

SENATE BILL NO. 105

BY SENATOR LAMBERT

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

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AN ACT

To amend and reenact R.S. 38:1764, relative to gravity drainage districts; to provide for corporate status and power of the districts; to authorize districts to enter into certain contracts and purchase certain machinery without advertising for bids for pumping stations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:1764 is hereby amended and reenacted to read as follows:

§1764. Corporate status and powers of districts

A. Any gravity drainage district or gravity ~~and~~ sub-drainage district thus created and numbered by the police jury of any parish of the state, or by the joint action of the police juries of any two or more adjoining parishes, ~~as aforesaid,~~ shall constitute a body corporate in law, with all the powers of a corporation. It shall have perpetual existence, may incur debts and contract obligations; sue and be sued; have a corporate seal, and do and perform any and all acts in its corporate capacity and in its corporate name necessary and proper for the carrying out of the purpose and objects for which the drainage or sub-drainage district was created.

B. The drainage or sub-drainage district may expropriate property for the purpose of acquiring land for the necessary public purposes of the district, and shall

1 own the rights-of-way, canals, ditches, and all sites which are acquired either by
2 donation, purchase, prescription, or expropriation, in full ownership.

3 C. ~~The district or sub-district~~ **drainage or sub-drainage district** shall have
4 the power and authority to plan, construct, maintain and operate such works of
5 improvement as land treatment for watershed protection, flood prevention works,
6 irrigation improvements, recreation, municipal and industrial water storage, and fish
7 and wildlife developments. ~~Said district and sub-districts~~ **The drainage or**
8 **sub-drainage district** shall have the power and authority to co-operate with and
9 enter into co-operative agreements and arrangements with agencies of the United
10 States of America on a matching fund or any other basis for planning and
11 constructing such works of improvement or other works, facilities or programs
12 authorized and contemplated by the National Watershed Protection and Flood
13 Prevention Act, ~~Public Law 83-566, as amended.~~ **16 U.S.C. 1001 et seq.**

14 D. ~~Said districts and sub-districts~~ **The drainage or sub-drainage district**
15 shall have the power and authority to purchase servitudes and rights of ways for their
16 own uses or the use of any state or federal agency with which they may co-operate
17 in connection with some work of improvement. They shall have the power and
18 authority to accept gifts or grants of money, property, or services. The authority
19 herein granted may be exercised and the works of improvement herein authorized
20 may be constructed within or without the limits of the districts so long as they inure
21 to the direct benefit of the district and the inhabitants thereof and the commissioners
22 of a ~~district or sub-district~~ **drainage or sub-drainage district** for the purpose of
23 securing a proper outlet for the waters of the ~~district~~ **drainage** or sub-drainage
24 district they represent, may extend canals or ditches or both canals and ditches
25 beyond the limits of their respective districts, with the same power and authority of
26 expropriating the right of way in the same manner and to the same extent as if the
27 canals and ditches were wholly within the district they represent.

28 E. **For operation and maintenance of pumping stations, any drainage or**
29 **sub-drainage district that requires leveeing and pumping to carry out the**
30 **drainage work authorized by this Section, shall have the power and authority**

1 to enter into contracts for the maintenance and repair of pumps without
2 necessity of advertising for bids.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____