

## GREEN SHEET REDIGEST

HB 688

2025 Regular Session

Braud

### **LEVEES/BDS & DISTRICTS: Provides relative to the Southeast Louisiana Flood Protection Authority-East and Southeast Louisiana Flood Protection Authority-West Bank**

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#### DIGEST

Present law creates the board of commissioners (board) for each flood protection authority which includes the board of the Southeast La. Flood Protection Authority-East (SLFP-E) composed of the following nine 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 must reside within the territorial jurisdiction of the authority. These members are appointed by the governor from nominations submitted by the nominating committee:

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

Proposed law modifies present law by adding two members who do not reside in St. Bernard Parish, Jefferson Parish, or Orleans Parish but reside within the territorial jurisdiction of the authority and one member with no jurisdictional or residency limitation. Further reduces the number of members with engineering or science-related backgrounds from five to four and increasing the number of members in any other discipline other than that occurring in a science-related field from two to three.

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

- (1) The Public Affairs Research Council of La.
- (2) Leaders for A Better La.
- (3) The La. Geological Survey at LSU.
- (4) The Assoc. of State Floodplain Managers.
- (5) The National Society of Black Engineers.
- (6) The College of Engineering at the University of N.O.
- (7) The School of Science and Engineering at Tulane University.
- (8) The College of Engineering at Southern University and Agricultural and Mechanical College.
- (9) The College of Engineering at LSU.
- (10) The American Society of Civil Engineers.
- (11) The La. Engineering Society.

Proposed law modifies present law by including the executive director or designee of the Coastal Protection and Restoration Authority (CPRA) as a member.

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.

Present law requires the 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 chair 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 replacing the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W with the executive director of the CPRA or his designee to be custodian of records of the nominating committee for their respective flood authority. Further replaces the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W with the chair to call the meeting of the committee for the respective flood authority.

Present law requires all nominating committee members be appointed for eight years. Further provides that a former nominating committee member be reappointed to a nominating committee four years from the completion of previous terms and that service for four or more years of an unexpired term shall constitute a term.

Proposed law modifies present law by including a term end date of Jan. 1st at the end of each term. Further requires that a term for nominating committee members whose eight-year term expires in 2025 will end on Jan. 1, 2026.

Present law defines the nominating committee as a "public body" for the purposes of Open Meetings Law and Public Records Law applies to such committee.

Proposed law allows the nominating committee members attend meetings and convene remotely.

Proposed law requires the CPRA assign a staff representative to assist the nominating committee in work and preparation of meetings.

Proposed law requires the nominating committee be represented by the attorney general.

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 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 their 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 to notify the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W of the unexpected vacancy within the flood district. Further replaces the regional directors, or in their absence, the presidents of the boards of the SLFP-E and the SLFP-W with the chair to provide notice of an unexpected vacancy and publish it in the official journal of the state and of each parish within the territorial jurisdiction of the authority.

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. Further, the committee shall submit one nominee for each 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 eliminating the 30 day and no later than 90 day requirement for publication in the official journal. Further increases the number of nominees the committee must submit for unexpected vacancies from one to two.

Proposed law modifies present law by reducing the time frame for submission of nominees to fill the unexpected vacancies from 120 days to 90 days after notification. Further eliminates the 48 hour requirement for submission of appointees to the Senate to fill the unexpected vacancy.

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 restricting the nominating committee's timeframe for submission of a nominee to fill the unexpected vacancy from 120 days to 90 days after notification of the vacancy. Further eliminates the requirement that the regional directors, or in their absence, the presidents of the boards of commissioners of the SLFP-E and SLFP-W notify the nominating committee of the vacancy.

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 eliminating the requirement that the board notify the 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 replaces the regional directors, or in their absence, the presidents of the SLFP-E and the SLFP-W boards with chair to provide notice of an unexpected vacancy and publish it in the official journal of the state and of each parish within the territorial jurisdiction of the authority.

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 30 days prior to the start of regular session.

Proposed law modifies present law by requiring the nominating committee follow the procedures in present law and provides for the procedure if nominations are not submitted 30 days prior to the start of the regular session.. Further removes the timeframe for the nominating committee to provide notice publication in the official journal of each expected vacancy; removes the requirement that the committee consider each name submitted and select the nominees for each expected vacancy who meet the requirements of present law; that a majority vote is needed to nominate persons to positions on the board; that the committee shall submit its nominations for each expected vacancy to the governor for consideration no later than 30 days prior to the start of regular session; and provides the time limitations for the appointment of nominees.

Proposed law removes 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 current and future member to serve three consecutive terms instead of two.

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 retains present law.

(Amends R.S. 38:330.1(C)(1)(a)(intro. para.) and (i) and (ii), (2)(a) through (e), (3)(a) through (c), and (4) and (D); adds R.S. 38:330.1(C)(2)(a)(xii) and (f) and (g))

#### Summary of Amendments Adopted by House

##### The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Clarify that the term of a nominating committee member whose eight-year term expires in 2025 will end on Jan. 1, 2026.

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the reengrossed bill

1. Makes technical changes.
2. Adds clarifying language for nominating procedure.
3. Adds third term for current and future board members.
4. Adds effective date language.