

SENATE BILL NO. 261

BY SENATORS JOHNS, MORRISH AND JOHN SMITH AND REPRESENTATIVES  
DANAHAY, FRANKLIN, GEYMAN, GUINN, KLECKLEY AND  
HILL

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AN ACT

To amend and reenact R.S. 34:202(A), relative to the Lake Charles Harbor and Terminal District; to provide relative to the board of commissioners; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:202(A) is hereby amended and reenacted to read as follows:

§202. Lake Charles Harbor and Terminal District; ratification; board of commissioners; members; officers; agents; and employees

A.(1) The governing authority of the district shall be a board of commissioners which shall be known as the Board of Commissioners of the Lake Charles Harbor and Terminal District. The board shall consist of seven members who shall be citizens of the United States and qualified voters, and inhabitants of this district during their terms of office.

(2)(a) The governor shall appoint seven commissioners, subject to Senate confirmation. ~~Except for initial appointments and terms, which are provided for in Subparagraph (b) of this Paragraph,~~ **Effective August 1, 2015,** commissioners shall serve ~~four-year terms~~ **staggered terms of four years, which begin on August first of the appointment year and expire on July thirty-first in the fourth year following the appointment year,** and shall be appointed from nominations as follows:

(i)(a) ~~One of the successors to the two members serving initial terms as provided in Item (b)(i) of this Paragraph shall be appointed from a list of three nominees submitted by the governing authority of Lake Charles and the other from~~

1 a list of three nominees submitted by the governing authority of Calcasieu Parish  
 2 **member, designated as Position A, shall be appointed from a list of three**  
 3 **nominees submitted by the governing authority of the city of Westlake.**

4 (ii)~~(b)~~ One of the successors to the two members serving initial terms as  
 5 provided in Item (b)(ii) of this Paragraph **member, designated as Position B,** shall  
 6 be appointed from a list of three nominees submitted by the governing authority of  
 7 Westlake and the other from a list of three nominees submitted by the governing  
 8 authority of Cameron Parish.

9 (iii)~~(c)~~ Successors to the three members serving initial terms as provided in  
 10 Item (b)(iii) of this Paragraph shall be appointed from a list of nominees submitted  
 11 jointly by the state legislators who represent any part of the district **One member,**  
 12 **designated as Position C, shall be appointed from a list of three nominees**  
 13 **submitted by the governing authority of the city of Lake Charles.**

14 **(d) One member, designated as Position D, shall be appointed from a list**  
 15 **of three nominees submitted by the governing authority of Calcasieu Parish.**

16 **(e) Three members, designated as positions E, F, and G, shall be**  
 17 **appointed from a list of nominees submitted jointly by the state legislators who**  
 18 **represent any part of the district.**

19 ~~(b) All seven initial appointments after May 29, 2003 shall be made from a~~  
 20 ~~list of nominees submitted jointly by the state legislators who represent any part of~~  
 21 ~~the district. A vacancy in an initial term prior to the expiration of the term shall be~~  
 22 ~~filled in the same manner as these initial appointments. Initial terms, as determined~~  
 23 ~~by lot at the first meeting, shall be as follows:~~

24 ~~(i) Two members shall serve two years.~~

25 ~~(ii) Two members shall serve three years.~~

26 ~~(iii) Three members shall serve four years.~~

27 ~~(3) Except as otherwise provided by Paragraph (2) of this Subsection,~~  
 28 **Effective August 1, 2014, any vacancy whether by reason of death, resignation,**  
 29 **expiration of term, or any other cause** in the membership of the board shall be  
 30 filled for the remainder of any unexpired term, in the same manner ~~as the person~~

1           ~~vacating the position was appointed as provided in Paragraph (2) of this~~  
 2           Subsection. Not later than ten calendar days after the occurrence of a vacancy  
 3           on the board for any cause, the president or other presiding officer of the board  
 4           shall send notice of the vacancy by registered or certified United States mail to  
 5           the appropriate nominating authority. The nominating authority shall submit  
 6           its nominations to the governor no later than sixty calendar days after  
 7           occurrence of the vacancy. If a nominating authority fails to submit  
 8           nominations to the governor within one hundred twenty calendar days after  
 9           occurrence of the vacancy, the governor shall forthwith make an appointment  
 10           to fill the vacancy.

11                   (4) Nominations from the legislative delegation **for positions E, F, and G**  
 12           and appointments by the governor from those nominations shall be made so that the  
 13           composition of the board includes at least two members of a racial minority or one  
 14           member of a racial minority and one woman.

15                   (5) No member shall serve more than two **and one-half terms in three**  
 16           consecutive terms. After having served **at least two and one-half terms in three**  
 17           consecutive terms, a commissioner shall not be eligible for appointment to the board  
 18           for a period of ~~eight~~ **twelve** years after completion of ~~the second term~~ **that service**  
 19           **on the board.**

20                   **(6) Members shall continue to serve until their successors have been**  
 21           **appointed and take office.**

22   \*       \*       \*

23           Section 2.(A) Notwithstanding any other provision of the law to the contrary, the  
 24           term of members holding positions designated by this Act as A and B on the Lake Charles  
 25           Harbor and Terminal District board of commissioners on the effective date of this Act shall  
 26           be extended and shall expire on August 1, 2015.

27           (B) Notwithstanding any other provision of the law to the contrary, the term of  
 28           members holding positions designated by this Act as E, F, and G on the Lake Charles Harbor  
 29           and Terminal District board of commissioners on the effective date of this Act shall be  
 30           extended and shall expire on August 1, 2016.

1           (C) Notwithstanding any other provision of the law to the contrary, the term of  
2 members holding positions designated by this Act as C and D on the Lake Charles Harbor  
3 and Terminal District board of commissioners on the effective date of this Act shall be  
4 extended and shall expire on August 1, 2017.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_