ACT No. 242

HOUSE BILL NO. 200

BY REPRESENTATIVE CHAD BROWN

1	AN ACT
2	To amend and reenact R.S. 33:4545.4 and 4545.4.2, relative to the board of directors of the
3	Louisiana Energy and Power Authority; to provide relative to the domicile of the
4	members of the board of directors; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 33:4545.4 and 4545.4.2 are hereby amended and reenacted to read
7	as follows:
8	§4545.4. Board of directors as governing authority of the Authority
9	A. The Authority hereby created shall be governed by a board of directors
10	of the Authority composed of members who shall be appointed as follows:
11	(1) The governing authority of each municipality that desires to become a
12	member of the Authority must shall adopt a resolution indicating its intention to so
13	join.
14	(2) The mayor of each municipality that becomes a member shall appoint
15	one director to the board of directors of the Authority, which appointment must shall
16	be approved by the governing authority of said municipality.
17	$\underline{B.(1)}$ The members of the board of directors of the Authority shall serve
18	initial terms expiring on the following dates:
19	a. (a) July 1, 1980
20	b. (b) July 1, 1981
21	c. (c) July 1, 1982

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1	<u>d.(d)</u>	July 1,	1983

2 <u>e.(e)</u> July 1, 1984

(2) The initial term of each member of the board of directors of the Authority shall be determined by the drawing of lots.

(3) Upon the expiration of a director's term, a successor director shall be appointed for a period of five years in the same manner as the original appointment. If a vacancy occurs for any other reason, a successor director shall be appointed in the same manner as the original appointment for the remainder of the unexpired term. Directors shall hold office until their successors have been appointed and may succeed themselves. A director shall be a citizen of the United States and domiciled in the State of Louisiana and the municipality represented shall be either domiciled in or an employee of the municipality represented. Any director shall serve at the pleasure of the appointing authority, and he may be removed from office and his successor appointed in the same manner as the original appointment.

<u>C.</u> The board of directors of the Authority shall elect one of their number as chairman and another as vice-chairman. The board of directors shall appoint a secretary, treasurer, and such other officers, employees and agents as are deemed necessary who need not be directors of the Authority. The offices of the secretary and treasurer may be combined. A majority of the directors of the Authority shall constitute a quorum, and a majority vote of the directors shall be necessary for any action taken by the Authority. No vacancy on the board of directors shall impair the right of a quorum to exercise all of the rights and perform all of the duties of the Authority. An elected official or employee of a participating governmental unit may be a director of the Authority. Directors shall receive such compensation as shall be fixed from time to time by resolution or resolutions of the board of directors of the Authority and shall be reimbursed their actual expenses necessarily incurred in the performance of their duties.

<u>D.</u> The board of directors shall adopt by-laws and prescribe rules to govern its meetings and shall fix the place or places at which meetings shall be held.

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E. By an ordinance unanimously adopted and approved by all members of the board of directors, provisions may be made for the appointment of additional directors to increase the membership of the board of directors to include other appointments by any municipality which, on the effective date of this Act, is engaged in the generation, transmission, or distribution of electricity. The initial term of the new director shall be set forth in said ordinance but shall not exceed five years. Any such municipality desiring representation on the board of directors shall request the same it by furnishing to the board of directors a resolution duly adopted by its governing authority requesting such representation and furnishing such other contracts, agreements, or information as may be reasonably required by the board of directors. The board of directors shall act upon such request within sixty days and if the request is not granted within said period of sixty days, it shall be considered as denied, and thereafter other requests may be subsequently furnished and considered.

<u>F.</u> By an ordinance adopted and approved by not less than two-thirds of all members of the board of directors, the number of members or directors serving on the board of directors may also be reduced by eliminating the member or director which who has been appointed by a municipality that has ceased to be a participant in the authority Authority. The membership of the board of directors may be reduced by an ordinance adopted in the same manner provided that the governing authority of the political subdivision; responsible for appointing the excluded member or director; has adopted a resolution requesting such action by the board of directors. Notwithstanding the above, there shall never be less fewer than three members or directors serving on the board of directors.

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§4545.4.2. Domicile of directors, parish-council form of government

Notwithstanding anything to the contrary contained in this Chapter, a director representing a municipality which, together with the parish in which it is located is governed by a parish-council consolidated form of government, need not be domiciled in the said municipality, but shall be either domiciled anywhere within the

1	parish in which the municipality is located or be an employee of the municipality			
2	represented.			
		SPEAKER OF THE HOUSE OF REPRESENTATIVES		
		PRESIDENT OF THE SENATE		
		GOVERNOR OF THE STATE OF LOUISIANA		

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APPROVED: _____