

2025 Regular Session

HOUSE BILL NO. 633

BY REPRESENTATIVE BRAUD

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

LEVEES/BDS & DISTRICTS: Provides relative to the boards of commissioners for the Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood Protection Authority-West Bank

1 AN ACT

2 To amend and reenact R.S. 38:330.1(C)(1)(a)(introductory paragraph) and (i) through (iii),
3 (2)(a)(introductory paragraph) and (b) and (c), (3)(a) through (c), (4)(a) and (b), and
4 (D)(2) and (3) and to enact R.S. 38:330.1(C)(1)(a)(iv), relative to the Southeast
5 Louisiana Flood Protection Authority-East and the Southeast Louisiana Flood
6 Protection Authority-West Bank; to provide for appointment of members; to reduce
7 the membership of the Southeast Louisiana Flood Protection Authority-East; to limit
8 the authority of and eliminate certain powers of regional directors; to provide for the
9 membership and powers of the nominating committees of the Southeast Louisiana
10 Flood Protection Authority-East and the Southeast Louisiana Flood Protection
11 Authority-West Bank; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 38:330.1(C)(1)(a)(introductory paragraph) and (i) through (iii),
14 (2)(a)(introductory paragraph) and (b) and (c), (3)(a) through (c), (4)(a) and (b), and (D)(2)
15 and (3) and to enact R.S. 38:330.1(C)(1)(a)(iv) are hereby amended and reenacted to read
16 as follows:

17 * * *

§330.1. Southeast Louisiana Flood Protection Authority-East and Southeast Louisiana Flood Protection Authority-West Bank; territorial jurisdiction; board of commissioners; appointments; terms; compensation; vacancy; officers; meetings; domicile

* * *

C.(1) There is hereby created a board of commissioners for each flood protection authority as follows:

(a) The board of commissioners of the Southeast Louisiana Flood Protection Authority-East shall be composed of ~~nine~~ seven members, of whom there shall be at least, one member from St. Bernard Parish, two members from Jefferson Parish, and three members from Orleans Parish who shall reside within the territorial jurisdiction of the authority. The members shall be appointed ~~by the governor from nominations submitted by the nominating committee~~ as follows:

(i) ~~Five~~ Four members who shall ~~either be an engineer or a professional in a related field such as geotechnical, hydrological, or environmental science. Of the five members, one member shall be a civil engineer~~ be appointed by the governor.

(aa) One member shall be a certified public accountant licensed in Louisiana.

(bb) One member shall be an attorney licensed in Louisiana.

(cc) One member shall have a professional background in law enforcement.

(dd) One member shall be at-large.

(ii) ~~Two members~~ One member who shall be a ~~professional in a discipline other than that occurring in Item (i) of this Subparagraph with at least ten years of professional experience in that discipline~~ appointed by the governor from a list of three nominees submitted by the College of Engineering at Louisiana State University.

(iii) ~~Two members who shall be at-large.~~ One member who shall be appointed by the governor from a list of three nominees submitted by the Department of Mechanical Engineering at the Southern University Agricultural and Mechanical College.

(iv) One member who shall be appointed by the governor from a list of three nominees submitted by the School of Science and Engineering at Tulane University.

* * *

(2)(a) The nominating committee for ~~each board~~ the Southeast Louisiana Flood Protection Authority-West Bank shall be composed as follows:

* * *

(b) ~~Notwithstanding the provisions of Subparagraph (a) of this Paragraph for the purpose of nominating persons to serve on the Southeast Louisiana Flood Protection Authority-West Bank, the~~ The committee shall also include; a member or designee of the West Bank Business and Industry Association and a faculty member or designee of Our Lady of Holy Cross College.

