
DIGEST

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CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 475 by Representative Lorusso

Keyword and oneliner of the instrument as it left the House

LEVEES: Provides relative to membership of the Non-Flood Protection Asset Management Authority and the sale of non-flood assets

Report adopts Senate amendments to:

1. Provides that only lands and property that is not exempt from taxation shall be subject to the provisions of present law.

Report rejects Senate amendments which would have:

1. Added one member to be appointed to the Non-Flood Protection Asset Management Authority by the state senator representing Senate District Nos. 2, 3, 4, 5, and 7 and by the House District No. 94, 97, 100, and 101, and the Congressional District No. 2.

Report amends the bill to:

1. Provides that \$700,000 shall be paid to the Authority on or before the thirtieth day of July beginning in the year 2011 and on or before the fifteenth day of April thereafter for purposes of operation and maintenance of Lakeshore Drive on or before the thirtieth day of July beginning in the year 2011 and on or before the fifteenth day of April thereafter. This provision shall sunset on December 31, 2012.
2. Provides that sufficient proceeds shall be allocated for purposes of maintaining an OLD Police force to be made up of not less than 24 police officers who shall provide security for Lakeshore Drive and other flood property located within the jurisdiction of the OLD. This provision shall sunset on December 31, 2012.
3. Removes the additional member to be appointed by the SLFPA-East.
4. Adds one member to be appointed to the Authority by the state senator representing Senate District Nos. 3 and 4 and the state representative representing House District Nos.

94, 97, and 99 and the congressional representative representing Congressional District Nos. 1 and 2. Provides that at least one member shall be a lawyer, one member shall be a CPA, and one member shall be a realtor.

5. Adds one member to be appointed to the Authority by each of the following: the secretary of DOTD, the Lake Pontchartrain Basin Foundation, and the board for the New Orleans City Park.

Digest of the bill as proposed by the Conference Committee

Present law provides for the reorganization and creation of the West Jefferson Levee District as it existed on January 1, 2007.

Proposed law retains present law except that it changes the boundary lines for the West Jefferson Levee District.

Present law provides for the reorganization and creation of the Lafitte Area Independent Levee District and its territorial jurisdiction.

Proposed law retains present law except that it changes the territorial boundary lines of the levee district and further provides that the lands and property are not exempt from taxation.

Proposed law requires the transfer of any books, records, documents, movable property, lands or immovable property owned by the West Jefferson Levee District but are situated in and pertain to the operations in the jurisdiction of the Lafitte Area Independent Levee District to be transferred to the Lafitte Area Independent Levee District without the necessity of any other act, instrument, or deed.

Present law authorizes the SLFPA-East to sell, lease, or otherwise transfer any of the non-flood assets and perform any and all things necessary to carry out the objects of present law, provided that any sale or transfer be for full and adequate consideration and any proceeds therefrom be used to pay outstanding debts.

Proposed law provides that after payments are made by the Orleans Levee District pursuant to present law, \$700,000 of the 1983 Special Levee Improvement Fund Tax, shall be paid to the Authority for purposes of operation and maintenance of Lakeshore Drive on or before the thirtieth day of July beginning in the year 2011 and on or before the fifteenth day of April thereafter.

Proposed law further provides that funds shall be allocated for purposes of maintaining an OLD Police force to be made of not less than 24 police officers who shall provide security for Lakeshore Drive and other flood property located within the jurisdiction of the OLD. Further provides that the provisions of proposed law shall sunset on December 31, 2012.

Proposed law deletes the requirement that any proceeds from the sale of non-flood assets be used to pay outstanding debts. Proposed law further provides that any proceeds be paid within 30 days following the sale or transfer in a ratio of 80% of the proceeds to the Authority and 20% of the proceeds to satisfy the outstanding debt of the Orleans Levee District pursuant to a judgment dated 12/11/00 and the settlement homologated therein.

Present law requires the authority to first offer the non-flood asset to political divisions in the parish in which the property is located and state agencies conducting operations in that parish, other than levee districts, political subdivisions, or agencies responsible for flood control, and to evaluate any proposal submitted by those public entities. Further provides that if no such proposal is received, or if such proposals are not determined to be in the best interest of the authority, the property may be offered for sale or lease as otherwise provided by law.

Proposed law retains present law.

Present law creates the Non-flood Protection Asset Management Authority within DOTD to manage and control any non-flood protection facility or improvement asset or function within a levee district within the jurisdiction of a flood protection authority and further provides for its composition of the board.

Proposed law provides for the addition of one member to the board to be appointed by the state senators representing Senate Districts Nos. 3 and 4, and House District Nos. 94, 97, and 99, and the congressman representing Congressional District No. 1 and 2. Provides that at least one member shall be a lawyer, a CPA, or a realtor.

Present law creates the Non-flood Protection Asset Management Authority as a political subdivision with the power to manage and control any non-flood protection facility or improvement asset or function within a levee district within the jurisdiction of a flood protection authority and further provides for the board composition.

Proposed law provides for the addition of one member to the board to be appointed by the state senators representing Senate Districts Nos. 3 and 4, and House District Nos. 94, 97, and 99, and the congressman representing Congressional District No. 1 and 2. Provides that at least one member shall be a lawyer, a CPA, or a realtor.

Proposed law provides for one member to be appointed to the Authority by each of the following: the secretary of DOTD, the Lake Pontchartrain Basin Foundation, and the board for the New Orleans City Park.

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

(Amends R.S. 38:291(R)(1) and (Y)(1), 330.8(B)(2), 330.12(B)(2) and 330.12.1(C)(1) and (2) as added by Acts 2010, No. 1014, §2, of the 2010 R.S. and as amended by Acts 2010, No. 1014, §4 of the 2010 R.S.; Adds R.S. 38:291(Y)(7))