

SENATE BILL NO. 227

BY SENATOR MORRELL AND REPRESENTATIVES BAGNERIS, BOUIE,
GAROFALO AND JIMMY HARRIS

1 AN ACT

2 To amend and reenact R.S. 33:4071(A)(1), (2)(a), (4), and (5), 4074, and the introductory
3 paragraph of 4091(C) and to enact R.S. 33:4091(C)(8), (D), and (E), relative to the
4 city of New Orleans; to provide relative to the Sewerage and Water Board of New
5 Orleans; to increase the membership of the board; to provide for the mayor's
6 designee; to provide with respect to the content and due date for quarterly reports of
7 the board; to provide for an effective date; and to provide for related matters.

8 Notice of intention to introduce this Act has been published.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:4071(A)(1), (2)(a), (4), and (5), 4074, and the introductory
11 paragraph of 4091(C) are hereby amended and reenacted and R.S. 33:4091(C)(8), (D), and
12 (E) are hereby enacted to read as follows:

13 §4071. Creation and organization of sewerage and water board

14 A.(1) The public water system, the public sewerage system, and the public
15 drainage system of the city of New Orleans shall be constructed, controlled,
16 maintained, and operated by a sewerage and water board to be composed as follows:

17 (a) The mayor.

18 (b) **The chair of the Public Works, Sanitation and Environment**
19 **Committee of the New Orleans city council, a member of the committee**
20 **appointed by the chair, or a civil engineer appointed by the chair. Any member**
21 **appointed by the chair shall serve at the pleasure of the chair.**

22 (c) Two syndicate members of the board of liquidation, city debt, to be
23 appointed by the mayor on the recommendation of the board of liquidation, city debt.

24 ~~(e)~~(d) **Eight Seven** citizens, to be appointed by the mayor, with the advice
25 and consent of the city council from a list of nominees submitted by the Sewerage
26 and Water Board Selection Committee.

1 (b) ~~Two~~ **Three** members shall serve an initial term of one year; ~~two~~ **three**
 2 members shall serve an initial term of two years; ~~two~~ **three** members shall serve an
 3 initial term of three years; and two members shall serve an initial term of four years,
 4 as determined by lot at the first meeting of the board.

5 (5) If the mayor is unable to attend a meeting of the sewerage and water
 6 board, ~~he~~ **the mayor** may be represented at ~~any such~~ **the board** meeting by a person
 7 designated by the mayor who shall be an unclassified member of the mayor's
 8 administration. ~~Any such~~ **The** person shall have all rights and powers granted to the
 9 mayor with regard to any such **board** meeting ~~and shall have~~ **including** the right to
 10 vote ~~for or in the stead of the absent mayor. In addition, any such person~~ **and** shall
 11 be counted for purposes of a quorum.

12 * * *

13 §4074. Meetings of the board

14 All meetings of the board shall be held in accordance with rules adopted by
 15 the board and shall be open and public. All its transactions shall be recorded in the
 16 minutes to be kept in writing by the executive director, and its records shall be
 17 public. Six members thereof shall constitute a quorum.

18 * * *

19 §4091. Reports of board

20 * * *

21 C. In addition to the requirements of Subsections A and B of this Section, the
 22 board shall report quarterly, ~~in September, December, March, and June,~~ **no later**
 23 **than the first day of the second month following the close of each calendar**
 24 **quarter** to the city council relative to its operations. ~~Such~~ **The** report shall include
 25 the following in a manner as prescribed by the city council:

26 * * *

27 **(8) The identity and detailed information on the status of all projects and**
 28 **all improvements made since the close of the last quarter.**

29 **D. The mayor or the chief administrative officer and the executive**
 30 **director shall present each quarterly report to the city council at the next**

1 regularly scheduled city council meeting dedicated to public works.

2 E. If a quarterly report is not submitted timely to the city council, the
3 executive director shall attend the council's next regularly scheduled meeting
4 and present to the council the reasons for the failure to timely submit the
5 report.

6 F. In addition to the other requirements of this Section, the board shall
7 send a report, by electronic mail, to the members of the Orleans Parish
8 legislative delegation and the members of the governing authority of Orleans
9 Parish detailing the pumping and electrical power of its facilities and the
10 available manpower no later than twenty-four hours prior to a hurricane
11 entering the Gulf of Mexico as determined by the National Weather Service and
12 no later than forty-eight hours after a flood watch or warning or thunderstorm
13 watch or warning is issued by the National Weather Service for any area of
14 Orleans Parish.

15 Section 2. Except as provided in Section 3 of this Act, the provisions of this Act
16 shall become effective upon signature by the governor or, if not signed by the governor,
17 upon expiration of the time for bills to become law without signature by the governor, as
18 provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the
19 governor and subsequently approved by the legislature, this Act shall become effective on
20 the day following such approval.

21 Section 3.(A) The provisions of Section 1 of this Act shall take effect and become
22 operative on the first day of January following an election at which a majority of the voters
23 of the city of New Orleans approve an amendment to Article V, Chapter 3, Section 5-301
24 of the home rule charter of the city to change the composition of the Sewerage and Water
25 Board of New Orleans to provide the identical composition of the board as contained in this
26 Act.

27 (B) The terms of the members of the Sewerage and Water Board of New Orleans in
28 office on the first day of January as provided in Subsection (A) of this Section shall
29 terminate on that date; however, the members shall remain in office until the board members
30 are appointed as provided in Section 1 of this Act and take office. The members of the

1 Sewerage and Water Board of New Orleans shall be appointed and shall take office as
2 provided in this Act and shall serve terms of office as provided in this Act. This Section shall
3 not be construed to prevent the reappointment to the board of a member in office on the
4 effective date of this Act.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____