

Regular Session, 2010

HOUSE BILL NO. 713

BY REPRESENTATIVES CHAMPAGNE, BARRAS, AND SAM JONES

LEVEES/BDS & DISTRICTS: Creates the Iberia Parish Levee, Hurricane Protection, and Conservation District

1 AN ACT

2 To enact R.S. 38:291(AA), relative to levee districts; to create the Iberia Parish Levee,
3 Hurricane, and Conservation District; to provide for jurisdictional limits; to provide
4 for a board of commissioners, to provide for appointment of commissioners, terms
5 of office, and determination of domicile; and to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 38:291(AA) is hereby enacted to read as follows:

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

12 * * *

13 AA. Iberia Parish Levee, Hurricane, and Conservation District. (1) All of
14 the lands in the parish of Iberia except that portion of Iberia Parish that is included
15 in the territorial boundaries of the Atchafalaya Basin Levee District, shall be
16 embraced in the limits of a levee district to be known as the Iberia Parish Levee,
17 Hurricane, and Conservation District. These lands and all property thereon situated
18 shall be subject to the provisions of this Chapter.

19 (2) The governor shall appoint, subject to Senate confirmation, a board of
20 commissioners consisting of nine persons who reside in that portion of Iberia Parish

1 located within the levee district and who meet the requirements of R.S. 38:304(A)

2 as follows:

3 (a) Three members shall be appointed from the Iberia Parish Council.

4 (b) One member shall be appointed from the Twin Parishes Port Commission.

5 (c) One member shall be appointed from the Iberia Parish Port Commission.

6 (d) One member shall be appointed from each of the following municipalities

7 within Iberia Parish:

8 (i) City of Jeanerette.

9 (ii) City of New Iberia.

10 (iii) Town of Delcambre.

11 (iv) Village of Loreauville.

12 (3) A vacancy created whether by reason of death, resignation, expiration of

13 term, or any other cause of a member of the board shall be filled in the same manner

14 as provided in Paragraph (2) of this Subsection.

15 (4)(a) The members of the board initially appointed shall at their first

16 meeting determine by lot their terms of office, which terms shall commence

17 immediately upon their appointment and shall expire, respectively, as follows: three

18 members in two years, three members in three years, and three members in four

19 years, from the first day of July immediately succeeding such appointment.

20 (b) All commissioners thereafter appointed, except a commissioner

21 appointed to fill an unexpired term, shall be appointed as provided in Paragraph (2)

22 of this Subsection for staggered terms of four years, which shall expire on July first

23 of the fourth year of the term to which he is appointed, or until his successor is

24 appointed and takes office.

25 (c) No member shall serve more than four consecutive four-year terms;

26 however, if a person has been appointed to fill more than one-half of an unexpired

27 term, such person shall be eligible to serve consecutively no more than three terms

28 in addition to such partial term.

1 (5) The official domicile of the board of the district shall be established by
 2 the board.

3 (6) No member of the board shall receive compensation for serving as a
 4 member of the board.

5 (7) The district shall have such taxing authority as authorized by Article VI,
 6 Sections 39(A) and (B) of the Constitution of Louisiana and other applicable
 7 provisions of law.

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)]

Champagne

HB No. 713

Abstract: Creates the Iberia Parish Levee, Hurricane Protection, and Conservation District. Provides for a board of commissioners, appointment of commissioners, terms of office, and determination of domicile.

Proposed law provides for the Iberia Parish Levee, Hurricane, and Conservation District, which shall encompass all of the lands in the parish of Iberia except those lands located within the Atchafalaya Levee Basin District.

Proposed law requires that the governor appoint a board of commissioners, subject to Senate confirmation, consisting of nine members who reside in the portion of Iberia Parish located within the district.

Proposed law requires that three members be appointed from the Iberia Parish Council, one member from the Iberia Parish Port Commission, one member from the Twin Parishes Port Commission, and one member to be appointed from each municipality within Iberia Parish, which includes the city of Jeanerette, the city of New Iberia, the town of Delcambre, and the village of Loreauville.

Proposed law provides for vacancies to be filled in the same manner as the original appointments provided in proposed law.

Proposed law requires commissioners to determine by lot their terms of office at the first meeting, which shall commence immediately upon appointment and expire respectively as follows: three members in two years, three members in three years, and three members in four years.

Proposed law provides that all commissioners appointed after the initial appointments, shall be appointed in accordance with proposed law for staggered terms of four years, which shall expire on July 1 of the fourth year, or until the successor is appointed to take office. Further provides that no member shall serve more than four consecutive four-year terms.

Proposed law provides that if a commissioner is appointed to fill more than one-half of an unexpired term, that person shall be eligible to serve no more than three additional consecutive terms.

Proposed law requires the board to establish the official domicile of the board.

Proposed law authorizes taxing authority.

(Adds R.S. 38:291(AA))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Added a provision to remove any portion of Iberia Parish that is under the territorial jurisdiction of the Atchafalaya Basin Levee District.