

2020 Regular Session

SENATE BILL NO. 192

BY SENATOR WHITE

ECONOMIC DEVELOPMENT. Provides relative to the Department of Economic Development and the Board of Commerce and Industry. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 51:923, relative to the Department of Economic Development

3 and the Board of Commerce and Industry; to provide for the members, authority, and

4 powers and duties of the members of the board; to provide for local public entity

5 participation; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 51:923 is hereby amended and reenacted to read as follows:

8 §923. Department of Economic Development; Board of Commerce and Industry;

9 membership

10 A. The Department of Economic Development is hereby created and shall be

11 advised by a board to be known as the State Board of Commerce and Industry which

12 board shall exercise the powers delegated to it by Article VII, Section 21(F), of the

13 Constitution of Louisiana.

14 B.(1) The ~~Except as provided in Paragraph (2) of this Subsection, the~~

15 board shall consist of twenty-four members, fifteen of whom shall be appointed by

16 the governor from among representatives of the major economic groups within the

17 state of Louisiana; one who shall be an elected municipal official appointed by the

1 governor from a list of three names submitted by the Louisiana Municipal
2 Association; and one who shall be an elected police juror, councilman,
3 commissioner, or parish president appointed by the governor from a list of three
4 names submitted by the Police Jury Association.

5 (2)(a)When matters are submitted to the board in furtherance of the
6 powers delegated to it by Article VII, Section 21(F) of the Constitution of
7 Louisiana, in addition to the members appointed in Paragraph (1) of this
8 Subsection, the board shall include three additional members representing the
9 local taxing authorities for the parish in which the project under consideration
10 is located as follows:

11 (i) One member appointed by the presiding officer of the parish
12 governing authority.

13 (ii) One member appointed by the presiding officer of the school board.

14 (iii) One member appointed by the sheriff of the parish.

15 (b) The members appointed pursuant to this Paragraph shall constitute
16 a local review board. A local review board shall act as the representative of its
17 respective parish and as a special subcommittee of the State Board of
18 Commerce and Industry. The members of a local review board may participate
19 in and vote on matters affecting that parish that are submitted to the State
20 Board of Commerce and Industry pursuant to Article VII, Section 21(F) of the
21 Constitution of Louisiana.

22 (c) The terms of the additional members provided in this Paragraph shall
23 run concurrent with the term of each member's appointing authority and are
24 not subject to the provisions of R.S. 51:924. A member shall continue to serve
25 until his successor is appointed and takes office. The members are subject to the
26 provisions of R.S. 51:925 and shall not hold public office or be an employee of
27 any of the appointing authorities as specified in this Paragraph.

28 (d) At any board meeting there may be appointees from one or more
29 parishes, however, only those members from the parish in which the subject

1 property is located shall be considered as members of the board with full
2 authority to participate and vote on the item before the board.

3 (e)(i) Before consideration by the full board, the members from the
4 parish in which a project under consideration is located may meet as a local
5 review board and subcommittee of the board. Local review board meetings may
6 be held at a location other than the domicile of the board and are subject to the
7 provisions of the Open Meetings Law, R.S. 42:11 et seq.

8 (ii) If the local review board and subcommittee by a majority vote
9 recommends that an item be approved, the item shall be sent to the full board
10 for its consideration. If the local subcommittee by majority vote rejects an item,
11 the full board may not consider the item except by a majority vote of the full
12 membership of the board including the relevant local members.

13 (f) The board shall adopt rules pursuant to the Administrative Procedure
14 Act as necessary for the effective administration of this Paragraph relative to
15 the local review board's jurisdiction and procedure. A local review board may
16 adopt rules pursuant to the Administrative Procedures Act as are necessary for
17 the administration of any such local review board and subcommittee, provided
18 that the local review board's rules are not in conflict with the rules adopted by
19 the State Board of Commerce and Industry. Any rule which is in conflict with
20 the rules adopted by the State Board of Commerce and Industry shall be null,
21 void, and of no effect.

22 C. In addition, the governor or his designee, the lieutenant governor or his
23 designee, the secretary of the Department of Economic Development or his designee,
24 the chair of the Senate Committee on Revenue and Fiscal Affairs or his designee, the
25 chair of the Senate Committee on Commerce, Consumer Protection, and
26 International Affairs or his designee, the chair of the House of Representatives
27 Committee on Ways and Means or his designee, and the chair of the House of
28 Representatives Committee on Commerce or his designee, shall be ex officio
29 members of the board with full right to participate in and vote on all matters.

Proposed law permits each local review board to adopt rules pursuant to the Administrative Procedures Act as necessary for its administration as long as those rules are not in conflict with the rules adopted by the State Board of Commerce and Industry. Any rule in conflict with the rules adopted by the State Board of Commerce and Industry shall be null, void, and of no effect.

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

(Amends R.S. 51:923)