



1 unless and until approved by the Board of Liquidation, City Debt, and by a majority  
 2 vote of the ~~council of the city of New Orleans~~ **Public Service Commission**. Prior  
 3 to taking any decisive action in connection with rates and at least thirty days before  
 4 setting a rate, the Sewerage and Water Board of New Orleans shall notify the Board  
 5 of Liquidation, City Debt, and the ~~council of the city of New Orleans~~ **Public Service**  
 6 **Commission** of its intention, and the Sewerage and Water Board of New Orleans  
 7 shall hold at least three public meetings to discuss the new rates. The public shall be  
 8 notified of the hearings in the official journal **of the city of New Orleans** no less  
 9 than three times within the week prior to each such meeting. Each member of the  
 10 Board of Liquidation, City Debt, and the ~~council of the city of New Orleans~~ **Public**  
 11 **Service Commission** shall be furnished a copy of the transcript of each hearing at  
 12 least twenty days prior to any action being taken by any of ~~said~~ **the** three public  
 13 agencies.

14 \* \* \*

15 §4121. New Orleans; rate; fixing; private users of sewerage system; revenue bonds

16 A.(1) \* \* \*

17 (2) The rates to be charged the users of the sewerage system shall not become  
 18 effective unless and until approved by the Board of Liquidation, City Debt, and by  
 19 the ~~council of the city of New Orleans~~ **Public Service Commission**. Prior to taking  
 20 any decisive action in connection with the rates and at least thirty days before setting  
 21 rates, the Sewerage and Water Board of New Orleans shall notify the Board of  
 22 Liquidation, City Debt, and the ~~council of the city of New Orleans~~ **Public Service**  
 23 **Commission** of its intention, and the Sewerage and Water Board of New Orleans  
 24 shall hold at least three public meetings to discuss the rates. The public shall be  
 25 notified of the hearings in the official journal **of the city of New Orleans** no less  
 26 than three times within the week prior to each such meeting. Each member of the  
 27 Board of Liquidation, City Debt, and the ~~council of the city of New Orleans~~ **Public**  
 28 **Service Commission** shall be furnished a copy of the transcript of each hearing at  
 29 least twenty days prior to any action being taken by any of said three public agencies.

\* \* \*

§4123. New Orleans; rules and regulations; provisions self-operative; board continued; repeal; severability

A. The board may make reasonable rules and regulations necessary for the proper administration of the sewerage system.

B. The provisions hereof are self-operative, and the sewerage and water board of New Orleans, the Board of Liquidation, City Debt, and the ~~council of the city of New Orleans, or its successor as the governing body of said city of New Orleans~~ **Public Service Commission** shall have full power to carry them into effect.

C. The Board of Liquidation, City Debt, as now organized and created, and with the powers, duties and functions prescribed by existing laws and by the constitution, shall be continued while any bonds authorized by R.S. 33:4121 are outstanding and unpaid.

D. No proceedings or approvals, not required by the provisions of this Section, shall be necessary to the validity of such bonds.

E. Any provision of the constitution or any law in conflict herewith is hereby repealed. Should any provision hereof be declared null and void, such declaration shall not affect the balance of this amendment.

\* \* \*

§4159.1. Regulation; ~~city council~~ **Public Service Commission**

A. The ~~New Orleans City Council~~ **Public Service Commission** shall have the power to compile financial statements and to examine, audit, or review the books and accounts of the Sewerage and Water Board of New Orleans, referred to in this Section as the "board". The scope of the examinations may include financial accountability, legal compliance, and evaluations of the economy, efficiency, and effectiveness of the board's programs or any combination thereof. In addition, the ~~city council~~ **Public Service Commission** shall have access to and be permitted to examine all papers, books, accounts, records, files, instruments, documents, films, tapes, and any other forms of recordation, including but not limited to computers and

1 recording devices, and all software and hardware which hold data, is part of the  
2 technical processes leading up to the retention of data, or is part of the security  
3 system.

4 B. In lieu of examinations of the records and accounts of the board, the ~~city~~  
5 ~~council~~ **Public Service Commission** may, at its discretion, accept an audit or review  
6 report prepared by a licensed certified public accountant, provided that such audit or  
7 review is performed in accordance with generally accepted governmental auditing  
8 standards and the Louisiana Governmental Audit Guide. Such audits shall be  
9 completed within six months of the close of the board's fiscal year. Reviews shall be  
10 conducted in accordance with the authoritative pronouncements issued by the  
11 American Institute of Certified Public Accountants and guidance provided in the  
12 Louisiana Governmental Audit Guide. For the limited purpose of providing the  
13 audits and reviews as provided in this Subsection, the certified public accountant  
14 shall have the access and assistance privileges afforded the legislative auditor in R.S.  
15 24:513(E) and (I). However, the certified public accountant shall comply with any  
16 and all restrictions imposed by law on documents, data, or information deemed  
17 confidential by law and furnished to the certified public accountant during the course  
18 of the audit or review.

19 C. The ~~city council~~ **Public Service Commission** may prescribe the terms and  
20 conditions of any such audit or review conducted by a licensed certified public  
21 accountant and may approve the terms and conditions prior to its commencement and  
22 require the board to present the terms and conditions to the ~~city council~~ **Public**  
23 **Service Commission** for approval. The ~~city council~~ **Public Service Commission**  
24 shall also have access to the working papers of the accountant during the  
25 examination and subsequent to its termination.

26 D.(1) The ~~city council~~ **Public Service Commission** may issue subpoenas to  
27 the board to compel the production of public and private books, documents, records,  
28 papers, films, tapes, and electronic data processing media. A subpoena shall be  
29 served by registered or certified mail, return receipt requested, to the board's business

1 address.

2 (2) If the board refuses to obey a subpoena issued pursuant to this Subsection,  
3 a judicial district court, upon application by the ~~city council~~ **Public Service**  
4 **Commission**, may issue an order requiring a board representative to appear before  
5 the court to show cause why the board should not be held in contempt for refusal to  
6 obey the subpoena. Failure to obey a subpoena may be punished as a contempt of  
7 court.

8 E. The ~~city council~~ **Public Service Commission** may adopt any rules and  
9 regulations it deems necessary to implement the provisions of this Section.

10 \* \* \*

11 §4159.3. Customer billing; fixed rate; arbitration

12 \* \* \*

13 B. There is hereby established an arbitration program applicable to customers  
14 who dispute their bills from the board. The program shall function in accordance  
15 with the following requirements:

16 \* \* \*

17 (6) If the customer is dissatisfied with the determination of the arbiter, the  
18 customer may appeal to the ~~city council~~ **Public Service Commission** as otherwise  
19 provided by law.

20 \* \* \*

21 Section 2. R.S. 33:4159.2 is hereby repealed.

22 Section 3. This Act shall become effective upon signature by the governor or, if not  
23 signed by the governor, upon expiration of the time for bills to become law without signature  
24 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
25 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
26 effective on the day following such approval.



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

(Amends R.S. 33:4096(A)(2), 4121(A)(2), 4123, 4159.1(A)-(E), and 4159.3(B)(6); repeals R.S. 33:4159.2)