

# ACT No. 795

Regular Session, 2014

HOUSE BILL NO. 793

BY REPRESENTATIVE ST. GERMAIN

1 AN ACT

2 To amend and reenact R.S. 38:3074(A), (B)(3), (4), and (5), (C), and (D)(introductory  
3 paragraph), to enact R.S. 38:3073(14), and to repeal R.S. 38:3074(D)(1) through (9)  
4 and Act No. 177 of the 2013 Regular Session of the Legislature, relative to the  
5 Capital Area Groundwater Conservation District; to provide for the membership and  
6 terms of the board of commissioners; to provide for vacancies; and to provide for  
7 related 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. 38:3074(A), (B)(3), (4), and (5), (C), and (D)(introductory  
13 paragraph) are hereby amended and reenacted and R.S. 38:3073(14) is hereby enacted to  
14 read as follows:

15 §3073. Definitions

16 Unless the context otherwise requires, the following terms shall have the  
17 following meanings for purposes of this Part:

18 \* \* \*

19 (14) "Department of Public Works" means the Department of Public Works  
20 of the city of Baton Rouge and parish of East Baton Rouge.

21 §3074. Board of commissioners; appointments; tenure; replacement; compensation

22 A. The board of commissioners shall consist of ~~fifteen~~ sixteen members who  
23 shall be appointed ~~and commissioned~~ by the governor. Each appointment by the  
24 governor shall be submitted to the Senate for confirmation. The ~~following~~ members

1 shall be appointed ~~and commissioned within ninety days after the effective date of~~  
 2 ~~this Part~~ as follows:

3 (1) One member ~~each~~ shall be appointed from ~~the parishes~~ each parish  
 4 composing the district; with the nominee representative of each parish to be  
 5 nominated by the governing authority of such parish.

6 (2) Three members shall be appointed from ~~the nominees of~~ nominations by  
 7 the industrial users in the district.

8 (3) Three members shall be appointed from ~~the nominees of the users in the~~  
 9 ~~district, whether~~ nominations by privately or publicly owned, ~~furnishing the entities~~  
 10 that furnish water ~~supply~~ for rural; or municipal use in within the district ~~with the~~  
 11 ~~condition that at least one.~~ One of said the three members shall always be from the  
 12 ~~nominees of~~ nominations by privately owned users furnishing a municipal water  
 13 supply.

14 (4) One member shall be the director of the Department of Public Works, or  
 15 his designee.

16 (5) One member, ~~being the assistant secretary~~ shall be the commissioner of  
 17 conservation, or his designee, who shall be a member of his staff designated by him,  
 18 ~~shall be appointed and shall represent the office of conservation of the Department~~  
 19 ~~of Natural Resources as well as other state institutions which are users of~~  
 20 ~~groundwater.~~

21 (5)(6) One member shall be appointed from ~~the nominees of~~ nominations by  
 22 the Louisiana Farm Bureau Federation and the Louisiana Cattlemen's Association.

23 (6)(7) One ~~general~~ member shall be appointed, ~~he being the executive~~  
 24 ~~secretary of the Louisiana Stream Control Commission~~ the secretary of the  
 25 Department of Environmental Quality, or his designee, who shall be a member of his  
 26 ~~staff designated by the executive secretary.~~

27 (7)(8) One member ~~being the nominee~~ shall be appointed from the  
 28 nomination by the members of the board ( . For the purposes of this Paragraph  
 29 "board" ~~meaning~~ shall mean the members appointed in pursuant to Paragraphs (1)

1 through ~~(6)~~ for purposes of the first nomination and all members thereafter) shall be  
2 appointed (7) of this Subsection.

3 ~~Within sixty days after the effective date of this Part, the nominees as~~  
4 ~~described in Paragraphs (1) through (6) shall be presented to the governor.~~

5 ~~Within thirty days after the list of nominees is presented to him, the governor~~  
6 ~~shall appoint and commission one member each from the nominees from each of the~~  
7 ~~parishes composing the district; three members from the list nominated by industrial~~  
8 ~~users; three members from the list nominated by the users furnishing water supply~~  
9 ~~for municipalities, with at least one being from the nominees supplied by a privately~~  
10 ~~owned water utility, the one member being, or nominated by, the director of the~~  
11 ~~Department of Public Works; one member from the joint lists submitted by the~~  
12 ~~Louisiana Farm Bureau Federation and the Louisiana Cattlemen's Association; and~~  
13 ~~one member being the executive secretary of the Louisiana Stream Control~~  
14 ~~Commission or his designee. The governor shall immediately appoint and~~  
15 ~~commission the member nominated by the board when his name is submitted by the~~  
16 ~~board.~~

17 B. The governor shall designate the term of office for each member of the  
18 initial board so that:

19 \* \* \*

20 (3) From those members appointed to represent users furnishing water for  
21 municipalities, one shall be appointed for a term of one year; and one for a term of  
22 two years; ~~and one for a term of three years.~~

23 (4) ~~The member representing the Department of Public Works shall serve a~~  
24 ~~term of three years and shall be eligible to succeed himself for an unrestricted~~  
25 ~~number of terms.~~

26 (5) All other members shall serve a an initial term of three years.

27 (5) After the initial term, all terms shall be three years, except that the terms  
28 for members representing governmental entities whose term shall be  
29 contemporaneous with their office.

