
DIGEST

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HB No. 768

Abstract: Provides relative to the number of members of various boards and commissions and provides transitional provisions to comply with changes in congressional districts.

Present law establishes the membership of various boards and commissions based on representation from one or more of the state's congressional districts.

Proposed law specifies that the current number of members is retained as the number of members on the board or commission and provides for appointment of members from congressional districts and for the remainder to be appointed from the state at large as necessary to maintain the specified number of members for the following boards and commissions:

La. State Racing Commission (R.S. 4:144)

Deep-Water Public Trust (R.S. 9:2341(E))

La. Educational Television Authority (R.S. 17:2503)

Legislative Youth Advisory Council (R.S. 24:973.1)

La. Civil Rights Museum Advisory Board (R.S. 25:845)

La. Economic Development and Gaming Corporation (R.S. 27:211)

Louisiana Environmental Education Commission (R.S. 30:2503)

Board of the Tobacco Settlement Financing Corporation (R.S. 39:99.5)

La. Coastal Protection and Restoration Financing Governing Board (R.S. 39:99.29)

Ambulance Service District Commission (R.S. 40:1236.25)

Proposed law makes the following changes to the membership of the following boards and commissions:

Board of Supervisors of Louisiana State University and Agricultural and Mechanical

College (R.S. 17:1453 et seq.)

Statutorily reduces from 17 to 15 the number of members. (In 1993, when the state went from eight to seven congressional districts, no corresponding change was made to R.S. 17:1453; however, the LSU Board of Supervisors reduced its membership and presently has 15 members appointed pursuant to this provision.)

Board of Supervisors for the University of Louisiana System (R.S. 17:1831 et seq.): Increases from one to three the number of at large members.

Statutorily reduces from 17 to 15 the number of members. (In 1993, when the state went from eight to seven congressional districts, no corresponding change was made to R.S. 17:1831; however, the UL Board of Supervisors reduced its membership and presently has 15 members appointed pursuant to this provision.)

Board of Supervisors of Southern University and Agricultural and Mechanical College (R.S. 17:1851 et seq.): Increases from one to three the number of at large members.

Statutorily reduces from 17 to 15 the number of members. (In 1993, when the state went from eight to seven congressional districts, no corresponding change was made to R.S. 17:1851; however, the Southern Board of Supervisors reduced its membership and presently has 15 members appointed pursuant to this provision.)

Board of Regents (R.S. 17:3121): Requires two members be appointed from each congressional district and three members appointed at large.

Retains total membership of the Board of Regents at 15 but eliminates the unattainable requirement that at least one but no more than two members be residents of each congressional district.

La. Real Estate Commission (R.S. 37:1432): Retains the requirement that one of the commission's 11 members is appointed from either the fourth or fifth congressional district and one is appointed from either the first, second, third, or sixth congressional district but eliminates the seventh congressional district from the latter grouping.

Residential Building Contractors Subcommittee (R.S. 37:2165) Retains the subcommittee's five members, but changes from one member either to one each from the first and sixth congressional districts, retains one member from either the fourth or fifth congressional district, retains one member from the third congressional district, retains one member from the second congressional district, and eliminates an appointment from the seventh congressional district.

Proposed law provides that the terms of members who are currently serving on specified state boards and commissions are not affected by the changes in the number or district lines of the congressional districts which become effective on Jan. 3, 2013; however, provides

that any appointment or reappointment thereafter, including the naming of a successor to serve an unexpired term, must be in accordance with the changed number and boundaries of congressional districts. Provides additionally that as vacancies occur, the appointing authority must first make appointments to comply with the congressional district requirements of the membership of the respective board or commission and only then may make appointments for membership, if any, from the state at large.

Proposed law provides that the action of any board or commission whose membership is affected by the change in congressional districts shall not be found to be unlawful or improper due to the change in congressional districts.

Provisions relative to higher education management boards become effective if and when the proposed amendment of the Constitution of La. contained in the Act which originated as House Bill No. 524 of this 2012 R.S. is adopted at a statewide election and becomes effective.

(Amends R.S. 4:144(A), R.S. 9:2341(E)(4), R.S. 17:1453(A) and (D), 1831(A) and (B), 1851(B), 2503(C)(1), and 3121(B), R.S. 24:973.1(B)(1)(a)(i), R.S. 25:845(B)(7), R.S. 27:211(A)(1) and (C), R.S. 30:2503(A)(2)(h), R.S. 37:1432(A) and 2165(A), R.S. 39:99.5(A) and 99.29(A), and R.S. 40:1236.25(A))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill.

1. Makes provisions relative to higher education management boards effective if and when a proposed amendment of the Constitution of La. is adopted at a statewide election and becomes effective.
2. In provisions relative to the following boards and commissions, specifies the current number of members as the number of members on the board or commission and provides for appointment from congressional districts and the remainder from the state at large as applicable: La. Educational Television Authority, Legislative Youth Advisory Council, La. Civil Rights Museum Advisory Board, La. Environmental Education Commission, and Ambulance Service District Commission.
3. Removes provisions of proposed law relative to the Riverboat Gaming Commission.
4. Specifies that provisions of proposed law relative to actions of boards or commissions being found to be unlawful or improper due to changes in congressional districts apply to boards and commissions whose membership, in whole or in part, is required by law to be selected from one or more congressional districts.

House Floor Amendments to the engrossed bill.

1. In provisions relative to the following boards and commissions, specifies that the current number of members is retained as the number of members on the board or commission and provides for appointment from congressional districts and the remainder, rather than a specified number, from the state at large as applicable: La. State Racing Commission, board of trustees for the deep-water public trust, and the board of the Tobacco Settlement Financing Corporation.