

ACT No. 423

2015 Regular Session

HOUSE BILL NO. 709

BY REPRESENTATIVE HARRISON

1 AN ACT

2 To amend and reenact R.S. 38:308(A) and 3304(B) and to enact R.S. 38:308(C), relative to
3 per diem of board members; to change the per diem of certain members and board
4 of commissioners to equal federal per diem rates; to require a board of
5 commissioners to provide public notice of its intent to vote on whether or not to
6 increase the per diem of its members above a certain amount; and to provide for
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 38:308(A) and 3304(B) are hereby amended and reenacted and R.S.
10 38:308(C) is hereby enacted to read as follows:

11 §308. Per diem; number of days per diem allowed; travel expenses; salary

12 A. Any other provision of law to the contrary notwithstanding, particularly
13 any special provisions in this Title relative to each levee district and levee and
14 drainage district in the state, any board of commissioners of any levee district and
15 levee and drainage district in this state may by a vote of two-thirds of the total
16 membership of the board fix the per diem of its members; however, the per diem of
17 each member shall not exceed seventy-five ~~dollars per day~~ percent of the rate
18 allowable for per diem deduction pursuant to 26 U.S.C. 162(h)(1)(B)(ii) during the
19 time such member is in actual attendance upon the board or performing duties
20 authorized by the board. Such per diem shall be payable for thirty-six days per year.
21 During the period of an emergency as declared and determined by the governor, each
22 district or portion of a district which has been declared to be under such an
23 emergency by the governor shall be authorized to hold as many meetings or

1 emergency activities as the board deems necessary and the members shall be paid per
 2 diem for such meetings or activities. Each member shall be reimbursed for travel
 3 expenses in accordance with state travel regulations as prescribed by the ~~Division of~~
 4 ~~Administration~~ division of administration. In lieu of the per diem provision which
 5 is ~~herein made~~ provided for in this Section, a president of any levee board or levee
 6 and drainage board may receive a salary if he also acts as administrator for ~~said~~ the
 7 board. However, in no instance shall ~~said~~ his salary exceed the sum of one thousand
 8 dollars per month. The per diem, salary, and expenses shall be paid out of the funds
 9 of the districts on the warrants of the presidents, duly attested by the secretary of the
 10 board.

* * *

12 C. A board of commissioners of any levee district and levee and drainage
 13 district in this state shall provide at least two weeks notice to the public of its intent
 14 to vote on whether or not to fix the per diem of its members above seventy-five
 15 dollars.

* * *

17 §3304. Meetings of board; quorum; officers; removal of commissioners; salaries
 18 and expenses

* * *

20 B. In case of the death, resignation, absence, inability, or failure to act of the
 21 president, the secretary shall call the board together and the board shall appoint one
 22 of their number to serve as acting president, and he shall perform all the duties of
 23 president. In case of neglect of duty by any commissioner, or of his failure, without
 24 good cause, to attend regular meetings for three times successively, the governor, on
 25 request of the board, shall remove the commissioner and appoint his successor. The
 26 commissioners may fix the per diem of the members appointed by the governor,
 27 however, the per diem of each member shall not exceed ~~sixty dollars per day~~
 28 seventy-five percent of the rate allowable for per diem deductions pursuant to 26
 29 U.S.C. 162(h)(1)(B)(ii) during the time such member is in actual attendance upon the
 30 board or performing duties authorized by the board. Such per diem shall be payable

1 for a maximum of twenty-four days per year, except if an emergency is declared by
 2 the governor, during the period of such emergency as determined by the governor,
 3 the board shall be authorized to hold as many meetings or emergency activities as
 4 the board deems necessary and the members shall be paid per diem for such meetings
 5 or activities. The board shall provide at least two weeks notice to the public of its
 6 intent to vote on whether or not to fix the per diem of its members above sixty
 7 dollars.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____