

Regular Session, 1999

HOUSE BILL NO. 1266

BY REPRESENTATIVES LEBLANC, WINSTON, LONG, BARTON,
DOERGE, FARVE, FRITH, MICHOT, MURRAY, PINAC, POWELL,
SCHNEIDER, SCHWEGMANN, AND TRAVIS

BOARDS/COMMISSIONS: Creates the Louisiana Retirement Development
Commission

1 AN ACT

2 To enact R.S. 36:4(U) and Chapter 10-A of Title 51 of the Louisiana Revised
3 Statutes of 1950, to be comprised of R.S. 51:1317 through 1319,
4 relative to the Louisiana Retirement Development Commission; to
5 provide for membership; to provide for responsibilities and duties of
6 the commission; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 36:4(U) is hereby enacted to read as follows:

9 §4. Structure of executive branch of state government

10 * * *

11 U. The Louisiana Retirement Development Commission, as
12 provided for in R.S. 51:1317 through 1319, shall be placed within the
13 office of the lieutenant governor and shall exercise its powers, duties,
14 and functions as provided by law.

15 Section 2. Chapter 10-A of Title 51 of the Louisiana Revised Statutes
16 of 1950, comprised of R.S. 51:1317 through 1319, is hereby enacted to read
17 as follows:

CODING: Words in ~~struck through~~ type are deletions from existing law;
words underscored are additions.

1 CHAPTER 10-A. LOUISIANA RETIREMENT

2 DEVELOPMENT COMMISSION

3 §1317. Legislative findings and determinations

4 A. Because the legislature recognizes the existence of an
5 emerging retirement industry, it finds that the state has a role and
6 responsibility in developing Louisiana as a retirement community state.
7 The legislature also recognizes that retirees spend a disproportionate
8 amount of their disposable income on goods and services, which in turn
9 creates new jobs. In addition, tax dollars generated from retirees'
10 incomes provide a boost to state and local economies. The legislature
11 also finds that major aspects of this emerging retirement industry are
12 related directly to both tourism and economic development and that
13 there should be a concerted effort by the state to focus on or serve the
14 growing retirement market.

15 B. Because the retirement industry is a potential source of
16 economic growth for Louisiana, the legislature determines it is
17 necessary and essential to create the Louisiana Retirement
18 Development Commission to engage in developing, promoting, and
19 marketing Louisiana as a retirement destination.

20 §1318. Creation of the Louisiana Retirement Development
21 Commission; domicile; composition; membership; officers;
22 staff; expenses; terms; quorum

23 A. The Louisiana Retirement Development Commission,
24 hereinafter referred to as the "commission", is hereby created as an
25 agency of the state in the office of the lieutenant governor. The
26 commission shall be a body politic and corporate entity with the power

1 to sue and be sued. The commission shall be domiciled in Baton
2 Rouge.

3 B. The commission shall be composed of the following nine
4 members who shall be residents of the state:

5 (1) The governor or his designee.

6 (2) The lieutenant governor or his designee.

7 (3) The secretary of the Department of Culture, Recreation and
8 Tourism or his designee.

9 (4) The secretary of the Department of Economic Development
10 or his designee.

11 (5) As provided in Subsection C of this Section, one member
12 from each of the following five state tourism marketing regions:
13 Sportsman's Paradise, Crossroads, Cajun Country, Plantation Country,
14 and Greater New Orleans.

15 C. The governor shall appoint one member from each of the
16 five state tourism marketing regions. The lieutenant governor shall
17 compile a list of eligible nominees from each region from which the
18 governor shall make each such appointment. Each appointment by the
19 governor shall be submitted to the Senate for confirmation.

20 D. All members shall be knowledgeable, interested, and active
21 in developing, marketing, and promoting Louisiana as a retirement
22 community state.

23 E. The lieutenant governor or his designee may serve as
24 chairman of the commission or may designate one of its members as
25 chairman.

1 F. The lieutenant governor shall employ an executive director
2 and other staff, as may be required, and fix and pay their compensation
3 from funds available to the commission.

4 G. The chairman shall have the ability to name individuals as
5 ex officio members of the commission. Such ex officio members shall
6 be nonvoting members.

7 H. Members of the commission shall receive no compensation
8 for their services as members of the commission but shall be entitled to
9 their actual expenses for necessary travel and for other expenses
10 incurred in the performance of their duties as members of the
11 commission. Such expenses shall be paid out of funds available to the
12 commission.

13 I. Each appointed member shall serve a term concurrent with
14 that of the governor making the appointment. A vacancy shall be filled
15 in the manner of the original appointment within sixty days. Any
16 members appointed to fill a vacancy in an unexpired term shall be
17 appointed only for the remainder of such term. Any member of the
18 commission appointed for a definite term may serve after the expiration
19 of his term until his successor has taken office.