(c) ~~The regional directors, or in the absence of a regional director, the presidents of the boards of commissioners of the Southeast Louisiana Flood Protection Authority-East and~~ of the Southeast Louisiana Flood Protection Authority-West Bank shall be the custodian of the records of the nominating committee ~~for their respective flood authority.~~ The chairman of the authority nominating committee, or in his absence, the regional ~~directors~~ director, or in the absence of a regional director, the ~~presidents~~ president of the ~~boards~~ board of commissioners of the ~~Southeast Louisiana Flood Protection Authority-East and the~~ Southeast Louisiana Flood Protection Authority-West Bank, shall call the meeting of the nominating committee for their respective flood authority. The regional ~~directors~~ director, or in the absence of a regional director, the ~~presidents~~ president of the ~~boards~~ board of commissioners of the ~~Southeast Louisiana Flood Protection Authority-East and the~~ Southeast Louisiana Flood Protection Authority-West Bank, ~~or their designees,~~ shall serve as secretary for the nominating committee ~~for their respective flood authority.~~

* * *

(3)(a) Within ten days after the occurrence of an unexpected vacancy on the flood protection authority board, the board shall notify the chair of the nominating

1 committee and regional ~~directors~~ director, or in the absence of a regional director,
2 the ~~presidents~~ president of the ~~boards~~ board of commissioners of the ~~Southeast~~
3 ~~Louisiana Flood Protection Authority-East and the~~ Southeast Louisiana Flood
4 Protection Authority-West Bank of such unexpected vacancy within the flood
5 authority. For purposes of this Paragraph, a vacancy shall be unexpected whenever
6 it occurs for a reason other than the expiration of a term. The regional ~~directors~~
7 director, or in the absence of a regional director, the ~~presidents~~ president of the
8 ~~boards~~ board of commissioners of the ~~Southeast Louisiana Flood Protection~~
9 ~~Authority-East and the~~ Southeast Louisiana Flood Protection Authority-West Bank
10 shall cause notification of the unexpected vacancy to be published in the official
11 journal of the state and of each parish within the territorial jurisdiction of the
12 authority. Such notification shall be published no later than thirty days following
13 receipt by the regional ~~directors~~ director, or in the absence of a regional director, the
14 ~~presidents~~ president of the ~~boards~~ board of commissioners of the ~~Southeast Louisiana~~
15 ~~Flood Protection Authority-East and the~~ Southeast Louisiana Flood Protection
16 Authority-West Bank of notice of the unexpected vacancy.

17 (b) The nominating committee shall meet to determine the nominations to
18 send to the governor to fill each unexpected vacancy no sooner than thirty days after
19 the latest date of publication set forth in Subparagraph (a) of this Paragraph and no
20 later than ninety days after the latest date of publication set forth in Subparagraph (a)
21 of this Paragraph. The committee shall consider each name submitted to the
22 committee from whatever source, and the committee members may propose names
23 of persons to be considered. After review, the committee shall select the nominees
24 for each unexpected vacancy who meet the requirements of this Section. The
25 committee shall submit one nominee for each unexpected vacancy in a position
26 provided for in Item (1)(a)(i) or (b)(i) of this Subsection and shall submit two
27 nominees for each unexpected vacancy in a position provided for in Item (1)(a)(ii)
28 or (iii) of this Subsection or Item (1)(b)(ii) or (iii) of this Subsection. A majority
29 vote of the total membership of the nominating committee shall be required to

1 nominate persons to positions on the board. The committee shall submit its
2 nominations for each unexpected vacancy to the governor for consideration no later
3 than one hundred twenty days after the notification of the regional ~~directors~~ director,
4 or in the absence of a regional director, the ~~presidents~~ president of the ~~boards~~ board
5 of commissioners of the ~~Southeast Louisiana Flood Protection Authority-East and~~
6 the Southeast Louisiana Flood Protection Authority-West Bank of the occurrence of
7 such unexpected vacancy. The governor shall appoint one of the nominees
8 submitted by the committee within thirty days of submission of the nominations for
9 any unexpected vacancy and submit such appointee to the Senate for confirmation
10 within forty-eight hours following the appointment, regardless of whether the
11 legislature is in regular session.

