

2023 Regular Session

HOUSE BILL NO. 238

BY REPRESENTATIVE COUSSAN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

NATURAL RESOURCES DEPT: Authorizes certain members of specified commissions within the Department of Natural Resources to attend and participate in meetings via teleconference or video conference

1 AN ACT

2 To amend and reenact R.S. 30:83(D) and 402(F), relative to certain commissions within the
3 Department of Natural Resources; to provide relative to meetings of the Oilfield Site
4 Restoration Commission and the Advisory Commission for Louisiana's Energy,
5 Environment, and Restoration; to authorize certain members of those commissions
6 to attend and participate in meetings via teleconference or video conference; to
7 provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 30:83(D) and 402(F) are hereby amended and reenacted to read as
10 follows:

11 §83. Oilfield Site Restoration Commission; Department of Natural Resources

12 * * *

13 D.(1) A majority of the membership of the commission shall constitute a
14 quorum for the transaction of business.

15 (2) The commission shall hold regular quarterly meetings and may meet
16 more often as its business may require. Meetings of the commission shall take place
17 at its domicile; however, no more than two meetings per year may be held at places
18 in the state other than East Baton Rouge Parish.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 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 238 Original

2023 Regular Session

Coussan

Abstract: Authorizes certain members of the Oilfield Site Restoration Commission and the Advisory Commission for Louisiana's Energy, Environment, and Restoration to participate and vote in commission meetings via teleconference or video conference.

Present law (R.S. 42:11 et seq.– Open Meetings Law) defines "meeting" as the convening of a quorum of a public body to deliberate or act on a matter over which the public body has supervision, control, jurisdiction, or advisory power or to receive information regarding a matter over which the public body has supervision, control, jurisdiction, or advisory power.

Present law creates the Oilfield Site Restoration Commission (OSRC) within the office of the secretary of the Dept. of Natural Resource (DNR) and specifies its membership, powers, and duties. Provides that its domicile is East Baton Rouge Parish (EBR); provides that a majority of the membership of the commission constitutes a quorum for the transaction of business; provides for regular quarterly meetings. Requires meetings to take place in EBR, but allows no more than two meetings at other places in the state.

Present law creates the Advisory Commission for Louisiana's Energy, Environment, and Restoration (CLEER) within DNR and provides for its membership and functions. Provides that the commission is domiciled in EBR, provides that a majority of the commission members constitutes a quorum for the purposes of taking any action. Specifies that actions of the commission may be taken by an affirmative vote of the commission members present.

Proposed law authorizes OSRC and CLEER commission members whose domicile is more than 50 miles from the domicile of the commission to participate in a commission meeting via teleconference or video conference, as those terms are defined present law, if there is a physical location for the meeting at which any member of the commission or any member of the public may participate in person. Specifies that a commission member participating via teleconference or video conference shall be counted toward the number of members necessary to establish a quorum and may vote.

Present law defines "teleconference" as a method of communication which enables persons in different locations to participate in a meeting and to hear and otherwise communicate with each other and "video conference" as a method of communication which enables persons in different locations to participate in a meeting and to see, hear, and otherwise communicate with each other.

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

(Amends R.S. 30:83(D) and 402(F))