

Regular Session, 2011

ACT No. 295

HOUSE BILL NO. 581

BY REPRESENTATIVE ROY

1 AN ACT

2 To amend and reenact Paragraphs (C)(2) and (4) of Section 1 of Act No. 487 of the 1954

3 Regular Session of the Legislature, as amended by Act No. 390 of the 2001 Regular

4 Session of the Legislature, and to enact Paragraphs (A)(11) and (C)(5) of Section 1

5 of Act No. 487 of the 1954 Regular Session of the Legislature, as amended by Act

6 No. 390 of the 2001 Regular Session of the Legislature, relative to the city of

7 Alexandria; to provide relative to the civil service system for the employees of the

8 city; to provide relative to the Alexandria Civil Service Commission; to provide

9 relative to the position of civil service director, the qualifications of any person

10 appointed to such position by the commission, and the evaluation of the job

11 performance of any person serving in such position; to provide relative to filling

12 vacancies in commission membership; to authorize the commission to select an

13 individual attorney or law firm to serve as legal counsel to the commission and to

14 represent the commission in legal proceedings; to provide limitations; and to provide

15 for related matters.

16 Notice of intention to introduce this Act has been published

17 as provided by Article III, Section 13 of the Constitution of

18 Louisiana.

19 Be it enacted by the Legislature of Louisiana:

20 Section 1. Paragraphs (C)(2) and (4) of Section 1 of Act No. 487 of the 1954 Regular

21 Session of the Legislature, as amended by Act No. 390 of the 2001 Regular Session of the

22 Legislature, are hereby amended and reenacted and Paragraphs (A)(11) and (C)(5) of Section

23 1 of Act No. 487 of the 1954 Regular Session of the Legislature, as amended by Act No. 390

24 of the 2001 Regular Session of the Legislature, are hereby enacted to read as follows:

1 automatically ratified. If one of the appointing authorities fails to submit nominees
 2 in the time required, the Louisiana Civil Service League shall make the appointment.
 3 The Louisiana Civil Service League shall not appoint any person who has been
 4 previously rejected by the city council. In addition, at no time during the
 5 appointment process shall the appointing authority resubmit the name of any person
 6 whose appointment has been previously rejected by the city council. ~~If one of the~~
 7 ~~named appointing authorities fails to submit nominees in the time required, the~~
 8 ~~Louisiana Civil Service League shall make the appointment.~~ If one of the named
 9 appointing authorities ceases to exist, the city council shall choose the president of
 10 another accredited college or university within Louisiana to replace it. A board
 11 member shall serve until his successor is appointed and qualified.

12 * * *

13 (5)(a) On matters that representation by the city attorney's office would
 14 present a conflict of interest, the commission is authorized to solicit proposals from
 15 individual attorneys or law firms to serve as legal counsel to the commission. The
 16 commission shall have the right to accept or reject any or all proposals for any
 17 reason, to negotiate with any attorney or law firm, and to select the attorney or law
 18 firm deemed to have submitted the proposal which is in the best interest of the
 19 commission.

20 (b) The attorney or firm selected by the commission shall be required to sign
 21 a written contract which shall provide for the hourly rate at which any such attorney
 22 or firm shall be compensated. The commission shall fix the hourly rate in
 23 accordance with the Louisiana attorney general's maximum hourly fee schedule for
 24 professional legal services. The job performance of any such attorney or firm shall
 25 be evaluated by the commission on an annual basis.

26 (c) The attorney or firm that serves as legal counsel to the commission may
 27 represent the commission in legal proceedings; however, the commission shall not
 28 be prohibited from selecting a different attorney or law firm to represent the
 29 commission in any such proceeding. Any such attorney or firm shall be required to
 30 sign a written contract which provides for an hourly rate of compensation as

1 provided in Subparagraph (b) of this Paragraph. A majority of the members of the
 2 commission shall give their written approval prior to any attorney or law firm
 3 representing the commission in a legal proceeding.

* * *

5 Section 2. This Act shall become effective upon signature by the governor or, if not
 6 signed by the governor, upon expiration of the time for bills to become law without signature
 7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 9 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____