SLS 22RS-370 **ORIGINAL**

2022 Regular Session

SENATE BILL NO. 137

BY SENATOR LUNEAU

LEVEES. Provides relative to the board of commissioners for the Red River, Atchafalaya, and Bayou Boeuf Levee District. (gov sig)

AN ACT

To amend and reenact R.S. 38:291(M)(2) and to enact R.S. 38:291(M)(3) and 292, relative to the board of commissioners for the Red River, Atchafalaya, and Bayou Boeuf Levee District; to provide for the composition of the board; to provide for duties and responsibilities of the board; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:291(M)(2) is hereby amended and reenacted and R.S. 38:291(M)(3) and 292 are hereby enacted to read as follows:

§291. Naming; limits of districts; composition of boards

* * *

M. Red River, Atchafalaya, and Bayou ~~Beouf~~ **Boeuf** Levee District.

* * *

(2) **Effective August 1, 2022, the** ~~The~~ governor shall appoint ~~in accordance with the provisions of R.S. 38:304 one person from each of the parishes embraced by the district to serve as levee commissioners.~~ **, subject to Senate confirmation, a board of commissioners consisting of five persons from the district selected as**

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

follows:

(a) Two members representing Rapides Parish:

(i) One nominated by the members of the legislative delegation representing Rapides Parish.

(ii) One nominated jointly by the mayor of the city of Pineville and the mayor of the city of Leesville.

(b) Two members nominated by the members of the legislative delegation representing Avoyelles Parish.

(c) One member nominated by the members of the legislative delegation representing St. Landry Parish.

(3)(a) Effective August 1, 2022, and notwithstanding the provisions of R.S. 38:304(C), the position of president and vice president shall rotate every two years between the commissioners selected from the parishes of Avoyelles and Rapides.

(b) In the case of absence, inability, or failure to act of the president within his two-year term as president, the position of president shall be filled by the other member selected from the same parish in order to complete the remainder of that term of the office of the president.

* * *

§292. Board of commissioners; Red River, Atchafalaya, and Bayou Boeuf Levee District

A. The governing authority of the Red River, Atchafalaya, and Bayou Boeuf Levee District shall be a board of commissioners to be known as the Board of Commissioners of the Red River, Atchafalaya, and Bayou Boeuf Levee District. The board shall consist of members selected pursuant to R.S. 38:291(M)(2).

B.(1) Board members of the Red River, Atchafalaya, and Bayou Boeuf Levee District, shall be governed by the Code of Governmental Ethics. Violation of the code shall be cause for immediate removal from the board.

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

(2) A board member's failure to act with a fiduciary duty of loyalty and care shall be cause for immediate removal from the board.

C. Employees of the district shall not be employees of the board or its members. Individual members of the board shall not direct, instruct, supervise, or manage employees under the direction and supervision of the executive director other than clerical duties of the staff assigned to the individual board member relative to administrative duties consistent with the mission of the district.

D. Individual board members, without a vote of the board, shall not interfere in the daily operations or duties of the executive director. This provision shall not apply to actions taken by the board in its entirety by vote at a duly convened meeting.

E. No member of the board, nor the board in its entirety, shall use, occupy, obligate, or donate the resources, funds, equipment, or labor of the district for uses inconsistent with the Code of Governmental Ethics or inconsistent with the mission of the district.

Section 2. The terms of the commissioners of the Red River, Atchafalaya, and Bayou Boeuf Levee District serving on the effective date of this Act, shall be terminated on August 1, 2022.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Section and Section 1 of this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Archana D. Cadge.

DIGEST

SB 137 Original 2022 Regular Session Luneau

Present law provides relative to the board of commissioners for the Red River, Atchafalaya, and Bayou Boeuf Levee District and provides for the governor to appoint a three-member board of commissioners consisting of one member from each parish.

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

Proposed law requires the governor to appoint a five-member board of commissioners.

Proposed law provides for duties and responsibilities related to serving on the board.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 38:291(M)(2); adds R.S. 38:291(M)(3) and 292)

Coding: Words which are ~~struck through~~ are deletions from existing law;
words in **boldface type and underscored** are additions.