

SENATE BILL NO. 419

BY SENATOR PETERSON

AN ACT

To amend and reenact R.S. 34:1(A)(3) and R.S. 42:1112(D) and 1120.4(A) and to repeal R.S. 42: 1120.1, relative to the Board of Commissioners of the Port of New Orleans; to repeal recusal provisions for members of the Board of Commissioners of the Port of New Orleans; to provide relative to membership; to provide for certain terms and conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:1(A)(3) is hereby amended and reenacted to read as follows:

§1. Continuation; qualifications; appointments; terms; vacancies

A. Membership; qualifications; vacancies.

\* \* \*

(3) All members shall be experienced in the commerce or industry, or both, of the port area, and shall otherwise possess the qualifications prescribed by law. Notwithstanding any prohibition contained in Part II of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950, ~~individuals employed in the maritime industry may serve as members hereunder~~ **a member appointed prior to August 1, 2018, employed in the maritime industry may serve as a member as provided in this Paragraph. The provisions of Title 42 of the Louisiana Revised Statutes of 1950 in effect on the date of the appointment of a member appointed prior to August 1, 2018, shall apply to that member for the term of that member.** The present members **appointed prior to August 1, 2018,** seven in number, shall continue to serve on the board for the duration of their respective terms, **and shall remain subject to the provisions of Title 42 of the Louisiana Revised Statutes of 1950 in effect on the date of that member's appointment. A member appointed on or after August 1, 2018, employed in the maritime industry may serve as a member as provided in this Paragraph, subject to the provisions of Title 42 of the Louisiana Revised Statutes of 1950.**

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Section 2. R.S. 42:1112(D) and 1120.4(A) are hereby amended and reenacted to read as follows:

§1112. Participation in certain transactions involving the governmental entity

\* \* \*

D. No appointed member of any board or commission, except as otherwise provided in R.S. 42:~~1120.1~~ or 1120.4, shall participate or be interested in any transaction involving the agency when a violation of this Part would result.

\* \* \*

§1120.4. Recusal from voting; certain appointed members of boards and commissions

A. ~~Except for any member of a board or commission specifically provided for in R.S. 42:1120.1, if~~ **If** any appointed member of a board or commission in the discharge of a duty or responsibility of his office or position, would be required to vote on a matter which vote would be a violation of R.S. 42:1112, he shall recuse himself from voting.

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Section 3. R.S. 42:1120.1 is hereby repealed in its entirety.

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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: \_\_\_\_\_