FLOOD PROTECTION AUTH. Provides for vacancies in the board of commissioners of the Southeast Louisiana Flood Protection Authority-East and Southeast Louisiana Flood Protection Authority-West. (8/1/22)

AN ACT

To amend and reenact R.S. 38:330.1(C)(2)(c), (3)(a), (b), and (c), and (4)(a), relative to flood protection authorities; to provide for vacancies on a flood protection authority board; to provide for nominating committees; to provide for the custodian of records; to provide for notifications; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:330.1(C)(2)(c), (3)(a), (b), and (c), and (4)(a) are hereby amended and reenacted to read as follows:

§330.1. Southeast Louisiana Flood Protection Authority-East and Southeast Louisiana Flood Protection Authority-West Bank; territorial jurisdiction; board of commissioners; appointments; terms; compensation; vacancy; officers; meetings; domicile

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C.

(2)

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(c) The chairman of the Coastal Protection and Restoration Authority Board regional directors, or in the absence of a regional director, the presidents of the
boards of commissioners, of the Southeast Louisiana Flood Protection 
Authority-East and the Southeast Louisiana Flood Protection Authority-West 
Bank shall be the custodian of the records of the nominating committee for their respective flood authority. The chairman of the authority nominating committee, or in his absence, the chairman of the Coastal Protection and Restoration Authority Board regional directors, or in the absence of a regional director, the presidents of the boards of commissioners, of the Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank, shall call the meeting of the nominating committee for their respective flood authority. The chairman of the Coastal Protection and Restoration Authority Board regional directors, or in the absence of a regional director, the presidents of the boards of commissioners, of the Southeast Louisiana Flood Protection Authority-East Bank, or their designees, shall serve as secretary for the nominating committee for their respective flood authority.

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(3)(a) Within ten days after the occurrence of an unexpected vacancy on the flood protection authority board, the board shall notify the chairman of the Coastal Protection and Restoration Authority Board regional directors, or in the absence of a regional director, the presidents of the boards of commissioners, of the Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank of such unexpected vacancy within the flood authority. For purposes of this Paragraph, a vacancy shall be unexpected whenever it occurs for a reason other than the expiration of a term. The chairman of the Coastal Protection and Restoration Authority regional directors, or in the absence of a regional director, the presidents of the boards of commissioners, of the Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank shall cause notification of the unexpected vacancy to be published in the official journal of the
state and of each parish within the territorial jurisdiction of the authority. Such
notification shall be published no later than thirty days following receipt by the
chairman of the Coastal Protection and Restoration Authority regional directors, or
in the absence of a regional director, the presidents of the boards of
commissioners, of the Southeast Louisiana Flood Protection Authority-East and
the Southeast Louisiana Flood Protection Authority-West Bank of notice of the
unexpected vacancy.

(b) The nominating committee shall meet to determine the nominations to
send to the governor to fill each unexpected vacancy no sooner than thirty days after
the latest date of publication set forth in Subparagraph (a) of this Paragraph and no
later than ninety days after the latest date of publication set forth in Subparagraph (a)
of this Paragraph. The committee shall consider each name submitted to the
committee from whatever source and the committee members may propose names
of persons to be considered. After review, the committee shall select the nominees
for each unexpected vacancy who meet the requirements of this Section. The
committee shall submit one nominee for each unexpected vacancy in a position
provided for in Item (1)(a)(i) or (b)(i) of this Subsection and shall submit two
nominees for each unexpected vacancy in a position provided for in Item (1)(a)(ii)
or (iii) of this Subsection or Item (1)(b)(ii) or (iii) of this Subsection. A majority vote
of the total membership of the nominating committee shall be required to nominate
persons to positions on the board. The committee shall submit its nominations for
each unexpected vacancy to the governor for consideration no later than one hundred
twenty days after the notification of the chairman of the Coastal Protection and
Restoration Authority regional directors, or in the absence of a regional director,
the presidents of the boards of commissioners, of the Southeast Louisiana Flood
Protection Authority-East and the Southeast Louisiana Flood Protection
Authority-West Bank of the occurrence of such unexpected vacancy. The governor
shall appoint one of the nominees submitted by the committee within thirty days of
submission of the nominations for any unexpected vacancy and submit such
appointee to the Senate for confirmation within forty-eight hours following the
apPOINTMENT, regardless of whether the legislature is in regular session.

(c) If the nominating committee fails to submit a nominee within one hundred
twenty days after notification of the chairman of the Coastal Protection and
Restoration Authority regional directors, or in the absence of a regional director, the presidents of the boards of commissioners, of the Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank of the occurrence of such unexpected vacancy, the governor shall appoint a person meeting the requirements of this Section within thirty days of the expiration of such time and submit such appointee to the Senate for confirmation within forty-eight hours following the appointment, regardless of whether the legislature is in regular session.

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(4)(a) Each July first, the board shall notify the chairman of the Coastal Protection and Restoration Authority regional directors, or in the absence of a regional director, the presidents of the boards of commissioners, of the Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank of any vacancy which will occur on a board in the following year due to expiration of a term, hereinafter in this Paragraph referred to as "expected vacancy". The chairman of the Coastal Protection and Restoration Authority regional directors, or in the absence of a regional director, the presidents of the boards of commissioners, of the Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank shall cause notification of each expected vacancy to be published in the official journal of the state and of each parish within the territorial jurisdiction of the authority. Such notification shall be published no later than thirty days following receipt by the chairman of the Coastal Protection and Restoration Authority regional directors, or in the absence of a regional director, the presidents of the boards of commissioners, of the Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank.
Protection Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank of notice of an expected vacancy.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tyler S. McCloud.

**DIGEST**

SB 465 Original 2022 Regular Session Connick

Present law establishes a nominating committee for the boards of commissioners for the Southeast La. Flood Protection Authority-East and the Southeast La. Flood Protection Authority-West Bank.

Present law provides for the duties of the chairman of the Coastal Protection and Restoration Authority Board relative to the nominating committee, including serving as the custodian of records and the secretary, calling meetings, receive notifications of vacancies and causing the publication of notifications of vacancies.

Proposed law changes the responsibility for these duties from the chairman of the Coastal Protection and Restoration Authority Board to the regional directors, or in the absence of a regional director, the presidents of the boards of commissioners, of the Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank.

Effective August 1, 2022.

(Amends R.S. 38:330.1(C)(2)(c), (3)(a), (b), and (e), and (4)(a))