2022 Regular Session

HOUSE BILL NO. 296

BY REPRESENTATIVE STEFANSKI

ETHICS/BOARD: Provides relative to the nominating committee and nominees for the Board of Ethics

AN ACT

To amend and reenact R.S. 42:1132(B)(2), relative to the Board of Ethics; to provide relative to the nominating committee for membership on the Board of Ethics; to provide relative to appointing authorities for the Board of Ethics; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:1132(B)(2) is hereby amended and reenacted to read as follows:

§1132. Board of Ethics

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B. Membership; terms; vacancies; qualifications.

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(2) The governor shall appoint and the House of Representatives and the Senate shall elect members to the board in accordance with R.S. 42:2.1 as follows:

(a)(i) The presidents, or their designees, of ~~Centenary College of Louisiana, Dillard University at New Orleans, Louisiana College, Loyola University at New Orleans, Our Lady of Holy Cross College at New Orleans, Our Lady of the Lake College at Baton Rouge, Xavier University of Louisiana at New Orleans, New Orleans Baptist Theological Seminary, Saint Joseph Seminary College, and Tulane University~~ the colleges and universities that are member institutions of the Louisiana Association of Independent Colleges and Universities or its successor shall constitute

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the nominating committee. The nominating committee shall, within sixty days of a vacancy on the board, submit the names of no fewer than five different eligible nominees for each position or vacancy to the governor, Senate, or House of Representatives, whichever is appropriate. In preparing the list of nominees, the nominating committee shall give due consideration to the demographics of the population of the state, including without limitation geography, gender, and race. A majority vote of the membership of the nominating committee shall be required to nominate persons to positions on the board.

(ii) The governor shall make an appointment and the Senate and the House of Representatives shall elect members no later than sixty days after the receipt of the names of the nominees. ~~Should~~ If the governor ~~fail~~ fails to make an appointment in the sixty-day period, the nominee listed first on the list of nominees shall be deemed appointed to fill the vacancy. ~~Should~~ If the Senate or House of Representatives, whichever is ~~appropriate, fail~~ applicable, fails to elect a member from the list of nominees in the sixty-day period, the nominee listed first on the list of nominees shall be deemed elected to fill the vacancy.

(b) A vacancy on the board for any cause shall be filled in the same manner as the original appointment and from the same source for the remainder of the original term. If the nominating committee fails to submit eligible nominees in the ~~time~~ number, manner, and time required by this Section, the governor, if applicable, shall make the appointment or the Senate or the House of Representatives, whichever is applicable, shall elect a person eligible to serve on the board.

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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)]

HB 296 Engrossed 2022 Regular Session Stefanski

Abstract: Removes the listing of the specific independent colleges and universities that comprise the nominating committee for the Bd. of Ethics and makes general reference to the member institutions of the La. Assoc. of Independent Colleges and Universities and specifically requires the committee to submit eligible nominees in the number, manner, and time required.

Present law (R.S. 42:1132) provides procedures for selecting the 11 members of the Bd. of Ethics. Provides that the governor appoints seven members subject to Senate confirmation. Provides that at least one such member be appointed from each congressional district. Provides further that the House of Representatives and Senate each elect two members to the board. Proposed law retains present law.

Present law requires the governor, House of Representatives, and Senate to select members in accordance with present law (R.S. 42:2.1), which requires an appointing authority to give due consideration to the demographics of the population of the state, including without limitation geography, gender, and race, in making appointments to any board, commission, council, authority, or other similar entity that has statewide jurisdiction. Proposed law retains present law.

Present law provides that members of the Bd. of Ethics are selected from nominations made by a nominating committee consisting of the presidents or their designees of Centenary College of La., Dillard University at New Orleans, La. College, Loyola University at New Orleans, Our Lady of Holy Cross College at New Orleans, Our Lady of the Lake College at Baton Rouge, Xavier University of La. at New Orleans, New Orleans Baptist Theological Seminary, Saint Joseph Seminary College, and Tulane University. Provides time limits for the submission of the names of nominees to the appropriate appointing authority. Requires the nominating committee to provide no fewer than five eligible nominees for each vacancy and to give due consideration to the demographics of the population of the state, including without limitation geography, gender, and race in preparing the list of nominees. Provides that if the nominating committee fails to submit nominees in the time required, the appointing authority shall select a person to the board.

Proposed law provides instead that the nominating committee consists of presidents or their designees of the colleges and universities that are member institutions of the La. Assoc. of Independent Colleges and Universities or its successor association. Further provides that if the nominating committee fails to submit eligible nominees in the number and within the time period required, then the appointing authority shall select a person eligible to serve on the board. Proposed law makes other technical changes.

(Amends R.S. 42:1132(B)(2))

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