

2016 Regular Session

SENATE BILL NO. 286

BY SENATOR WARD

LOCAL AGENCIES. Provides relative to the State Power Authority Act. (8/1/16)

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AN ACT

To amend and reenact R.S. 33:4545.4 and 4545.4.2, relative to the State Power Authority Act; to provide relative to the board of directors; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4545.4 and 4545.4.2 are hereby amended and reenacted to read as follows:

§4545.4. Board of directors as governing authority of the Authority

A. The Authority hereby created shall be governed by a board of directors of the Authority composed of members who shall be appointed as follows:

(1) The governing authority of each municipality that desires to become a member of the Authority must adopt a resolution indicating its intention to so join.

(2) The mayor of each municipality that becomes a member shall appoint one director to the board of directors of the Authority, which appointment must be approved by the governing authority of said municipality.

B.(1) The members of the board of directors of the Authority shall serve initial terms expiring on the following dates:

~~a.~~(a) July 1, 1980

1 ~~b.~~**(b)** July 1, 1981

2 ~~c.~~**(c)** July 1, 1982

3 ~~d.~~**(d)** July 1, 1983

4 ~~e.~~**(e)** July 1, 1984

5 **(2)** The initial term of each member of the board of directors of the Authority
6 shall be determined by the drawing of lots.

7 **(3)** Upon the expiration of a director's term, a successor director shall be
8 appointed for a period of five years in the same manner as the original appointment.
9 If a vacancy occurs for any other reason, a successor director shall be appointed in
10 the same manner as the original appointment for the remainder of the unexpired
11 term. Directors shall hold office until their successors have been appointed and may
12 succeed themselves. A director shall be a citizen of the United States and domiciled
13 in the ~~State~~ **state** of Louisiana and the municipality represented **or an employee of**
14 **the municipality represented.** Any director shall serve at the pleasure of the
15 appointing authority and he may be removed from office and his successor appointed
16 in the same manner as the original appointment.

17 **C.** The board of directors of the Authority shall elect one of their number as
18 chairman and another as vice-chairman. The board of directors shall appoint a
19 secretary, treasurer and such other officers, employees and agents as are deemed
20 necessary who need not be directors of the Authority. The offices of the secretary
21 and treasurer may be combined. A majority of the directors of the Authority shall
22 constitute a quorum and a majority vote of the directors shall be necessary for any
23 action taken by the Authority. No vacancy on the board of directors shall impair the
24 right of a quorum to exercise all of the rights and perform all of the duties of the
25 Authority. An elected official or employee of a participating governmental unit may
26 be a director of the Authority. Directors shall receive such compensation as shall be
27 fixed from time to time by resolution or resolutions of the board of directors of the
28 Authority and shall be reimbursed their actual expenses necessarily incurred in the
29 performance of their duties.

1 representing a municipality which, together with the parish in which it is located is
2 governed by a parish-council consolidated form of government, need not be
3 domiciled in the said municipality, but shall be **either** domiciled anywhere within
4 the parish in which the municipality is located **or an employee of the municipality**
5 **represented.**

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Michael Bell.

DIGEST

SB 286 Original 2016 Regular Session Ward

Present law, relative to the Louisiana Energy and Power Authority, provides for a director to be a citizen of the United States and domiciled in the state of Louisiana and the municipality represented. Present law further provides for a director representing a municipality which, together with the parish in which it is located is governed by a parish-council consolidated form of government, need not be domiciled in the municipality, but must be domiciled within the parish in which the municipality is located.

Proposed law retains present law, but regarding a director from a municipality with a parish-council consolidated form of government, adds that a director may also qualify by being an employee of the municipality he represents.

Effective August 1, 2016.

(Amends R.S. 33:4545.4 and 4545.4.2)