

2018 Regular Session

HOUSE BILL NO. 403

BY REPRESENTATIVE STEVE CARTER

WATER/RESOURCES: Provides relative to membership on the Capital Area Groundwater Conservation District board of commissioners

1 AN ACT

2 To amend and reenact R.S. 38:3074(A)(4) and (8) and (B) and to enact R.S. 38:3074(A)(9),
3 relative to the Capital Area Groundwater Conservation District board of
4 commissioners; to provide that one member of the commission be the director of the
5 East Baton Rouge Parish Department of Public Works or an engineer from within
6 certain offices of that department; to add a member appointed by the
7 Mayor-President of the City of Baton Rouge/East Baton Rouge Parish; to provide
8 relative to terms of office; and to provide for related matters.

9 Notice of intention to introduce this Act has been published
10 as provided by Article III, Section 13 of the Constitution of
11 Louisiana.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 38:3074(A)(4) and (8) and (B) are hereby amended and reenacted
14 and R.S. 38:3074(A)(9) is hereby enacted to read as follows:

15 §3074. Board of commissioners; appointments; tenure; replacement; compensation

16 A. The board of commissioners shall consist of ~~sixteen members who~~
17 seventeen members, fifteen of whom shall be appointed by the governor; three of
18 whom shall serve by virtue of their office; and one of whom shall be appointed by
19 another means. Each appointment by the governor shall be submitted to the Senate
20 for confirmation. The members shall be appointed as follows:

21 * * *

1 (4) One member shall be the director of the City of Baton Rouge/East Baton
 2 Rouge Parish Department of Public Works, or his designee a person designated by
 3 the Mayor-President of the City of Baton Rouge/Parish of East Baton Rouge, who
 4 shall be a registered professional engineer employed on the staff of the Department
 5 of Environmental Services, the Department of Transportation and Drainage, or the
 6 Department of Development, within the Department of Public Works.

* * *

8 (8) One member shall be appointed by the Mayor-President of the City of
 9 Baton Rouge/East Baton Rouge Parish.

10 (9) One member shall be appointed by the governor from ~~the~~
 11 ~~nomination~~ nominations by the members of the board. For the purposes of
 12 this Paragraph "board" shall mean the members appointed pursuant to
 13 Paragraphs (1) through (7) (8) of this Subsection.

* * *

15 B. ~~The governor shall designate the term of office for each member of the~~
 16 ~~initial board so that:~~

17 ~~(1) From those members appointed by the parish governments two shall be~~
 18 ~~appointed for a one-year term; two shall be appointed for a two-year term; and one~~
 19 ~~shall be appointed for a three-year term.~~

20 ~~(2) From those members appointed to represent industry, one shall be~~
 21 ~~appointed for a one-year term; one shall be appointed for a two-year term; and one~~
 22 ~~shall be appointed for a three-year term.~~

23 ~~(3) From those members appointed to represent users furnishing water for~~
 24 ~~municipalities, one shall be appointed for a term of one year and one for a term of~~
 25 ~~two years.~~

26 ~~(4) All other members shall serve an initial term of three years.~~

27 ~~(5) After the initial term, all terms~~ Each member shall be serve a term of
 28 three years, except that the ~~terms for~~ members representing governmental entities

1 ~~whose term shall be~~ serve a term contemporaneous with their office.

2 * * *

3 Section 2. Any member of the Capital Area Groundwater Conservation District
4 Commission serving on the effective date of this Act who does not qualify for appointment
5 to their position under the provisions of this Act shall immediately resign and be replaced
6 by a qualified person.

7 Section 3. This Act shall become effective upon signature by the governor or, if not
8 signed by the governor, upon expiration of the time for bills to become law without signature
9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
11 effective on the day following such approval.

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 403 Engrossed 2018 Regular Session Steve Carter

Abstract: Provides relative to membership on the Capital Area Groundwater Conservation District board of commissioners.

Present law creates the Capital Area Groundwater Conservation District and the board of commissioners. The board consists of 16 members appointed by the governor as follows:

- (1) One member appointed from each parish in the district.
- (2) Three members appointed from the industrial users in the district.
- (3) Three members appointed from privately or publicly owned entities that furnish water for rural or municipal use within the district.
- (4) One member who is the director of the Dept. of Public Works, or his designee.
- (5) One member who is the commissioner of conservation, or his designee, who shall be a member of his staff.
- (6) One member appointed from nominations by the La. Farm Bureau Federation and the La. Cattlemen's Association.
- (7) One member who is the secretary of the Dept. of Environmental Quality, or his designee, who shall be a member of his staff.
- (8) One member appointed from the nomination by the members of the board.

Proposed law would change the director of the Dept. of Public Works appointment to be the director of the City of Baton Rouge/E. Baton Rouge Parish Dept. of Public Works, or a person designated by the Mayor-President of the City of Baton Rouge/Parish of E. Baton Rouge, who is a registered professional engineer from the staff of the Dept. of Environmental Services, the Dept. of Transportation and Drainage, or the Dept. of Development, within the Dept. of Public Works.

Proposed law adds a member appointed by the Mayor-President of the City of Baton Rouge/Parish of E. Baton Rouge.

Present law provides for three-year terms for the commission members. Proposed law removes antiquated provisions that established initial staggered terms of the commission members.

Proposed law provides that any member of the commission serving on the effective date of the Act who does not qualify for appointment to their position under the provisions of this Act shall immediately resign and be replaced by a qualified person.

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

(Amends R.S. 38:3074(A)(4) and (8) and (B); Adds R.S. 38:3074(A)(9))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Add a member appointed by the Mayor-President of the City of Baton Rouge/Parish of E. Baton Rouge.
2. Remove antiquated provisions that established initial staggered terms for the commission members.