12 (c) If the nominating committee fails to submit a nominee within one
13 hundred twenty days after notification of the regional ~~directors~~ director, or in the
14 absence of a regional director, the ~~presidents~~ president of the ~~boards~~ board of
15 commissioners of the ~~Southeast Louisiana Flood Protection Authority-East and the~~
16 Southeast Louisiana Flood Protection Authority-West Bank of the occurrence of
17 such unexpected vacancy, the governor shall appoint a person meeting the
18 requirements of this Section within thirty days of the expiration of such time and
19 submit such appointee to the Senate for confirmation within forty-eight hours
20 following the appointment, regardless of whether the legislature is in regular session.

21 * * *

22 (4)(a) Each July first, the board shall notify the chair of the nominating
23 committee and regional ~~directors~~ director, or in the absence of a regional director,
24 the ~~presidents~~ president of the ~~boards~~ board of commissioners of the ~~Southeast~~
25 ~~Louisiana Flood Protection Authority-East and the~~ Southeast Louisiana Flood
26 Protection Authority-West Bank of any vacancy which will occur on a board in the
27 following year due to expiration of a term, hereinafter in this Paragraph referred to
28 as "expected vacancy". The regional ~~directors~~ director, or in the absence of a
29 regional director, the ~~presidents~~ president of the ~~boards~~ board of commissioners of

1 the ~~Southeast Louisiana Flood Protection Authority-East and the Southeast Louisiana~~
2 Flood Protection Authority-West Bank shall cause notification of each expected
3 vacancy to be published in the official journal of the state and of each parish within
4 the territorial jurisdiction of the authority. Such notification shall be published no
5 later than thirty days following receipt by the regional ~~directors~~ director, or in the
6 absence of a regional director, the ~~presidents~~ president of the ~~boards~~ board of
7 commissioners of the ~~Southeast Louisiana Flood Protection Authority-East and the~~
8 Southeast Louisiana Flood Protection Authority-West Bank of notice of an expected
9 vacancy.

10 (b) The nominating committee shall begin to meet and continue to meet as
11 necessary to determine the nominations to send to the governor to fill each expected
12 vacancy no sooner than thirty days after the latest date of publication set forth in
13 Subparagraph (a) of this Paragraph and no later than ninety days after the latest date
14 of publication set forth in Subparagraph (a) of this Paragraph. The committee shall
15 consider each name submitted to the committee from whatever source and the
16 committee members may propose names of persons to be considered. After review,
17 the committee shall select the nominees for each expected vacancy who meet the
18 requirements of this Section. The committee shall submit one nominee for an
19 expected vacancy in a position provided for in Item (1)~~(a)(i)~~ or (b)(i) of this
20 Subsection and shall submit two nominees for each expected vacancy in a position
21 provided for in ~~Item (1)(a)(ii) or (iii) of this Subsection~~ or Item (1)(b)(ii) or (iii) of
22 this Subsection. A majority vote of the total membership of the nominating
23 committee shall be required to nominate persons to positions on the board. The
24 committee shall submit its nominations for each expected vacancy to the governor
25 for consideration no later than thirty days prior to the start of regular session. The
26 governor shall appoint one of the nominees submitted by the committee not later
27 than thirty days after receipt of the nominations and shall submit such appointee to
28 the Senate for confirmation within forty-eight hours after the appointment is made,
29 regardless of whether the legislature is in regular session. If confirmed, the

1 appointee shall take office the day after the expiration of the term of the board
2 member whose term is expiring.

3 * * *

4 D.

5 * * *

6 (2) All commissioners thereafter appointed, except a commissioner
7 appointed to fill an unexpired term, shall be appointed as provided in Subsection C
8 of this Section for staggered terms of four years. No member shall serve more than
9 ~~two~~ three consecutive terms. If a person serves two years or more of an unexpired
10 term, such service shall constitute a term. A former board member may be
11 reappointed to the board after sitting out four years from the completion of his last
12 consecutive term.

