2017 Regular Session

HOUSE BILL NO. 266

BY REPRESENTATIVE CONNICK

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

LEVEES/BDS & DISTRICTS: Provides for term limits for members of the nominating committee of certain flood protection authorities

1	AN ACT
2	To amend and reenact R.S. 38:330.1(C)(2)(a) and (b) and to enact R.S. 38:330.1(C)(2)(d)
3	and (e), relative to flood protection authority nominating committee members; to
4	provide for the composition of the nominating committee board; to provide relative
5	to term limits for levee district nominating committee members; to include the
6	nominating committee as a "public body" for purposes of open meetings and public
7	records laws; and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 38:330.1(C)(2)(a) and (b) are hereby amended and reenacted and
10	R.S. 38:330.1(C)(2)(d) and (e) are hereby enacted to read as follows:
11	§330.1. Southeast Louisiana Flood Protection Authority-East and Southeast
12	Louisiana Flood Protection Authority-West Bank; territorial jurisdiction;
13	board of commissioners; appointments; terms; compensation; vacancy;
14	officers; meetings; domicile
15	* * *
16	С.
17	* * *
18	(2)(a) The nominating committee for each board shall be composed as
19	follows:

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(i) A member designated by <u>of</u> the Public Affairs Research Council of
2	Louisiana, to be appointed by the board of directors of the council.
3	(ii) A member designated by of the Council for A Better Louisiana, to be
4	appointed by the board of directors of the council.
5	(iii) A representative of the Louisiana Geological Survey at Louisiana State
6	University, to be appointed by the advisory board of the survey.
7	(iv) A member of the Association of State Floodplain Managers designated
8	by the association, to be appointed by the board of directors of the association.
9	(v) A member of the National Society of Black Engineers designated by the
10	society, to be appointed by the national executive board of the society.
11	(vi) The dean A faculty member of the College of Engineering at the
12	University of New Orleans, or his designee to be appointed by the dean of the
13	College of Engineering in consultation with the faculty.
14	(vii) The dean <u>A faculty member</u> of the School of Science and Engineering
15	at Tulane University, or his designee to be appointed by the dean of the School of
16	Science and Engineering in consultation with the faculty.
17	(viii) The dean <u>A faculty member</u> of the College of Engineering at Southern
18	University and Agricultural and Mechanical College, or his designee to be appointed
19	by the dean of the College of Engineering in consultation with the faculty.
20	(ix) The dean <u>A faculty member</u> of the College of Engineering at Louisiana
21	State University, or his designee to be appointed by the dean of the College of
22	Engineering in consultation with the faculty.
23	(x) A member of the American Society of Civil Engineers designated by the
24	society, appointed by the board of directors of the society.
25	(xi) A member of the Louisiana Engineering Society, to be appointed by the
26	officers of the society.
27	(b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph for
28	the purpose of nominating persons to serve on the Southeast Louisiana Flood
29	Protection Authority-West Bank, the committee shall also include, a member of the

1	Harvey Canal Industrial Association West Bank Business and Industry Association,
2	to be appointed by the board of directors of the association, and the president a
3	faculty member of Our Lady of Holy Cross College, or his designee to be appointed
4	by the dean of the College in consultation with the faculty.
5	* * *
6	(d) After August 1, 2017, all nominating committee members shall be
7	appointed for staggered terms of four years. No nominating committee member shall
8	serve more than two consecutive terms. If a person serves two years or more of an
9	unexpired term, such service shall constitute a term. A former nominating
10	committee member may be reappointed to the nominating committee four years from
11	the completion of his last consecutive term.
12	(e) For purposes of Paragraph (C)(2) of this Section, the nominating
13	committee shall be considered a "public body" as defined in R.S. 42:13, and the open
14	meetings law, R.S. 42:11 et seq., and public records law, R.S. 44:1 et seq., shall
15	apply to such committee.
16	* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 266 Engrossed	2017 Regular Session	Connick
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Abstract: Establishes term limits for certain flood protection authority nominating committee members.

