

Regular Session, 2012

HOUSE BILL NO. 936

BY REPRESENTATIVE DANAHAHAY

MILITARY AFFAIRS: Creates the La. Military Advisory Council

1 AN ACT

2 To enact R.S. 36:109(V) and Subpart B of Part I of Chapter 1 of Title 29 of the Louisiana  
3 Revised Statutes of 1950, to be comprised of R.S. 29:61 through 68, relative to  
4 military forces; to create the Louisiana Military Advisory Council within the  
5 Department of Economic Development; to provide for the membership of the council  
6 and its officers; to provide for terms of office for the members of the council; to  
7 provide relative to compensation and expenses for council members; to provide the  
8 powers and duties of the council; to require the establishment of working groups; and  
9 to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 36:109(V) is hereby enacted to read as follows:

12 §109. Transfer of boards, commissions, departments, and agencies to Department  
13 of Economic Development

14 \* \* \*

15 V. The Louisiana Military Advisory Council (R.S. 29:61 et seq.) is placed  
16 within the Department of Economic Development and shall perform and exercise  
17 their powers, duties, functions, and responsibilities as provided by law.

18 Section 2. Subpart B of Part I of Chapter 1 of Title 29 of the Louisiana Revised  
19 Statutes of 1950, comprised of R.S. 29:61 through 68, is hereby enacted to read as follows:

1                   SUBPART B. LOUISIANA MILITARY ADVISORY COUNCIL

2                   §61. Name; creation

3                   The Louisiana Military Advisory Council is hereby established within the  
4                   Louisiana Department of Economic Development.

5                   §62. Membership; officers, and terms of office

6                   A. The council shall be composed of twenty-five members.

7                   (1) Six members of the council shall be comprised as follows:

8                   (a) The governor of Louisiana, or his designee.

9                   (b) The adjutant general of Louisiana, or his designee.

10                  (c) The president of the Louisiana State Senate, or a state senator designated  
11                  by the president.

12                  (d) The speaker of the Louisiana House of Representatives, or a state  
13                  representative designated by the speaker.

14                  (e) The secretary of the Department of Economic Development, or his  
15                  designee.

16                  (f) The secretary of the Department of Veterans Affairs, or his designee.

17                  (2) The governor shall appoint nineteen members in accordance with the  
18                  following provisions:

19                  (a) The chair of the Louisiana Employer Support of the Guard and Reserve.

20                  (b) The president of Barksdale Forward, or an advocate for Barksdale Air  
21                  Force Base.

22                  (c) The president of Fort Polk Progress, or an advocate for Fort Polk  
23                  Progress.

24                  (d) The president of Callendar Commitment, or an advocate for the Naval  
25                  Air Station Joint Reserve Base in Belle Chasse, Louisiana, and constituent units.

26                  (e) The chair of the New Orleans Mayor's Military Advisory Council, or an  
27                  advocate for the Marine Corps Support Facility located in New Orleans, Louisiana,  
28                  or for the United States Coast Guard Eighth District, or for the United States Army  
29                  Corps of Engineers.

1           (f) Five members shall be appointed from retired flag, general or O-6  
2           officers, or a command sergeant major representing each of the armed services,  
3           national guard, and the reserves.

4           (3) Nine members shall be appointed at-large and shall be representative of  
5           national defense and homeland security businesses with operations in Louisiana,  
6           elected officials of an installation community, or president of a regional economic  
7           development organization.

8           B.(1) The five retired military personnel members appointed by the governor  
9           shall serve staggered terms so that two appointments shall expire at two years, one  
10          appointment shall expire at three years, and two appointments shall expire at four  
11          years, from the dates of initial appointment.

12          (2) The nine at-large members appointed by the governor shall serve  
13          staggered terms so that three appointments shall expire at two years, three  
14          appointments shall expire at three years, and three shall expire at four years, from the  
15          dates of initial appointment.

16          C. A vacancy on the council shall be filled in the same manner as the  
17          original appointment.

18          D. The governor shall appoint the chair and vice chair of the council from  
19          its membership. All other officers as deemed necessary by the council shall be  
20          elected from its membership.

21          E. There shall be an executive director, appointed by the governor, who shall  
22          provide administrative and staff support for the council. The executive director shall  
23          have authority to contract for services, expend funds, and operate the normal  
24          business activities of the commission.

