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The original instrument and the following digest, which does not constitute a part of the legislative instrument, was prepared by Sharon F. Lyles.

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## DIGEST

Donahue (SB 342)

Present law creates the St. Tammany Levee District in St. Tammany Parish within the boundaries of the coastal zone and provides for its governance by the board of commissioners of the Southeast Louisiana Flood Protection Authority-East.

Proposed law changes present law to rename the district as the St. Tammany Levee, Drainage, and Conservation District and to provide for its governance by a board of commissioners of nine persons appointed by the governor, subject to Senate confirmation, who shall serve concurrently with and at the pleasure of the governor as follows:

- (1) Four members appointed from the nominees submitted by each member of the legislative delegation representing any part of the district.
- (2) Two members appointed from a list of three nominees submitted by the president of St. Tammany Parish, subject to ratification by the Parish Council of St. Tammany.
- (3) One member appointed from a list of three nominees submitted by the mayor of the city of Slidell.
- (4) One member appointed from a list of three nominees submitted by the mayor of the city of Mandeville.
- (5) One member appointed from a list of three nominees submitted by the mayor of the town of Madisonville.

Proposed law requires the governor to appoint from the nominations at least four members who are residents of the unincorporated areas of the district.

Proposed law provides for vacancies to be filled in the same manner as the original appointments provided in proposed law.

Proposed law provides that commissioners are subject to term limitations provided in R.S. 42:3.2 except that a commissioner appointed to fill more than one-half of an unexpired term may serve no more than three additional consecutive terms in addition to such partial term.

Proposed law provides that notwithstanding any provisions of law to the contrary, a commissioner whose term is expired shall not be allowed to continue to serve or to vote.

Proposed law provides that the governor or the nominating entity may remove a commissioner

for neglect of duty which includes a violation of state law or public policy of the state.

Proposed law authorizes tax and bond authority.

Proposed law provides that a tax election shall be held only within the district.

Proposed law provides for the powers and duties of board and provides that its primary duty is to establish, construct, operate, or maintain flood control works related to hurricane protection, tidewater flooding, saltwater intrusion, and conservation. Authorizes the board to buy and sell property, make and execute contracts, and perform any and all things necessary to carry out the objects as provided by law.

Proposed law provides no action or work undertaken or contract or agreement entered into by the board shall violate the master plan of the Coastal Protection and Restoration Authority or any statewide drainage and flood control plan administered by the Department of Transportation and Development.

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

(Amends R.S. 38:291(V) and 330.2(A)(1)(a); adds R.S. 38:329.6; repeals R.S. 38:330.1(B)(1)(a)(iv))

### Summary of Amendments Adopted by Senate

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

1. Requires the governor to appoint from the nominations at least four members who are residents of the unincorporated areas of the district.
2. Provides that no commissioner whose term is expired shall be allowed to continue to serve or vote.
3. Authorizes the governor or the nominating entity to remove a commissioner for neglect of duty, which includes a violation of state law or public policy of the state.
4. Requires that any election to levy a sales and use tax be held only within the district.
5. Requires any contract or agreement entered into by the board to comply with state law and public policy of the state.
6. Provides that no action or work undertaken or contract or agreement entered into

by the board shall violate the master plan of the Coastal Protection and Restoration Authority or any statewide drainage and flood control plan administered by the Department of Transportation and Development.