

Regular Session, 2012

HOUSE BILL NO. 524

BY REPRESENTATIVE TIM BURNS

BOARDS/COMMISSIONS: (Constitutional Amendment) Provides relative to membership of constitutional boards and commissions with members from congressional districts

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A JOINT RESOLUTION

Proposing to amend Article VIII, Sections 5(B)(1), 6(B)(1), and 7(B)(1) and Article X, Sections 3(A) and 43(A) and to add Article VIII, Section 8(D) of the Constitution of Louisiana, to provide relative to the membership of constitutional boards and commissions that have members who are selected from congressional districts; to retain the existing number of members; to provide for implementation of membership from reapportioned congressional districts; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article VIII, Sections 5(B)(1), 6(B)(1), and 7(B)(1) and to add Article VIII, Section 8(D) of the Constitution of Louisiana, to read as follows:

§5. Board of Regents

Section 5.

* * *

(B)(1) Membership; Terms. The board shall be composed of fifteen members, of whom two members shall be from each congressional district and ~~one~~ the remaining member or members shall be from the state at large appointed by the governor, with consent of the Senate, for overlapping terms of six years, following initial terms which shall be fixed by law. The board should be representative of the state's population by race and gender to ensure diversity.

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1 §6. Board of Supervisors for the University of Louisiana System

2 Section 6.

3 * * *

4 (B)(1) Membership; Terms. The board shall be composed of fifteen
5 members, of whom two members shall be from each congressional district and ~~one~~
6 member the remaining member or members shall be from the state at large,
7 appointed by the governor with consent of the Senate. The members shall serve
8 overlapping terms of six years, following initial terms fixed by law.

9 * * *

10 §7. Board of Supervisors of Louisiana State University and Agricultural and
11 Mechanical College; Board of Supervisors of Southern University and
12 Agricultural and Mechanical College

13 Section 7.

14 * * *

15 (B)(1) Membership; Terms. Each board shall be composed of fifteen
16 members, of whom two members shall be from each congressional district and ~~one~~
17 member the remaining member or members shall be from the state at large,
18 appointed by the governor with consent of the Senate. The members shall serve
19 overlapping terms of six years, following initial terms fixed by law.

20 * * *

21 §8. Boards; Membership; Compensation; Congressional District Members

22 Section 8.

23 * * *

24 (D) Congressional District Members. In order to implement the provisions
25 of Subparagraphs 5(B)(1), 6(B)(1), 7(B)(1), and 7.1(B)(1) of this Article, beginning
26 on January 3, 2013, and beginning every ten years thereafter on the day the members
27 of congress from newly reapportioned congressional districts take office, any
28 vacancy that occurs on the respective board from a congressional district from which
29 there are two or more board members shall be filled by appointment of an individual

1 from a congressional district from which there are less than two members. After the
2 membership includes two members from each congressional district, the next
3 vacancy shall be filled by an appointment from the state at large.

4 Section 2. Be it resolved by the Legislature of Louisiana, two-thirds of the members
5 elected to each house concurring, that there shall be submitted to the electors of the state of
6 Louisiana, for their approval or rejection in the manner provided by law, a proposal to
7 amend Article X, Sections 3(A) and 43(A) of the Constitution of Louisiana, to read as
8 follows:

9 §3. State Civil Service Commission

10 Section 3.(A) Composition. The State Civil Service Commission is
11 established and shall be domiciled in the state capital. It shall be composed of seven
12 members who are electors of this state, four of whom shall constitute a quorum. ~~No~~
13 ~~more than~~ At least one appointed member shall be from each congressional district.
14 In order to implement this requirement, every ten years beginning on the day the
15 members of congress from newly reapportioned congressional districts take office,
16 any vacancy that occurs on the commission shall be filled from a congressional
17 district from which there is no commission member. Only when the membership
18 includes a member from each congressional district may a vacancy be filled by an
19 appointment from the state at large.

20 * * *

21 §43. State Police Commission

22 Section 43.(A) Composition. The State Police Commission is established
23 and shall be domiciled in the state capital. It shall be composed of seven members
24 who are electors of this state, four of whom shall constitute a quorum. ~~No more than~~
25 At least one appointed member shall be from each congressional district. No
26 appointed member shall concurrently serve on another board or commission whose
27 purpose is similar to that of the State Police Commission. In order to implement this
28 requirement, every ten years beginning on the day the members of congress from
29 newly reapportioned congressional districts take office, any vacancy that occurs on

1 the commission shall be filled from a congressional district from which there is no
2 commission member. Only when the membership includes a member from each
3 congressional district may a vacancy be filled by an appointment from the state at
4 large.

5 * * *

6 Section 3. Be it further resolved that this proposed amendment shall be submitted
7 to the electors of the state of Louisiana at the statewide election to be held on November 6,
8 2012.

9 Section 4. Be it further resolved that on the official ballot to be used at the election,
10 there shall be printed a proposition, upon which the electors of the state shall be permitted
11 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
12 follows:

13 Do you support an amendment, relative to the membership of constitutional
14 boards and commissions that have members who are selected from
15 congressional districts, to retain the existing number of members and to
16 provide for implementation of membership from reapportioned congressional
17 districts by filling vacancies first from under-represented districts and then
18 from the state at large? (Amends Article VIII, Sections 5(B)(1), 6(B)(1), and
19 7(B)(1) and Article X, Sections 3(A) and 43(A); Adds Article VIII, Section
20 8(D))

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)]

Tim Burns

HB No. 524

Abstract: Relative to the membership of constitutional boards and commissions that have members who are selected from congressional districts, retains the existing number of members and provides for implementation of membership from reapportioned congressional districts by filling vacancies first from under-represented congressional districts and then from the state at large.

Present constitution, relative to the Board of Regents, the LSU board of supervisors, the SU board of supervisors, and the University of La. system board of supervisors, provides that each board shall have two members from each congressional district and one from the state

at large appointed by the governor, for a total of 15 members per board. Proposed constitutional amendment retains the total membership at 15 but provides that two members shall be from each congressional district and the remaining member or members shall be from the state at large.

Present constitution, relative to the Board of Supervisors of Community and Technical Colleges, provides that the board has 15 members appointed by the governor of which two members shall be from each congressional district and the remaining member or members shall be from the state at large. Proposed constitutional amendment retains present constitution.

Proposed constitutional amendment, relative to the Board of Regents, the LSU board of supervisors, the SU board of supervisors, the University of La. system board of supervisors, and the Board of Supervisors of Community and Technical Colleges, provides that to implement the requirement for membership from congressional districts, beginning on Jan. 3, 2013, and beginning every 10 years thereafter on the day the members of congress from newly reapportioned congressional districts take office, any vacancy that occurs on the board from a congressional district from which there are two or more board members shall be filled by appointment from a congressional district from which there are less than two members and after the membership includes two members from each congressional district, the next vacancy shall be filled by an appointment from the state at large.

Present constitution, relative to the State Civil Service Commission and the State Police Commission, provides that each board has seven appointed members with not more than one from each congressional district. Proposed constitutional amendment retains seven appointed members but provides that at least one member shall be appointed from each congressional district. Further provides that every 10 years, beginning on the day the members of congress from newly reapportioned congressional districts take office, any vacancy that occurs on the commission shall be filled from a congressional district from which there is no commission member. Only when the membership includes a member from each congressional district may a vacancy be filled by an appointment from the state at large.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 6, 2012.

(Amends Art. VIII, §§5(B)(1), 6(B)(1), and 7(B)(1) and Art. X, §§3(A) and 43(A); Adds Art. VIII, §8(D))