

Regular Session, 2013

HOUSE BILL NO. 286

BY REPRESENTATIVE BROSSETT

FLOODING/CONTROL: Provides with respect to the Southeast La. Flood Protection Authorities

1 AN ACT

2 To amend and reenact R.S. 38:330.1(C)(2)(c) and (3)(a), relative to the Southeast Louisiana
3 Flood Protection Authorities; to provide for the nominating committee; to provide
4 for the authority of the nominating committee; to provide for the notice of
5 committee vacancy; and to provide for related matters.

6 Notice of intention to introduce this Act has been published
7 as provided by Article III, Section 13 of the Constitution of
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

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

12 §330.1. Southeast Louisiana Flood Protection Authority-East and Southeast
13 Louisiana Flood Protection Authority-West Bank; territorial jurisdiction;
14 board of commissioners; appointments; terms; compensation; vacancy;
15 officers; meetings; domicile

16 * * *

17 C.

18 * * *

19 (2)

20 * * *

1 (c) The ~~secretary of state~~ chairman of the Coastal Protection and Restoration
 2 Authority shall be the custodian of the records of the nominating committee. The
 3 ~~chairman of the committee, or in his absence, the secretary of state, shall call the~~
 4 ~~meeting of the~~ chairman of the authority nominating committee, or in his absence,
 5 the chairman of the Coastal Protection and Restoration Authority, shall call the
 6 meeting of the nominating committee. ~~The secretary of state or his designee shall~~
 7 ~~serve as secretary for the nominating committee.~~ The chairman of the Coastal
 8 Protection and Restoration Authority, or his designee, shall serve as secretary for the
 9 nominating committee.

10 (3)(a) ~~Within ten days after the effective date of this Section, the governor~~
 11 ~~shall advise the secretary of state of the vacancies on a board. Within ten days after~~
 12 ~~the occurrence of a vacancy on a board, the authority shall advise the secretary of~~
 13 ~~state of the vacancy.~~ Within ten days after the occurrence of a vacancy on the flood
 14 protection authority board, the board shall advise the chairman of the Coastal
 15 Protection and Restoration Authority of such vacancy. Within fourteen days after
 16 being advised of a vacancy on a board, the ~~secretary of state~~ chairman of the Coastal
 17 Protection and Restoration Authority shall publish notice of the vacancy in the
 18 official journal of the state and of each parish within the territorial jurisdiction of the
 19 authority.

* * *

21 Section 2. This Act shall become effective upon signature by the governor or, if not
 22 signed by the governor, upon expiration of the time for bills to become law without signature
 23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 25 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)]

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HB No. 286

Abstract: Provides with respect to the nominating committee of the board of commissioners of the Southeast La. Flood Protection Authorities.

Present law names the secretary of state as custodian of the records of the nominating committee. In the absence of the nominating committee chairman, the secretary of state shall call the meeting of the nominating committee of which the secretary of state or his designee shall serve as secretary.

Proposed law amends present law to remove the secretary of state from the nominating committee in any capacity. Specifies that the chairman of the Coastal Protection and Restoration Authority shall be custodian of the records of the nominating committee.

Proposed law requires the chairman of the authority, or in his absence, the chairman of the Coastal Protection and Restoration Authority, to call the meeting of the nominating committee.

Present law requires the governor to advise the secretary of state of the vacancies on a board within 10 days after the effective date of present law. Within 10 days after the occurrence of a vacancy on a board, the authority shall advise the secretary of state of the vacancy. Within 14 days after being advised of the occurrence of a vacancy on a board, the secretary of state shall publish notice of the vacancy in the official journal of the state and of each parish within the territorial jurisdiction of the authority.

Proposed law amends present law by removing the requirement that the governor advise the secretary of state of the vacancies on a board. The authority is no longer required to advise the secretary of state of the vacancy.

Proposed law requires the flood protection authority board to advise the chairman of the Coastal Protection and Restoration Authority in the event of a vacancy on the flood protection authority board within 10 days of such vacancy.

Proposed law requires the chairman of the Coastal Protection and Restoration Authority to publish notice of the vacancy in the official journal of the state and of each parish within the territorial jurisdiction of the authority within 14 days of the occurrence of a vacancy.

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

(Amends R.S. 38:330.1(C)(2)(c) and (3)(a))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill.

1. Deleted a provision that provided that the secretary of state was the custodian of records of the nominating committee of the flood protection authority.

2. Added a provision naming the chairman of the Coastal Protection and Restoration Authority as custodian of records of the nominating committee. Also, specifies that the chairman shall now also serve as secretary for such nominating committee.
3. Added provisions requiring the flood protection authority to advise the chairman of the Coastal Protection and Restoration Authority within 10 days of the event of a vacancy on the authority.
4. Added provisions requiring the chairman of the Coastal Protection and Restoration Authority to publish notice of such vacancy in the official journal of the state and of each parish within the territorial jurisdiction of the authority.

House Floor Amendments to the engrossed bill.

1. Made technical changes.
2. Removed the commissioners of the Coastal Protection and Restoration Authority as the entity designated to call the meeting of the nominating committee.
3. Modified a provision to specify that the chairman of the authority nominating committee, or in his absence, the chairman of the Coastal Protection and Restoration Authority, shall call the meeting of the nominating committee.
4. Clarified that the flood protection authority board shall advise the chairman of the Coastal Protection and Restoration Authority within ten days of a vacancy on the board.