

LOUISIANA REVISED STATUTES

TITLE 38

PUBLIC CONTRACTS, WORKS & IMPROVEMENTS

SECTION 291

NAMING, LIMITS OF DISTRICTS, COMPOSITION OF BOARDS

LA R.S. 38:291

M. Red River, Atchafalaya, and Bayou Beouf Levee District. (1) The territory contained in the following boundaries shall be known as the Red River, Atchafalaya, and Bayou Beouf Levee District: Beginning at the junction of the Red and Atchafalaya Rivers in the parish of Avoyelles, on the east then following the Atchafalaya River, to the mouth of Courtableau in the parish of St. Landry, then following Bayou Courtableau and Bayou Beouf to the line of the parish of Rapides, and all territory subject to overflow contained in the parishes of Avoyelles and Rapides, as well as that included in the described limits situated in the parish of St. Landry, including particularly the following:

NOTE: Subsection (M)(intro. para.) as amended by Acts 2023, No. 372, eff. June 1, 2024.

M. Red River, Atchafalaya, and Bayou Boeuf Levee District. (1) The territory contained in the following boundaries shall be known as the Red River, Atchafalaya, and Bayou Beouf Levee District: Beginning at the junction of the Red and Atchafalaya Rivers in the parish of Avoyelles, on the east then following the Atchafalaya River, to the mouth of Courtableau in the parish of St. Landry, then following Bayou Courtableau and Bayou Beouf to the line of the parish of Rapides, and all territory subject to overflow contained in the parishes of Avoyelles and Rapides, as well as that included in the described limits situated in the parish of St. Landry, including particularly the following:

(a) All that portion of alluvial lands in the parish of Avoyelles embraced and situated within the following described boundaries: All the territory in Avoyelles Parish consisting of alluvial lands subject to overflow, bounded by Red River, the Atchafalaya River, Bayou des Glaizes, and the public road running from David's Ferry, on Red River, to Bayou des Glaizes, by way of Marksville, Mansura, and the Long Bridge at Bout de Bayou;

(b) All that portion of the alluvial lands in the parish of Avoyelles lying north of the Red River and situated within the following described boundaries, namely: All the territory in Avoyelles Parish, consisting of the alluvial lands subject to overflow and embraced within the following limits: beginning at Cassandria on the line between

sections 44 and 50, T3N-R3E, thence down Red River to Saline Bayou; thence following the Saline Bayou, Saline Lake, and Horespan Creek to Line between sections 17 and 18, T4N, R3E; thence south to the Point Maigre Hills and following the east edge of the hills to point of beginning;

(c) All the area in the parish of Rapides lying between Red River, Bayou Rapides, and Bayou Jean de Jean, and also there shall be included within the Red River, Atchafalaya, and Bayou Beouf Levee District all of the property included within the corporate limits of the town of Pineville, Rapides Parish, Louisiana, whether the same is actually subject to overflow or not;

(d) All the alluvial land now subject to overflow, or that has been overflowed, directly or indirectly, by the waters of the Red River in any year since 1865 on the left descending bank of Red River situated in the parish of Rapides, having for its northern boundary the southern boundary of Grant Parish and for its southern or lower boundary, the hills opposite the left bank of Bayou Rigolette, and following the hills to the upper side of the St. Louis Iron Mountain and Southern Railway right of way and following the right of way to Red River.

(e) There shall be excluded from the limits of the levee district the following: All that portion of St. Landry Parish lying west of the Atchafalaya River main levee and east of the west guide levee of the West Atchafalaya Floodway as now established extending from Avoyelles Parish line on the north to Bayou Courtableau on the south, with the exception of rights of way and other property belonging to railroads, pipelines, common carriers, or other public utilities. These lands and all property thereon situated, not exempt from taxation, shall be subject to the provisions of this Chapter.

NOTE: Paragraph (M)(2) eff. until June 1, 2024. See Acts 2023, No. 372.

(2) The governor shall appoint in accordance with the provisions of R.S. 38:304 one person from each of the parishes embraced by the district to serve as levee commissioners.

NOTE: Paragraph (M)(2) as amended by Acts 2023, No. 372, eff. June 1, 2024.

(2)(a) Effective August 1, 2024, notwithstanding any provision of law to the contrary, the governor shall appoint, subject to Senate confirmation, a board of commissioners consisting of five individuals from the district selected as follows:

(i) Two members nominated by the members of the legislative delegation representing Rapides Parish.

(ii) One member nominated by the members of the legislative delegation representing Avoyelles Parish.

(iii) One member nominated by the members of the legislative delegation representing St. Landry Parish.

(iv) One at-large member, from Rapides Parish, nominated by the Louisiana Farm Bureau Federation.

(b) At least one member of the board of commissioners from Rapides Parish, confirmed by the Senate, shall be a minority.

NOTE: Paragraphs (M)(3)-(M)(6) as enacted by Acts 2023, No. 372, eff. June 1, 2024.

(3) Each board member shall be a citizen of the United States and a resident within the district of the parish for at least one year preceding the date of confirmation and shall remain a resident in the jurisdiction during the entirety of his term of office. Furthermore, each board member shall be of good character and shall possess some skill, knowledge, or experience that will prove useful in the accomplishment of the goals of the board of commissioners' authority as set forth in R.S. 38:292(A)(2).

(4) Any vacancy that occurs prior to the expiration of a term shall be filled for the remainder of the unexpired term in the same manner that the predecessor appointee was selected within thirty days after receipt by the president of written notification of the board vacancy. In the event that the vacancy is not filled within thirty days after receipt of written notification of the vacancy, the board shall appoint an interim successor to serve on the board until the position is filled in the same manner as the original appointment.

(5) All actions of a board shall be approved by the affirmative vote of a majority of the members of the board present and voting. However, no action of the board shall be authorized on the following matters unless approved by a majority of the total board membership:

(a) Adoption of bylaws and other rules and regulations for conducting the levee district's business.

(b) Adoption of motion or resolution.

(c) Hiring or firing of an executive director.

(d) The incurring of debt.

(e) Levy of taxes.

(f) Adoption or amendment of the budget.

(g) Sale, lease, encumbrance, or alienation of real property or any developments or improvements of property.

(h) Appointment of interim members.

(6)(a) Effective June 1, 2024, and notwithstanding the provisions of R.S. 38:304(C), the position of president and vice president shall rotate every year with commissioners selected from the parishes of Avoyelles, Rapides, and St. Landry, allowing for equal representation from each parish.

(b) In the case of absence, inability, or failure to act of the president within his one-year term as president, the position of president shall be filled by the other member selected from the same parish in order to complete the remainder of that term of the office of the president.