

2017 Regular Session

HOUSE BILL NO. 199

BY REPRESENTATIVES STEVE CARTER, DAVIS, AND FOIL

AGED PERSONS/AGING COUNCIL: Provides relative to the board of directors of the East Baton Rouge Council on Aging

1 AN ACT

2 To enact R.S. 46:1609, relative to the East Baton Rouge Council on Aging; to provide  
3 relative to the governing board of the council; to provide for the membership of the  
4 board and appointment of board members; to provide for board member terms of  
5 office; to provide for applicability of certain laws relating to public bodies; to  
6 establish responsibilities of the board with respect to financial records; to provide for  
7 adoption of bylaws by the board; and to provide for 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. 46:1609 is hereby enacted to read as follows:

13 §1609. East Baton Rouge Council on Aging; governing board; appointment, terms,  
14 and requirements of members; laws relating to public bodies

15 A. The East Baton Rouge Council on Aging, referred to hereafter in this  
16 Section as the "council", shall be governed by a board of directors, referred to  
17 hereafter in this Section as the "board". Notwithstanding any provision of this  
18 Chapter to the contrary, the board shall be composed of seven members appointed  
19 as follows:

1           (1) One member shall be appointed by the mayor-president of the city of  
2           Baton Rouge and parish of East Baton Rouge.

3           (2) One member shall be appointed by the mayor of the city of Zachary.

4           (3) One member shall be appointed by the mayor of the city of Baker.

5           (4) One member shall be appointed by the mayor of the city of Central.

6           (5) One member shall be appointed by the Metropolitan Council of the city  
7           of Baton Rouge and the parish of East Baton Rouge.

8           (6) One member shall be appointed by the governing authority of the Baton  
9           Rouge Area Foundation.

10          (7) One member shall be appointed by the governing authority of the Baton  
11          Rouge Area Chamber.

12           B.(1) Notwithstanding any provision of this Chapter to the contrary, board  
13          member terms of office and procedures for filling of vacancies occurring on the  
14          board shall be in accordance with the provisions of this Subsection.

15           (2) Each member appointed by a mayor shall serve at the pleasure of the  
16          appointing mayor.

17           (3) Each member appointed by the Metropolitan Council of the city of Baton  
18          Rouge and the parish of East Baton Rouge, the Baton Rouge Area Foundation, or the  
19          Baton Rouge Area Chamber shall serve a term of three years.

20           (4) Any vacancy occurring on the board shall be filled in the same manner  
21          as the original appointment was made. A member appointed to fill a vacancy with  
22          a term defined in Paragraph (3) of this Subsection shall serve only for the unexpired  
23          term of his predecessor.

24           C.(1) Each board member shall be a citizen of the United States, a  
25          domiciliary of and a qualified voter in the parish of East Baton Rouge for at least one  
26          year preceding the date of appointment, and shall remain a domiciliary of and a  
27          qualified voter in such jurisdiction during the entirety of his term of office.

1           (2) Each board member shall be of good character and shall possess some  
2           skill, knowledge, or experience that will be useful in accomplishing the goals of the  
3           council.

4           D. Each member of the board shall annually complete all of the following:

5           (1)(a) A course of ethics education and training which meets the standards  
6           provided in R.S. 42:1170.

7           (b) The ethics education and training required by this Paragraph may be  
8           completed either in person or via the internet through training and education  
9           materials designed by the Board of Ethics pursuant to the provisions of R.S. 42:1134.

10          (2)(a) A conflict of interest disclosure statement.

11          (b) Each board member shall submit the disclosure statement required by this  
12          Paragraph in accordance with the applicable bylaws of the board.

13          E. The board shall be subject to the Public Records Law, R.S. 44:1 et seq.;  
14          the Open Meetings Law, R.S. 42:11 et seq.; and the Code of Governmental Ethics,  
15          R.S. 42:1101 et seq.

16          F. The board shall cause the financial records of the council to be audited  
17          annually, and such records shall be subject to inspection and audit by the legislative  
18          auditor.

19          G. The board shall adopt any bylaws and institute any policies as may be  
20          necessary to implement the provisions of this Section.

21          Section 2.(A) This Section and Section 1 of this Act shall become effective upon  
22          signature by the governor or, if not signed by the governor, upon expiration of the time for  
23          bills to become law without signature by the governor, as provided by Article III, Section  
24          18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved  
25          by the legislature, this Section and Section 1 of this Act shall become effective on the day  
26          following such approval.

27          (B) The provisions of this Act relative to composition, appointment, and duties of  
28          the board of directors of the East Baton Rouge Council on Aging shall become enforceable  
29          thirty days after the effective date of Section 1 of this Act.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 199 Original

2017 Regular Session

Steve Carter

**Abstract:** Provides for appointment, terms, and requirements of members of the governing board of the East Baton Rouge Council on Aging and specifies that certain laws relating to public bodies are applicable to the council.

Proposed law provides that the East Baton Rouge Council on Aging hereafter, "the council" shall be governed by a board of directors hereafter, "the board" composed of seven members appointed as follows:

- (1) One member appointed by the mayor-president of the city of Baton Rouge and parish of East Baton Rouge.
- (2) One member appointed by the mayor of the city of Zachary.
- (3) One member appointed by the mayor of the city of Baker.
- (4) One member appointed by the mayor of the city of Central.
- (5) One member appointed by the Metropolitan Council of the city of Baton Rouge and the parish of East Baton Rouge.
- (6) One member appointed by the governing authority of the Baton Rouge Area Foundation.
- (7) One member appointed by the governing authority of the Baton Rouge Area Chamber.

Proposed law provides that each member appointed by a mayor shall serve at the pleasure of the appointing mayor; and that each member appointed by the Metropolitan Council of the city of Baton Rouge and the parish of East Baton Rouge, the Baton Rouge Area Foundation, or the Baton Rouge Area Chamber shall serve a term of three years.

Proposed law stipulates that any vacancy occurring on the board shall be filled in the same manner as the original appointment, and that a member appointed to fill a vacancy with a defined three-year term shall serve only for the unexpired term of his predecessor.

Proposed law requires that each board member be a citizen of the United States and a domiciliary of and a qualified voter in the parish of East Baton Rouge for at least one year preceding the date of appointment. Requires further that each member remain a domiciliary of and a qualified voter in the parish for the entirety of his term of office.

Proposed law requires that each board member be of good character and possess some skill, knowledge, or experience that will be useful in accomplishing the goals of the council.

Proposed law requires each board member to complete all of the following annually:

- (1) A course of ethics education and training which meets standards provided in present law (R.S. 42:1170).
- (2) A conflict of interest disclosure statement.

Proposed law provides that the board shall be subject to the requirements of present law relative to public records (R.S. 44:1 et seq.), open meetings (R.S. 42:11 et seq.), and governmental ethics (R.S. 42:1101 et seq.).

Proposed law requires the board to have the financial records of the council audited annually. Provides further that such records shall be subject to inspection and audit by the legislative auditor.

Proposed law requires the board to adopt any bylaws and institute any policies as may be necessary to implement the provisions of proposed law.

Provisions of proposed law relative to composition, appointment, and duties of the board become enforceable 30 days after the effective date of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 46:1609)