
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

DIGEST

Adley (SB 79)

Present law provides for a board of commissioners of the Southeast Louisiana Flood Protection Authority-East Bank composed of nine members and of the Southeast Louisiana Flood Protection Authority-West Bank composed of seven members. Each board has a nominating committee. The members shall be appointed by the governor from nominations submitted by the nominating committee for each such board.

Present law provides that the chairman of the Coastal Protection and Restoration Authority (CPRA) shall be the custodian of the records of the nominating committee. The chairman of the nominating committee, or in his absence, the chairman of the CPRA, shall call the meeting of the nominating committee. The chairman of the CPRA or his designee shall serve as secretary for the nominating committee.

Present law provides that the board shall advise the chairman of the CPRA of any vacancy that occurs on a flood protection authority board within 10 days after the occurrence of such vacancy and requires the chairman of the CPRA to publish notice of a vacancy in the official journal of the state and of each parish within the territorial jurisdiction of the authority within 14 days after being advised of a vacancy on the board. Requires that no sooner than 30 days after the latest date of publication in any of the official journals or no later than 60 days after that date, the nominating committee meet to determine nominations to send to the governor to fill each vacancy. The committee shall consider each name submitted to the committee from whatever source and the committee members may propose names of persons to be considered. After review, the committee shall select the nominees for each vacancy. Requires that the committee nominate one nominee for a vacancy in a position for an engineer or professional in a related field and two nominees for each other vacancy. Requires a majority vote of the total membership of the nominating committee to nominate persons to positions on the board. Requires the committee to submit its nominations for each vacancy to the governor for consideration no later than 90 days after the occurrence of the vacancy. Requires the governor to appoint one of the nominees submitted by the committee.

Proposed law changes present law to require that the nominating committee submit three nominees for each vacancy to the governor in writing and provide ratings for each nominee based upon qualifications of the nominee.

Proposed law requires the governor to either appoint one of the nominees submitted or to reject all of the nominees for a vacancy within 60 days after the date of submission of nominations to the governor by the committee. Requires the committee to submit new nominees to the governor in writing within 45 days after submission of the governor's written rejection notice to the committee. Relieves but does not preclude the committee from advertising notice of such

rejection in a manner adopted by the committee to assist it in obtaining names for consideration. Allows the committee to reconsider the name of any person previously considered for the vacancy but not submitted to the governor. Prohibits submission of a nominee initially rejected by the governor for the same vacancy. Provides that such rejection shall not preclude a person from nomination for any subsequent vacancy.

Present law provides that if the nominating committee fails to submit a nominee within 90 days after the occurrence of a vacancy, the governor shall fill the vacancy by appointment of a person meeting the requirements for the vacancy.

Proposed law adds authorization for the governor to fill a vacancy by appointment if the nominating committee fails to submit new nominees for appointment within 45 days after receipt of notice of the governor's rejection of all nominees for a vacancy.

Present law provides that each appointment is subject to confirmation by the Senate.

Proposed law adds that when an appointee is not confirmed by the Senate for any reason, a new appointment shall be made in the same manner as the original appointment.

Effective August 1, 2014.

(Amends R.S. 38:330.1(C)(3) and (4))