
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sherri H. Breaux.

DIGEST

Present law establishes, names, and provides for the territorial boundaries of levee districts, including the East Jefferson Levee District, Lake Borgne Basin Levee District, Orleans Levee District, and West Jefferson Levee District. Further provides for each district to be managed and controlled by a board of commissioners to perform any and all acts necessary to insure the thorough and adequate protection of the lands of the district from damage by flood, and for the adequate drainage control of the district.

Proposed law retains such levee districts and the boundaries of each; however, reorganizes each board of commissioners of such districts and terminates the terms of each commissioner on December 31, 2005.

Proposed law creates and provides for the Southeast Louisiana Levee Authority. Transfers all authority granted to the board of commissioners of such levee districts pursuant to present law to the southeast levee authority. Provides, beginning January 1, 2006 and thereafter, for the levee districts shall be governed by the board of commissioners of the southeast levee authority. Provides for the authority to be comprised of the territorial limits coextensive with the East Jefferson Levee District, Lake Borgne Basin Levee District, Orleans Levee District, and the West Jefferson Levee District and the parishes of Plaquemines and St. Tammany. Provides for membership of the board of commissioners of the authority to be comprised of two members Jefferson Parish, two members from St. Bernard Parish, two members from Orleans Parish, two members from St. Tammany Parish, one at-large member to serve as voting members, and two members from Plaquemines to serve as ex-officio and nonvoting members. Provides for the manner in which such members are appointed, initial appointments, terms of such members, and qualifications. Provides for vacancies to be filled in the manner as the original appointment.

Proposed law provides for the board of commissioners of the southeast levee authority to be domiciled in Orleans Parish. Requires the board to adopt bylaws. Provides for the powers and duties of the board, and authorizes the board to employ an executive director. Provides for the responsibilities of the executive director and qualification requirements for such position.

Proposed law provides for the transfer of obligations, movable property, unfinished business, books and records from the boards existing in present law to the southeast levee authority to be administered on behalf of each levee district. Provides that all lands or immovable property owned by the districts will remain the property of the levee districts in which such is situated. Provides for employees.

Proposed law provides that any legal proceeding to which the East Jefferson Levee District, Lake Borgne Basin Levee District, Orleans Levee District, or West Jefferson Levee District is a party and which is filed, initiated, or pending before any court on January 1, 2006, and all documents

involved in or affected by said legal proceeding, shall retain their effectiveness and shall be continued in the name of the southeast levee authority pursuant to the powers of the authority over the district as set forth by law; provided, however, that other than the district or districts originally named as party to the proceedings, the authority shall have no liability for actions pending or claims arising prior to January 1, 2006.

Proposed law provides for the proceeds of all taxes collected, for the purpose of constructing and maintaining levees, levee drainage, flood protection, hurricane flood protection and for all other purposes by each levee district and for the proceeds of such taxes collected thereafter on all property taxed in the applicable parishes by such levee districts to be retained for such purposes in the districts in which the taxes are collected and be administered by the board of commissioners of the southeast levee authority.

Proposed law repeals certain provisions relative to the appointment of members and the filling of vacancies on the boards of commissioners of the East Jefferson and West Jefferson Levee Districts.

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

(Amends R.S. 38:291 (D)(2) and (3), (G)(2), (K)(2), (R)(2), 304(A) and (B), 326.2(A); adds R.S. 38:291(G)(3), (K)(3), (R)(3), (V), and (W), and 306.1 through 306.7; repeals R.S. 38:304.2 and 304.3)