

2024 Regular Session

SENATE BILL NO. 305

BY SENATOR HARRIS

WATER/SEWER OPERATORS. Provides for a special master for New Orleans Sewerage and Water Board. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 33:4071(A)(1)(b) and to enact R.S. 33:4071.2, relative to New
3 Orleans Sewerage and Water Board; to provide relative to the development of a
4 coordinated flood prevention plan; to provide relative to the responsibility for
5 drainage operations in the city of New Orleans; to provide relative to funding; and
6 to provide for related matters.

7 Notice of intention to introduce this Act has been published.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 33:4071(A)(1)(b) is amended and reenacted and R.S. 33:4071.2 is
10 hereby enacted to read as follows:

11 §4071 Creation and organization of sewerage and water board

12 A.(1) The public water system, the public sewerage system, and the public
13 drainage system of the city of New Orleans shall be constructed, controlled,
14 maintained, and operated by a sewerage and water board to be composed as follows:

15 * * *

16 (b) The chair of the Public Works, Sanitation and Environment Committee
17 of the New Orleans city council, or an appointment selected by the council

1 president with a background in engineering, law or consumer advocacy selected
2 with the advice and consent of the city council, a member of the committee
3 ~~appointed by the chair, or a civil engineer appointed by the chair.~~ Any member
4 appointed by the chair shall serve at the pleasure of the chair.

5 * * *

6 §4071.2. Drainage operations; city of New Orleans

7 A. At the beginning of every year, the Louisiana Department of
8 Transportation and Development and the Governor's Office of Homeland
9 Security and Emergency Preparedness shall meet with the Sewerage and Water
10 Board of New Orleans executive director and his team to develop a coordinated
11 flood prevention plan. The purpose of the meeting shall be to identify areas that
12 need to be addressed in order to allow for proper drainage. The plan shall be
13 presented to the secretary of Louisiana Department of Transportation and
14 Development and members of the New Orleans Delegation and the city of New
15 Orleans.

16 B.(1) The Sewerage and Water Board of New Orleans shall be
17 responsible for all drainage operations in the city of New Orleans. The city of
18 New Orleans shall transfer all employees and equipment used for drainage
19 maintenance to the New Orleans Sewerage and Water Board.

20 (2) The city of New Orleans shall allocate on an annual basis to the New
21 Orleans Sewerage and Water Board the same level of funding the New Orleans
22 Department of Public Works utilized in fiscal year 2023 for drainage
23 operations. Any other increases in funding by the city of New Orleans to the
24 New Orleans Sewerage and Water Board shall be subject to New Orleans City
25 Council approval.

26 C. The Coastal Protection and Restoration Authority, the city of New
27 Orleans, and the Sewerage and Water Board of New Orleans shall work
28 together to develop a city wide resilience plan. The city of New Orleans, the
29 Sewerage and Water Board of New Orleans, and the Coastal Protection and

1 Restoration Authority shall sign a collective bargaining agreement to assist in
 2 the coordination of the city of New Orleans award of one hundred forty-one
 3 million three hundred thousand dollars from the U.S. Department of Housing
 4 and Urban Development National Disaster Resilience Grant.

5 Section 2. This Act shall become effective upon signature by the governor or, if not
 6 signed by the governor, upon expiration of the time for bills to become law without signature
 7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 9 effective on the day following such approval.

The original instrument was prepared by Emily Toler. The following digest,
 which does not constitute a part of the legislative instrument, was prepared
 by Thomas L. Tyler.

DIGEST

SB 305 Reengrossed

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Harris

Present law provides that the public water system, the public sewerage system, and the public drainage system of the city of New Orleans shall be constructed, controlled, maintained, and operated by a sewerage and water board to be composed as follows:

- (1) The mayor.
- (2) The chair of the Public Works, Sanitation and Environment Committee of the New Orleans City Council, a member of the committee appointed by the chair, or a civil engineer appointed by the chair. Any member appointed by the chair shall serve at the pleasure of the chair.
- (3) Two syndicate members of the board of liquidation, city debt, to be appointed by the mayor on the recommendation of the board of liquidation, city debt.
- (4) Seven citizens, to be appointed by the mayor, with the advice and consent of the city council from a list of nominees submitted by the Sewerage and Water Board Selection Committee.

Proposed law retains present law but provides that one of the appointees may be the chair of the Public Works, Sanitation and Environment Committee of the New Orleans City Council, or an appointment selected by the council president with a background in engineering, law or consumer advocacy selected with the advice and consent of the city council.

Proposed law provides that at the beginning of every year, the Louisiana Department of Transportation and Development and the Governor's Office of Homeland Security and Emergency Preparedness shall meet with the Sewerage and Water Board of New Orleans executive director and his team to develop a coordinated flood prevention plan. The purpose of the meeting shall be to identify areas that need to be addressed in order to allow for proper drainage. The plan shall be presented to the Secretary of Louisiana Department of Transportation and Development and members of the New Orleans Delegation and the city of New Orleans.

Proposed law provides that the Sewerage and Water Board of New Orleans shall be responsible for all drainage operations in the city of New Orleans. The city of New Orleans shall transfer all employees and equipment used for drainage maintenance to the New Orleans Sewerage and Water Board.

Proposed law provides that the city of New Orleans shall allocate on an annual basis to the New Orleans Sewerage and Water Board the same level of funding the New Orleans Department of Public Works utilized in fiscal year 2023 for drainage operations. Further provides that any other increases in funding by the city of New Orleans to the New Orleans Sewerage and Water Board shall be subject to New Orleans City Council approval.

Proposed law provides that the Coastal Protection and Restoration Authority, the city of New Orleans, and the Sewerage and Water Board of New Orleans shall work together to develop a city wide resilience plan. The city of New Orleans, the Sewerage and Water Board of New Orleans and the Coastal Protection and Restoration Authority shall sign a collective bargaining agreement to assist in the coordination of the city of New Orleans award of one hundred forty-one million and three hundred thousand dollars from the U.S. Department of Housing and Urban Development National Disaster Resilience Grant.

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

(Amends R.S. 33:4071(A)(1)(b); adds R.S. 33:4071.2)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill

1. Provides for a change in the appointment by the New Orleans City Council.
2. Provides that the Louisiana Department of Transportation and Development and the Governor's Office of Homeland Security and Emergency Preparedness shall meet with the Sewerage and Water Board of New Orleans executive director and his team to develop a coordinated flood prevention plan.
3. Designates the Sewerage and Water Board of New Orleans as the entity responsible for all drainage operations in the city of New Orleans.
4. Provide for the creation of a resiliency plan between the Coastal Protection and Restoration Authority, the city of New Orleans, and the Sewerage and Water Board of New Orleans.

Senate Floor Amendments to engrossed bill

1. Technical amendments.