
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Yolanda J. Dixon.

DIGEST

Martiny (SB 470)

Present law requires confirmation by the Senate of all gubernatorial appointments and appointments to office by a public official other than the governor, when the statute providing for the appointment requires confirmation by the Senate. Provides that if persons who are not submitted to the Senate or not confirmed by the Senate attempt to remain in office and act in an official capacity, any action taken by a public body in which such person participates shall be null and void.

Present law provides for reconfirmation of persons appointed to a term concurrent with the appointing official or at the pleasure of the appointing official by the end of the second regular session of the legislature following the beginning of the legislative term at which time the position shall become vacant. Provides for reconfirmation of persons appointed to a fixed term by the end of the second regular session of the legislature following the beginning of the legislative term.

Proposed law further specifies that any action taken by a public body in which a person who is not submitted to the Senate or not confirmed or reconfirmed by the Senate participates after the person has been notified shall be null and void. Requires such notification to be made by certified mail by the president of the Senate to the appointee and to the appropriate appointing official within 10 days of the Senate taking action on a confirmation.

Proposed law provides that persons who serve for a stated term shall serve until the end of the second regular session of the Legislature following the expiration of their term.

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

(Amends R.S. 24:14 (H) and (K)(2))