25          §63. Meetings; quorum

26          The council shall meet biannually and at any other time that the chair may  
27          deem necessary to call a meeting of the council.

1        §64. Compensation2            A. Council members and military liaisons shall not receive additional  
3        compensation or a per diem from the office of the governor for serving on the board.4            B. Council members who are employees or elected public officials of the  
5        state of Louisiana or a political subdivision of the state of Louisiana may seek  
6        reimbursement of travel expenses from their employing department, agency, office,  
7        or elected office, in accordance with office of state purchasing travel guide PPM 49.8            C. Any member of the council who is also a member of the Louisiana  
9        Legislature may seek per diem from the Senate or House of Representatives, as  
10       appropriate, for their attendance at board meetings or services rendered on behalf of  
11       the board.12       §65. Duties and powers13           A. The duties and objectives of the members of the council shall include but  
14       are not limited to the following:15           (1) Provide a public forum for issues concerning the installations and units  
16       of the armed forces located in Louisiana and the military and retired military  
17       personnel and their families who reside in Louisiana.18           (2) Formulate goals and objectives to enhance cooperation, coordination,  
19       communication, and understanding among the military, United States Department  
20       of Defense, the Louisiana congressional delegation, the communities in the state  
21       interfacing with the military, and state and local government agencies.22           (3) Study and determine the means to increase and strengthen the state's  
23       support to the armed forces of the United States located within the state.24           (4) Review and disseminate information about proposed legislation related  
25       to and directly impacting the military communities within the state.26           (5) Propose and sponsor activities, legislation, initiatives, programs, or  
27       projects which support and enhance the military's activities within the state or which  
28       enhance or improve the quality of life for the military communities.

1           (6) Collect information about and become familiar with the concerns and  
2           activities of local communities in enhancing and supporting their respective military  
3           bases.

4           (7) Conduct an analysis of the strengths of each military base and share the  
5           evaluation with the affected community.

6           (8) In partnership with the Department of Economic Development and local  
7           communities, conduct ongoing analyses of current and proposed changes to the  
8           mission and military force structure and alignment of the United States Department  
9           of Defense.

10          (9) Identify the most effective methods and practices used by local  
11          communities to address the issue of military base support and enhancement and  
12          disseminate such best practices among affected communities.

13          (10) Ensure that affected communities and stakeholders are informed of and  
14          invited to assist and support state-level efforts to affect statewide coordination of  
15          information gathering, strategy development, and the sharing of best practices.

16          (11) Educate the legislature on the importance of supporting legislation  
17          relating to the state's military bases.

18          (12) Ensure that the council is strategically positioned to interface with  
19          decision makers in the executive branch of the federal government, national and state  
20          homeland security agencies, intelligence agencies, and the United States Congress,  
21          concerning the state's military installations and major units.

22          (13) Research and identify best practices and strategies throughout the  
23          country with respect to other military communities in order to leverage the state's  
24          competitive advantage.

25          (14) Increase public awareness of the presence and value of United States  
26          military installations and their missions in Louisiana and public investment in  
27          supporting the state's military bases.

1           B. The council shall submit an annual report on the first day of January to  
2           the governor to provide the status of and progress achieved on the issues addressed  
3           in Subsection A of this Section.

4           C. The council shall make, or cause to be made, all such studies, reviews, or  
5           analysis which it finds necessary to effect the duties and objectives expressed above,  
6           including but not limited to a quadrennial statewide and regional military economic  
7           impact analysis.

8           D. For purposes of this Section, "military" shall mean the Active National  
9           Guard, Reserve and retired military personnel from any branch of the military.

10           §66. Funding and expenses

11           The council may receive and expend funds made available from any source,  
12           including donations or gifts of money or services from public or private  
13           organizations, to be utilized for the purposes of the council.

14           §67. Working groups

15           A. The Council shall establish the following working groups:

16           (1) Military Sustainment Working Group.

17           (a) The Military Sustainment Working Group shall interface directly with  
18           military installation and command leadership on matters related to mission  
19           sustainment, quality of life, installation operations, and community and state  
20           relations.

21           (b) The Military Sustainment Working Group shall meet regularly, no less  
22           than eight times annually, and at the call of the chair.