13 ~~(3) Notwithstanding R.S. 24:14(K), no person shall serve on the board~~
14 ~~beyond the expiration of a term unless reappointed to a position on the board by the~~
15 ~~process required by either Paragraph (C)(3) or (4) of this Section.~~

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 633 Original

2025 Regular Session

Braud

Abstract: Reduces the membership of the Southeast Louisiana Flood Protection Authority-East and changes the background requirements and the appointing authorities for board members. Specifies the composition and powers of the members of the boards of commissioners for the Southeast Louisiana Flood Protection Authority-East (SLFP-E) and the Southeast Louisiana Flood Protection Authority-West Bank (SLFP-W).

Present law creates the board of commissioners (board) for each flood protection authority which includes the board of the SLFP-E composed of the following nine members appointed by the governor from nominations submitted by the nominating committee:

- (i) Five members in an engineering or a science-related field with one of the members, being a civil engineer.
- (ii) Two members in any other discipline other than that occurring in present law with at least 10 years of professional experience in that discipline.

- (iii) Two members at large.

Proposed law modifies present law by reducing the membership from nine to seven and removes the requirement of appointment of by the governor for these members. Further reduces the number of members with engineering or science-related backgrounds from five to four and changes their background requirements as follows:

- (aa) One certified public accountant who is licensed in La.
- (bb) One attorney who is licensed in La.
- (cc) One member with a professional law enforcement background.
- (dd) One at large member.

Proposed law modifies present law by reducing the number of members in any other discipline other than that occurring in a science-related field from two to one. Further removes the 10-year professional experience requirement in that discipline. Requires that a member be appointed by the governor from a list of three nominees submitted by the College of Engineering at La. State University (LSU).

Proposed law modifies present law by removing the requirement of two at large members and replacing it with a member appointed by the governor from a list of three nominees submitted by the Dept. of Mechanical Engineering at the Southern University Agricultural and Mechanical College.

Proposed law requires a member be appointed by the governor from a list of three nominees submitted by the School of Science and Engineering at Tulane University.

Present law requires the nominating committee for each board to be composed of members or designees from the following entities:

- (i) The Public Affairs Research Council of La.
- (ii) The Council for A Better La.
- (iii) The La. Geological Survey at LSU.
- (iv) The Assoc. of State Floodplain Managers.
- (v) The National Society of Black Engineers.
- (vi) The College of Engineering at the University of N.O.
- (vii) The School of Science and Engineering at Tulane University.
- (viii) The College of Engineering at Southern University and Agricultural and Mechanical College.
- (ix) The College of Engineering at LSU.
- (x) The American Society of Civil Engineers.
- (xi) The La. Engineering Society.

Proposed law modifies present law by specifying that the membership above composes the nominating committee for the SLFP-E board.

Present law requires the nominating committee also include a member or designee of the West Bank Business and Industry Assoc. and of Our Lady of Holy Cross College.

Proposed law retains present law.

Proposed law requires regional directors, or in their absence, the presidents of the boards of the SLFP-E and the Southeast Louisiana Flood Protection Authority-West Bank (SLFP-W) be the custodian of records of the nominating committee for their respective flood authority. Further requires the chairman of either the SLFP-E or the SLFP-W nominating committee, or in his absence, the regional directors, or in the absence of a regional director, the presidents of the boards to call the meeting of the committee for their respective flood authority. Additionally, requires the regional directors, or in their absence, the presidents of the SLFP-E and SLFP-W boards or their designees, serve as secretary for the nominating committee for their respective flood authority.

Proposed law modifies present law by limiting the authority to a single director of the SLFP-W and eliminating the need for replacement in the absence of the regional director.