20 J. A quorum to transact business shall be a majority of the
21 voting members of the commission.

22 §1319. Commission responsibilities and duties

23 A. The commission shall have the following responsibilities:

24 (1) Formulate, jointly with the office of the lieutenant governor,
25 a strategic plan, or any modifications thereto, for retirement
26 development.

1 (2) Monitor and evaluate regional retirement initiative pilot
2 programs to develop guidelines that certify Louisiana communities as
3 "retirement ready and friendly".

4 (3) Approve a marketing or communication strategy to promote
5 Louisiana as a retirement location or destination.

6 (4) Research, study, and develop plans and programs designed
7 to assist state government, units of local government, private sector
8 entities, and nonprofit entities in developing Louisiana as a retirement
9 destination.

10 (5) Hold at least four regular meetings in a calendar year.
11 Special meetings shall be held on the call of the chairman or upon
12 request of a majority of the members.

13 (6) Report annually to the legislature not later than the sixtieth
14 calendar day prior to each regular session.

15 B. The commission shall be authorized to do the following:

16 (1) Establish innovative partnerships within and across public,
17 private, and nonprofit sectors.

18 (2) Adopt rules and regulations, in accordance with the
19 Administrative Procedure Act, for the regulation of its affairs and the
20 conduct of its business.

21 (3) Request that the head of any state agency detail any of the
22 personnel of such agency to the commission to assist in carrying out the
23 commission's duties.

24 (4) Receive, administer, and comply with the conditions and
25 requirements respecting any gift, grant, or donation of any property or
26 money.

1 (5) Notwithstanding any other provision of law to the contrary,
2 exercise any and all other powers necessary to accomplish the purposes
3 set forth herein.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

LeBlanc, et al.

HB No. 1266

Proposed law creates the Louisiana Retirement Development Commission as an agency of the office of the lieutenant governor. The commission will be domiciled in Baton Rouge. It will be composed of the following nine members who are residents of the state:

- (1) The governor or his designee.
- (2) The lieutenant governor or his designee.
- (3) The secretary of the Department of Culture, Recreation and Tourism or his designee.
- (4) The secretary of the Department of Economic Development or his designee.
- (5) One member from each of the five state tourism marketing regions. The governor will appoint these members from five lists of nominees, one from each region, compiled by the lieutenant governor. These appointments will be submitted to the Senate for confirmation.

Proposed law requires that all commission members be knowledgeable, interested, and active in developing, marketing, and promoting Louisiana as a retirement community state.

Proposed law requires the lieutenant governor or his designee to either serve as chairman or designate one of the members as chairman. It further requires the lieutenant governor to employ an executive director and other staff as necessary. He shall also fix and pay their compensation from available commission funds.

Proposed law provides that the chairman may name individuals as ex officio members of the commission. Such members shall not have the right to vote.

Proposed law provides that the members will not receive any compensation for their services as members but shall be entitled to their actual expenses for necessary travel and other expenses incurred in the performance of their duties. The expenses will be paid from available commission funds. Proposed

law further provides that each appointed member will serve a term concurrent with that of the governor making the appointment. A vacancy will be filled within sixty days as provided by proposed law. Any member appointed to fill a vacancy in an unexpired term will be appointed only for the remainder of the term. Any member appointed for a definite term may serve after the expiration of his term until his successor has taken office.

Proposed law provides that a quorum to transact business shall be a majority of the members of the commission.

Proposed law provides that the commission shall have the following responsibilities:

- (1) Formulate jointly with the office of the lieutenant governor a strategic plan, or any modifications thereto, for retirement development.
- (2) Monitor and evaluate regional retirement initiative pilot programs to develop guidelines that certify Louisiana communities as "retirement ready and friendly".
- (3) Approve a marketing or communication strategy to promote Louisiana as a retirement location or destination.
- (4) Research, study, and develop plans and programs designed to assist state government, units of local government, private sector entities, and nonprofit entities in developing Louisiana as a retirement destination.
- (5) Hold at least four regular meetings in a calendar year. Special meetings shall be held on the call of the chairman or upon request of a majority of the members.
- (6) Report annually to the legislature not later than the sixtieth calendar day prior to the regular session.

Proposed law provides that the commission is authorized to do the following:

- (1) Establish innovative partnerships within and across public, private, and nonprofit sectors.
- (2) Adopt rules and regulations, in accordance with the Administrative Procedure Act, for the regulation of its affairs and the conduct of its business.
- (3) Request that the head of any state agency detail any of the personnel of such agency to the commission to assist in carrying out the commission's duties.
- (4) Receive, administer, and comply with the conditions and requirements respecting any gift, grant, or donation of any property or money.

- (5) Notwithstanding any other provision of law to the contrary, exercise any and all other powers necessary to accomplish the purposes set forth in proposed law.

(Adds R.S. 36:4(U) and R.S. 51:1317-1319)