23           (c) The Military Sustainment Working Group shall receive, collate,  
24           prioritize, and present to the council no less than twice annually the key initiatives  
25           derived from Subparagraph (a) of this Paragraph.

26           (d) The Military Sustainment Working Group will report no less than twice  
27           annually to the council on recommendations to optimize conditions in Subparagraph  
28           (a) of this Paragraph and a strategic plan to achieve optimal conditions.

1           B. The council may create working groups composed of council members,  
 2           stakeholders, and non-council members, which meet in accordance with the open  
 3           meetings laws, as provided for in R.S. 42:12, et seq.

4           §68. Coordination; state government

5           All departments, commissions, boards, offices, entities, agencies, and officers  
 6           of the state of Louisiana, or any political subdivision thereof, are authorized and  
 7           directed to cooperate with the council in implementing the provisions of this Subpart.

8           Section 3.(A) The Louisiana State Law Institute is hereby directed to change the  
 9 heading of Part 1 of Chapter 1 of Title 29 of the Louisiana Revised Statutes of 1950 from  
 10 "GENERAL PROVISIONS FOR MILITARY FORCES OF THE STATE" to "MILITARY  
 11 FORCES OF THE STATE".

12           (B) The Louisiana State Law Institute is hereby directed to create a Subpart A within  
 13 Part 1 of Chapter 1 of Title 29 of the Louisiana Revised Statutes of 1950 with a heading  
 14 "SUBPART A. GENERAL PROVISIONS" to be comprised of Revised Statutes 29:1  
 15 through 42.

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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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Danahay

HB No. 936

**Abstract:** Establishes the La. Military Advisory Council within the Dept. of Economic Development and provides for the membership, officers, terms of office, compensation, and its powers and duties.

Proposed law establishes the La. Military Advisory Council within the Dept. of Economic Development.

Proposed law provides for the council to be comprised of 25 members as follows:

- (1) The governor or his designee.
- (2) The adjutant general or his designee.
- (3) The president of the Senate or a designated senator.
- (4) The speaker of the House of Representatives or a designated state representative.
- (5) The secretary of the Dept. of Economic Development or his designee.

- (6) The secretary of the Dept. of Veterans Affairs or his designee.
- (7) The following members as appointed by the governor:
- (a) The chair of the La. Employer Support of the guard and reserve.
  - (b) The president of Barksdale Forward or an advocate.
  - (c) The president of Fort Polk Progress or an advocate.
  - (d) The president of Callendar Commitment or an advocate.
  - (e) The chair of the New Orleans Mayor's Military Advisory Council or an advocate.
  - (f) Five from retired flag, general or O-6 officers, or a command sergeant major representing each of the armed services, national guard, and the reserves.
  - (g) Nine members to be appointed at-large representing certain organizations.

Proposed law provides for staggered terms for all appointments made by the governor.

Proposed law provides for appointment of chair, vice chair, and executive director to be made by the governor and any additional officers to be elected by the membership.

Proposed law requires the council to meet biannually.

Proposed law prohibits members and military liaisons from receiving additional compensation or per diem for their service and authorizes state employees and elected public officials to receive per diem.

Proposed law provides for certain duties and powers of the council.

Proposed law requires the council to submit an annual status and progress report on Jan. 1 of each year to the governor.

Proposed law authorizes the council to request studies or analyses for purposes of accomplishing their required duties and objectives.

Proposed law authorizes the council to receive and expend funds made available from any source, including donations or gifts of money or services from public or private organizations, to be utilized for purposes of the council.

Proposed law requires the council to establish working groups to include the Military Sustainment Working Group to accomplish specific objectives.

Proposed law requires all departments, commissions, boards, offices, entities, agencies, and officers of the state to cooperate with the council in implementing the provisions of proposed law.

(Adds R.S. 29:61-68 and R.S. 36:109(V))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Added a provision to Title 36 (Organization of the Executive Branch of State Government) to place the La. Military Advisory Council within the Dept. of Economic Development.

House Floor Amendments to the engrossed bill.

1. Added a provision authorizing the council to receive and expend funds made available from any source, including donations or gifts of money or services from public or private organizations, to be utilized for purposes of the council.
2. Added technical amendments.