

SENATE BILL NO. 465

BY SENATOR CONNICK

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

\* \* \*

C. \* \* \*

(2) \* \* \*

(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**

1        Bank, shall call the meeting of the nominating committee for their respective flood  
2        authority. The chairman of the Coastal Protection and Restoration Authority Board,  
3        or his designee regional directors, or in the absence of a regional director, the  
4        presidents of the boards of commissioners of the Southeast Louisiana Flood  
5        Protection Authority-East and the Southeast Louisiana Flood Protection  
6        Authority-West Bank, or their designees, shall serve as secretary for the  
7        nominating committee for their respective flood authority.

8                                \*        \*        \*

9                        (3)(a) Within ten days after the occurrence of an unexpected vacancy on the  
10                      flood protection authority board, the board shall notify the chairman of the Coastal  
11                      Protection and Restoration Authority Board chair of the nominating committee  
12                      and regional directors, or in the absence of a regional director, the presidents  
13                      of the boards of commissioners of the Southeast Louisiana Flood Protection  
14                      Authority-East and the Southeast Louisiana Flood Protection Authority-West  
15                      Bank of such unexpected vacancy within the flood authority. For purposes of this  
16                      Paragraph, a vacancy shall be unexpected whenever it occurs for a reason other than  
17                      the expiration of a term. The chairman of the Coastal Protection and Restoration  
18                      Authority regional directors, or in the absence of a regional director, the  
19                      presidents of the boards of commissioners of the Southeast Louisiana Flood  
20                      Protection Authority-East and the Southeast Louisiana Flood Protection  
21                      Authority-West Bank shall cause notification of the unexpected vacancy to be  
22                      published in the official journal of the state and of each parish within the territorial  
23                      jurisdiction of the authority. Such notification shall be published no later than thirty  
24                      days following receipt by the chairman of the Coastal Protection and Restoration  
25                      Authority regional directors, or in the absence of a regional director, the  
26                      presidents of the boards of commissioners of the Southeast Louisiana Flood  
27                      Protection Authority-East and the Southeast Louisiana Flood Protection  
28                      Authority-West Bank of notice of the unexpected vacancy.

29                      (b) The nominating committee shall meet to determine the nominations to  
30                      send to the governor to fill each unexpected vacancy no sooner than thirty days after

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

23 (c) If the nominating committee fails to submit a nominee within one hundred  
24 twenty days after notification of the ~~chairman of the Coastal Protection and~~  
25 ~~Restoration Authority~~ **regional directors, or in the absence of a regional director,**  
26 **the presidents of the boards of commissioners of the Southeast Louisiana Flood**  
27 **Protection Authority-East and the Southeast Louisiana Flood Protection**  
28 **Authority-West Bank** of the occurrence of such unexpected vacancy, the governor  
29 shall appoint a person meeting the requirements of this Section within thirty days of  
30 the expiration of such time and submit such appointee to the Senate for confirmation

1 within forty-eight hours following the appointment, regardless of whether the  
2 legislature is in regular session.

3 \* \* \*

4 (4)(a) Each July first, the board shall notify the ~~chairman of the Coastal~~  
5 ~~Protection and Restoration Authority~~ **chair of the nominating committee and**  
6 **regional directors, or in the absence of a regional director, the presidents of the**  
7 **boards of commissioners of the Southeast Louisiana Flood Protection**  
8 **Authority-East and the Southeast Louisiana Flood Protection Authority-West**  
9 **Bank** of any vacancy which will occur on a board in the following year due to  
10 expiration of a term, hereinafter in this Paragraph referred to as "expected vacancy".  
11 The ~~chairman of the Coastal Protection and Restoration Authority~~ **regional**  
12 **directors, or in the absence of a regional director, the presidents of the boards**  
13 **of commissioners of the Southeast Louisiana Flood Protection Authority-East**  
14 **and the Southeast Louisiana Flood Protection Authority-West Bank** shall cause  
15 notification of each expected vacancy to be published in the official journal of the  
16 state and of each parish within the territorial jurisdiction of the authority. Such  
17 notification shall be published no later than thirty days following receipt by the  
18 ~~chairman of the Coastal Protection and Restoration Authority~~ **regional directors, or**  
19 **in the absence of a regional director, the presidents of the boards of**  
20 **commissioners of the Southeast Louisiana Flood Protection Authority-East and**  
21 **the Southeast Louisiana Flood Protection Authority-West Bank** of notice of an  
22 expected vacancy.

23 \* \* \*

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_