<u>Proposed law</u> clarifies the nominating procedure for appointing a member of the committee to require the governing body of each entity to appoint a member from their respective entity, as follows:

- (1) A member of the Public Affairs Research Council of Louisiana appointed by the board of directors of the council.
- (2) A member of the Council for A Better Louisiana, appointed by the board of directors of the council.
- (3) A representative of the Louisiana Geological Survey at Louisiana State University, appointed by the advisory board of the survey.

- (4) A member of the Association of State Floodplain Managers, appointed by the board of directors of the association.
- (5) A member of the National Society of Black Engineers, appointed by the national executive board of the society.
- (6) A faculty member of the College of Engineering at the University of New Orleans, appointed by the dean of the College of Engineering in consultation with the faculty.
- (7) A faculty member of the School of Science and Engineering at Tulane University, appointed by the dean of the School of Science and Engineering in consultation with the faculty.
- (8) A faculty member of the College of Engineering at Southern University and Agricultural and Mechanical College, appointed by the dean of the College of Engineering in consultation with the faculty.
- (9) A faculty member of the College of Engineering at Louisiana State University, appointed by the dean of the College of Engineering in consultation with the faculty.
- (10) A member of the American Society of Civil Engineers, appointed by the board of directors of the society.
- (11) A member of the Louisiana Engineering Society, appointed by the officers of the society.
- (12) A member of the West Bank Business and Industry Association, appointed by the board of directors of the association.
- (13) A faculty member of Our Lady of Holy Cross College, appointed by the dean of the College in consultation with the faculty.

<u>Present law</u> establishes a nominating committee for the board of commissioners for the Southeast La. Flood Protection Authority-East and the Southeast La. Flood Protection Authority-West.

<u>Proposed law</u> establishes a staggered term of four years for nominating committee members of the Southeast La. Flood Protection Authority-East and Southeast La. Flood Protection Authority-West.

<u>Proposed law</u> provides that no nominating committee member may serve more than two consecutive terms.

<u>Proposed law</u> also provides that service of two or more years constitutes a term.

<u>Proposed law</u> further provides that a nominating committee member may be reappointed four years from the completion of his last term.

<u>Proposed law</u> classifies a nominating committee as a public body for purposes of open meetings laws and public record laws.

(Amends R.S. 38:330.1(C)(2)(a) and (b); Adds R.S. 38:330.1(C)(2)(d) and (e))

Summary of Amendments Adopted by House

- The Committee Amendments Proposed by <u>House Committee on Transportation</u>, <u>Highways and Public Works</u> to the <u>original</u> bill:
- 1. Make technical changes.
- 2. Add provisions that clarify the procedure by which nominating committee members are appointed from their respective entities, as follows:
 - (1) A member of the Public Affairs Research Council of Louisiana appointed by the board of directors of the council.
 - (2) A member of the Council for A Better Louisiana, appointed by the board of directors of the council.
 - (3) A representative of the Louisiana Geological Survey at Louisiana State University, appointed by the advisory board of the survey.
 - (4) A member of the Association of State Floodplain Managers, appointed by the board of directors of the association.
 - (5) A member of the National Society of Black Engineers, appointed by the national executive board of the society.
 - (6) A faculty member of the College of Engineering at the University of New Orleans, appointed by the dean of the College of Engineering in consultation with the faculty.
 - (7) A faculty member of the School of Science and Engineering at Tulane University, appointed by the dean of the School of Science and Engineering in consultation with the faculty.
 - (8) A faculty member of the College of Engineering at Southern University and Agricultural and Mechanical College, appointed by the dean of the College of Engineering in consultation with the faculty.
 - (9) A faculty member of the College of Engineering at Louisiana State University, appointed by the dean of the College of Engineering in consultation with the faculty.
 - (10) A member of the American Society of Civil Engineers, appointed by the board of directors of the society.
 - (11) A member of the Louisiana Engineering Society, appointed by the officers of the society.
 - (12) A member of the West Bank Business and Industry Association, appointed by the board of directors of the association.
 - (13) A faculty member of Our Lady of Holy Cross College, appointed by the dean of the College in consultation with the faculty.
- 3. Add a provision that specifies that the nominating committee is a public body and as such is subject to open meetings laws and public records laws.