

2015 Regular Session

HOUSE BILL NO. 709

BY REPRESENTATIVE HARRISON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LEVEES/BDS & DISTRICTS: Provides relative to per diem for members and board of commissioners of levee districts and levee and drainage districts

1 AN ACT

2 To amend and reenact R.S. 38:308(A) and to enact R.S. 38:308(C), relative to per diem of
3 board members; to change the per diem of certain members and board of
4 commissioners to equal federal per diem rates; to require a board of commissioners
5 to provide public notice of its intent to vote on whether or not to increase the per
6 diem of its members above a certain amount; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 38:308(A) is hereby amended and reenacted and R.S. 38:308(C) is
9 hereby enacted to read as follows:

10 §308. Per diem; number of days per diem allowed; travel expenses; salary

11 A. Any other provision of law to the contrary notwithstanding, particularly
12 any special provisions in this Title relative to each levee district and levee and
13 drainage district in the state, any board of commissioners of any levee district and
14 levee and drainage district in this state may by a vote of two-thirds of the total
15 membership of the board fix the per diem of its members; however, the per diem of
16 each member shall ~~not exceed seventy-five dollars per day~~ be equal to the rate
17 allowable for per diem deduction pursuant to 26 USC 162(h)(1)(B)(ii) during the
18 time such member is in actual attendance upon the board or performing duties
19 authorized by the board. Such per diem shall be payable for thirty-six days per year.

20 During the period of an emergency as declared and determined by the governor, each

1 district or portion of a district which has been declared to be under such an
 2 emergency by the governor shall be authorized to hold as many meetings or
 3 emergency activities as the board deems necessary and the members shall be paid per
 4 diem for such meetings or activities. Each member shall be reimbursed for travel
 5 expenses in accordance with state travel regulations as prescribed by the Division of
 6 Administration. In lieu of the per diem provision which is herein made, a president
 7 of any levee board or levee and drainage board may receive a salary if he also acts
 8 as administrator for said board. However, in no instance shall said salary exceed the
 9 sum of one thousand dollars per month. The per diem, salary, and expenses shall be
 10 paid out of the funds of the districts on the warrants of the presidents, duly attested
 11 by the secretary of the board.

* * *

13 C. A board of commissioners of any levee district and levee and drainage
 14 district in this state shall provide at least two weeks notice to the public of its intent
 15 to vote on whether or not to fix the per diem of its members above seventy-five
 16 dollars.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 709 Engrossed 2015 Regular Session Harrison

Abstract: Provides relative to per diem for members and board of commissioners of levee districts and levee and drainage districts.

Present law, in pertinent part, provides that each levee district and levee and drainage district in the state, any board of commissioners of any levee district and levee and drainage district in this state may by a vote of 2/3 of the total membership of the board fix the per diem of its members; however, the per diem of each member cannot exceed \$75 during the time such member is in actual attendance upon the board or performing duties authorized by the board. Specifies that the per diem may be payable for 36 days per year. Provides that during the period of an emergency as determined by the governor, each district which has been declared to be under such an emergency by the governor may be authorized to hold as many meetings or emergency activities as the board deems necessary and the members shall be paid per diem for such meetings or activities. Authorizes the reimbursement of each member for travel expenses in accordance with state travel regulations as prescribed by the Division of Administration.

Proposed law retains present law except ties the per diem rate of members and board of commissioners of levee districts and levee and drainage districts to the federal per diem rates.

Proposed law requires that a board of commissioners of any levee district and levee and drainage district in this state provide at least two weeks notice to the public of its intent to vote on whether or not to fix the per diem of its members above \$75.

(Amends R.S. 38:308(A); Adds R.S. 38:308(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Add a requirement that the board of commissioners of any levee district and levee and drainage district in this state must provide at least two weeks notice to the public of its intent to vote on whether or not to fix the per diem of its members above \$75.