

Regular Session, 2012

HOUSE BILL NO. 701

BY REPRESENTATIVE GAROFALO

LEVEES: Provides relative to employment and deployment of police from the levee districts within the Southeast La. Flood Protection Authority - East

1 AN ACT

2 To amend and reenact R.S. 38:330.7, relative to police officers for the Southeast Louisiana
3 Flood Protection Authorities; to authorize the employment of a superintendent by the
4 Southeast Flood Protection Authority - East; to provide for such superintendent's
5 powers and authority; to authorize the use of police security personnel from one
6 levee district within another under certain circumstances; and to provide for related
7 matters.

8 Notice of intention to introduce this Act has been published
9 as provided by Article III, Section 13 of the Constitution of
10 Louisiana.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 38:330.7 is hereby amended and reenacted to read as follows:

13 §330.7. Police officers

14 A. Each authority shall not directly employ police security personnel.
15 However, the authority may enter into cooperative endeavor agreements with
16 appropriate local law enforcement agencies or local governmental subdivisions to
17 provide necessary police security services for levees, or the authority may assume
18 the rights and responsibilities of any existing cooperative endeavor agreements for
19 police security services.

1 B. Notwithstanding the provisions of Subsection A of this Section and R.S.

2 38:326, the Southeast Louisiana Flood Protection Authority - East may employ a
3 superintendent of police security who shall serve under the operation and direction
4 of the superintendent of state police to supervise the police security personnel of all
5 levee districts within its territorial jurisdiction. The superintendent shall have
6 authority and the right to exercise the power of a police officer, including the power
7 of arrest throughout the territorial jurisdiction of the authority. The authority may
8 assess each levee district within its territorial jurisdiction an amount necessary for
9 the salary, benefits, and expenses of the superintendent on an equal basis among the
10 three existing levee districts.

11 C. Notwithstanding the provisions of Subsection A of this Section and R.S.

12 38:326, the Southeast Louisiana Flood Protection Authority - East, in the interest of
13 public safety, may deploy police security personnel employed by one levee district
14 within its territorial jurisdiction in another levee district within its territorial
15 jurisdiction, provided that the levee district supplying the personnel is fully
16 compensated for such deployment. Each police officer shall retain his powers when
17 he is deployed outside his district of employment.

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)]

Garofalo

HB No. 701

Abstract: Provides relative to employment and deployment of police from the levee districts within the Southeast La. Flood Protection Authority - East.

Present law, relative to the Southeast La. Flood Protection Authority - East, prohibits the employment of police security personnel. Authorizes cooperative agreements with other law enforcement forces for security within the territorial jurisdiction of the authority.

Proposed law authorizes the employment of a police security superintendent to supervise the police personnel of all the levee districts within the territorial jurisdiction of the authority. Requires that the superintendent serve under the operation and direction of the superintendent of state police. Provides that the superintendent has powers of a police officer throughout the jurisdiction of the authority. Authorizes the authority to assess each levee district within the territorial jurisdiction for the salary, benefits, and expenses of the superintendent on an equal basis among the three existing levee districts.

Proposed law authorizes the deployment of police security personnel from one levee district within the territorial jurisdiction of the authority in another levee district with the jurisdiction of the authority provided that such personnel are fully compensated.

(Amends R.S. 38:330.7)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill.

1. Removed language specifying that superintendent is a civil service employee.

House Floor Amendments to the engrossed bill.

1. Required that the superintendent serve under the operation and direction of the superintendent of state police.
2. Provided that the funds for the salary, benefits, and expenses of the superintendent is to be levied on an equal basis among the three existing levee districts.