Present law requires the board notify the chair of the nominating committee and regional directors, or in his absence, the presidents of the boards of the SLFP-E and the SLFP-W of unexpected vacancy within the flood authority. Clarifies that a vacancy is unexpected whenever it occurs for a reason other than the expiration of a term. Requires the regional directors, or in his absence, the presidents of the boards of the SLFP-E and the SLFP-W cause notification of the unexpected vacancy to be published in the official journal of the state and of each parish within the territorial jurisdiction of the authority. Further requires the publishing of the notice of the unexpected vacancy no later 30 days following receipt by the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W.

Proposed law modifies present law by eliminating the requirements for the board of the SLFP-E and limiting the authority to a single director of the SLFP-W.

Present law requires the nominating committee meet to determine the nominations for each unexpected vacancy within the time limitations set forth in present law. Further requires the committee consider each name submitted and select the nominees for each unexpected vacancy. Additionally, requires a majority vote for nominations and such nominations be submitted to the governor for consideration no later than 120 days after the notification of the occurrence of such unexpected vacancy to the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W. Requires the governor appoint one of the nominees submitted by the committee within 30 days of submission of the nominations and submit an appointee to the Senate for confirmation 48 hours from the appointment.

Proposed law modifies present law by limiting the authority to a single director of the SLFP-W and eliminating the president of the SLFP-E as a replacement in the absence of a regional director.

Present law requires the governor appoint a qualified person within the time limitations set forth in present law if the nominating committee fails to submit a nominee within 120 days after the notice of an unexpected vacancy to the regional directors, or in the absence of a regional director, the presidents of the boards of the SLFP-E and the SLFP-W.

Proposed law modifies present law by limiting the authority to a single director of the SLFP-W and eliminating the president of the SLFP-E as a replacement in the absence of a regional director.

Present law requires the board notify the chair of the nominating committee and regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W

of any expected vacancy occurring the following year due to expiration of a term. Further requires the regional directors, or in their absence, the presidents of the SLFP-E and the SLFP-W boards publish a notification of each expected vacancy in the official journal of the state and of each parish within the territorial jurisdiction of the authority. Provides that such notification be published no later than 30 days after receipt by the regional directors, or in their absence, the presidents of the SLFP-E and the SLFP-W boards.

Proposed law modifies present law by limiting the authority to a single director of the SLFP-W and eliminating the president of the SLFP-E as a replacement in the absence of a regional director.

Present law requires the nominating committee meet to determine the nominations to fill each expected vacancy at least 30 days after the latest date of the notice publication and no later than 90 days after the latest date of notice publication set forth in present law. Further requires the committee consider each name submitted and select the nominees for each expected vacancy who meet the requirements of present law. Additionally, requires the committee submit one nominee for an expected vacancy in a position provided for in present law and submit two nominees for each expected vacancy in a position provided for in present law. Provides that a majority vote is needed to nominate persons to positions on the board. The committee shall submit its nominations for each expected vacancy to the governor for consideration no later than thirty days prior to the start of regular session. Provides the time limitations for the appointment of nominees.

Proposed law retains present law.

Present law requires members of each board, at their first meeting, determine by lot their terms of office, which terms commence immediately upon their appointment and their expiration including all commissioners appointed, except a commissioner appointed to fill an unexpired term. Further requires the commissioners be appointed for staggered terms of four years and prohibits a member from serving more than two consecutive terms. Specifies that serving two years or more of an unexpired term constitutes a term. Authorizes a former board member be reappointed to the board after sitting out four years from the completion of his last consecutive term.

Proposed law modifies present law by allowing a member to serve three consecutive terms instead of two but otherwise retains present law.

Present law prohibits a person from serving on the board beyond the expiration of a term unless reappointed to a position on the board through the process required by present law.

Proposed law removes present law.

(Amends R.S. 38:330.1(C)(1)(a)(intro. para.) and (. i)-(iii), (2)(a)(intro. para.) and (b) and (c), (3)(a)-(c), (4)(a) and (b), and (D)(2) and (3); Adds R.S. 38:330.1(C)(1)(a)(iv))