancy on the
 10 flood protection authority board, the board shall notify the ~~chairman of the Coastal~~
 11 ~~Protection and Restoration Authority Board~~ chair of the nominating committee
 12 and regional directors, or in the absence of a regional director, the presidents
 13 of the boards of commissioners of the Southeast Louisiana Flood Protection
 14 Authority-East and the Southeast Louisiana Flood Protection Authority-West
 15 Bank of such unexpected vacancy within the flood authority. For purposes of this
 16 Paragraph, a vacancy shall be unexpected whenever it occurs for a reason other than
 17 the expiration of a term. ~~The chairman of the Coastal Protection and Restoration~~
 18 ~~Authority~~ regional directors, or in the absence of a regional director, the
 19 presidents of the boards of commissioners of the Southeast Louisiana Flood
 20 Protection Authority-East and the Southeast Louisiana Flood Protection
 21 Authority-West Bank shall cause notification of the unexpected vacancy to be
 22 published in the official journal of the state and of each parish within the territorial
 23 jurisdiction of the authority. Such notification shall be published no later than thirty
 24 days following receipt by the ~~chairman of the Coastal Protection and Restoration~~
 25 ~~Authority~~ regional directors, or in the absence of a regional director, the
 26 presidents of the boards of commissioners of the Southeast Louisiana Flood
 27 Protection Authority-East and the Southeast Louisiana Flood Protection
 28 Authority-West Bank of notice of the unexpected vacancy.

29 (b) The nominating committee shall meet to determine the nominations to
 30 send to the governor to fill each unexpected vacancy no sooner than thirty days after

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

23 (c) If the nominating committee fails to submit a nominee within one hundred
24 twenty days after notification of the ~~chairman of the Coastal Protection and~~
25 ~~Restoration Authority~~ **regional directors, or in the absence of a regional director,**
26 **the presidents of the boards of commissioners of the Southeast Louisiana Flood**
27 **Protection Authority-East and the Southeast Louisiana Flood Protection**
28 **Authority-West Bank** of the occurrence of such unexpected vacancy, the governor
29 shall appoint a person meeting the requirements of this Section within thirty days of
30 the expiration of such time and submit such appointee to the Senate for confirmation

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

3 * * *

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

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____