

2015 Regular Session

HOUSE BILL NO. 363

BY REPRESENTATIVE BARRAS

LEVEES/BDS & DISTRICTS: Creates the Squirrel Run Levee and Drainage District in Iberia Parish

1 AN ACT

2 To amend and reenact R.S. 38:291(BB)(1) and to enact R.S. 38:291(CC), relative to the
3 Squirrel Run Levee and Drainage District; to create the Squirrel Run Levee and
4 Drainage District; to provide for boundaries; to provide for the board of
5 commissioners; to provide for membership of the board; to provide for taxation
6 authority; to provide for duties and powers of the board; and to provide for related
7 matters.

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

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 38:291(BB)(1) is hereby amended and reenacted and R.S.
13 38:291(CC) is hereby enacted to read as follows:

14 §291. Naming; limits of districts; composition of boards

15 * * *

16 BB. Iberia Parish Levee, Hurricane, and Conservation District. (1) All of
17 the lands in the parish of Iberia except that portion of Iberia Parish that is included
18 in the territorial boundaries of the Atchafalaya Basin Levee District and the Squirrel
19 Run Levee and Drainage District, shall be embraced in the limits of a levee district
20 to be known as the Iberia Parish Levee, Hurricane, and Conservation District. These

1 lands and all property thereon situated shall be subject to the provisions of this
2 Chapter.

3 * * *

4 CC. Squirrel Run Levee and Drainage District. (1) All of the lands within
5 a portion of the city of New Iberia and within the following described area: a certain
6 lot or parcel of ground containing 360 acres, more or less, located in Sections 16, 56,
7 and Patent 9818, Township 11 South, Range 6 East; and Sections 10, 11, and Patent
8 No. 9818, Township 12 South, Range 6 East, Southwest Land District, situated in
9 Iberia Parish, Louisiana; said lot or parcel of ground being bounded on the North by
10 S.R. Golf, Inc. or assigns, Gordon Patout, or assigns, and Roy Patout or assigns; on
11 the West by Dewey Landry, et al. or assigns, and the state of Louisiana; on the East
12 by Perry J. Segura and Emma Lou Davant Segura, or assigns, and on the South by
13 Darby Lane, shall be embraced in the limits of a levee district to be known as the
14 Squirrel Run Levee and Drainage District. These lands and all property thereon
15 situated shall be subject to the provisions of this Chapter.

16 (2) The mayor of the city of New Iberia shall appoint a board of
17 commissioners consisting of five persons who reside in that portion of the city of
18 New Iberia located within the levee district, who meet the requirements of R.S.
19 38:304(A), and who are nominated by the New Iberia City Council.

20 (3) A vacancy created by reason of death, resignation, expiration of term, or
21 any other cause of a member of the board shall be filled in the same manner as
22 provided in Paragraph (2) of this Subsection.

23 (4)(a) The members of the board initially appointed shall at their first
24 meeting determine by lot their terms of office, which terms shall commence
25 immediately upon their appointment, and which shall expire, respectively, as
26 follows: two members in four years, two members in three years, and one member
27 in two years, from the first day of July immediately succeeding such appointment.

28 (b) All commissioners thereafter appointed, except a commissioner
29 appointed to fill an unexpired term, shall be appointed as provided in Paragraph (2)

1 of this Subsection for staggered terms of four years, which shall expire on July first
2 of the fourth year of the term to which he is appointed, or until his successor is
3 appointed and takes office.

4 (c) No member shall serve more than three consecutive four-year terms;
5 however, if a person has been appointed to fill more than one-half of an unexpired
6 term, such person shall be eligible to serve consecutively no more than two terms in
7 addition to such partial term.

8 (5) The official domicile of the board of the district shall be established by
9 the board.

10 (6) No member of the board shall receive compensation for serving as a
11 member of the board.

12 (7) The district shall have such taxing authority as authorized by Article VI,
13 Section 39 of the Constitution of Louisiana and other applicable provisions of law.
14 In addition to any other powers and duties provided by law, the board may enter into
15 contracts and agreements of any nature for the purposes of acquiring, operating, and
16 maintaining servitudes and works necessary for drainage as it relates to hurricane
17 protection and flood control.

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 363 Reengrossed

2015 Regular Session

Barras

Abstract: Creates the Squirrel Run Levee and Drainage District.

Proposed law creates and provides for the boundary of the Squirrel Run Levee and Drainage District in the city of New Iberia.

Proposed law establishes a five-member board of commissioners consisting of residents of the district who are nominated by the New Iberia City Council and appointed by the mayor. Provides for vacancies to be filled in the same manner as the original appointments.

Proposed law requires commissioners of the initial board to determine by lot their terms of office at the first meeting, which shall commence immediately upon appointment and expire respectively as follows: two members in four years, two members in three years, and one member in two years.

Proposed law provides that all commissioners appointed after the initial appointments, shall be appointed in accordance with proposed law for staggered terms of four years, which shall expire on July 1st of the fourth year, or until the successor is appointed and takes office. Further provides that no member shall serve more than three consecutive four-year terms.

Proposed law provides that if a commissioner is appointed to fill more than one-half of an unexpired term, that person shall be eligible to serve no more than two additional consecutive terms.

Proposed law requires the board to establish the official domicile of the board.

Proposed law confirms the constitutional taxing authority of levee districts created after Jan. 1, 2006, to levy a tax approved by a majority vote of the electors.

Proposed law authorizes the board to enter into contracts and agreements for the purposes of acquiring, operating, and maintaining servitudes and works necessary for drainage.

(Amends R.S. 38:291(BB)(1); Adds R.S. 38:291(CC))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Change the name of the proposed levee and drainage district from West End to Squirrel Run.
2. Delete the requirement that the proposed levee and drainage district include lands designated by the Federal Emergency Management Agency as a special flood hazard area on March 1, 2015.