

2018 Regular Session

HOUSE BILL NO. 305

BY REPRESENTATIVES JEFFERSON AND COUSSAN

ECONOMIC DEVELOPMENT: Provides relative to the Louisiana Economic Development Corporation

1 AN ACT

2 To amend and reenact R.S. 51:2311(A) and 2320.1, relative to the Louisiana Economic
3 Development Corporation; to amend relative to board membership; to provide with
4 respect to ethical considerations; to provide an exception; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R. S. 51:2311(A) and 2320.1 are hereby amended and reenacted to read
8 as follows:

9 §2311. Louisiana Economic Development Corporation; creation; domicile; board
10 of directors; terms; agency

11 A.(1) There is hereby created a body politic and corporate to be known as
12 the Louisiana Economic Development Corporation, hereinafter referred to as the
13 "corporation". The corporation is hereby constituted a public authority and the
14 exercise by the corporation of the powers conferred by this Chapter shall be deemed
15 to be performance of an essential public function. The corporation shall be exempt
16 from the provisions of Chapter 6 of this Title. The board of directors of the
17 corporation shall be composed of ~~twelve~~ ten members. The board shall consist of
18 the secretary of the Department of Economic Development or a designee and ~~eleven~~
19 nine members who are appointed by the governor, subject to Senate confirmation,
20 none of whom shall be a public official except for the secretary of the Department

1 of Economic Development or a designee. At least three members of the board shall
2 be minorities and at least two members shall be women.

3 (2) The members of the board of directors are comprised of all of the
4 following:

5 (a) The secretary of the Department of Economic Development or a
6 designee.

7 (b) One minority member who is appointed from a list of three private sector
8 individuals ~~nominated by the Louisiana Business League, or one minority member~~
9 ~~appointed from the Louisiana business community at large~~ submitted by Louisiana-
10 based organizations representing minority business interests.

11 (c) One member who is appointed from a list of three private sector
12 individuals ~~appointed~~ submitted by the Louisiana Chapter of the AFL-CIO.

13 (d) One member who is appointed from a list of three private sector
14 individuals submitted by the Louisiana Retailers Association.

15 (e) One member who is appointed from a list of three private sector
16 individuals submitted by the Louisiana Bankers Association.

17 (f) One member who is appointed from a list of three private sector
18 individuals submitted by the Community Bankers Association.

19 (g) One member who is appointed from a list of three private sector
20 individuals submitted by the Louisiana Society of Certified Public Accountants.

21 ~~(h) One member who is appointed from a list of three private sector~~
22 ~~individuals submitted by the Louisiana members of the National Association of~~
23 ~~Security Dealers.~~

24 ~~(i)~~(h) One female member who is appointed from a list of three private sector
25 individuals representing women's business interests.

26 ~~(j) Repealed by Acts 2003, No. 907, §2.~~

27 ~~(k)~~(i) One member representing the Louisiana venture capital industry or the
28 Louisiana angel investor community.

Present law provides for the board to consist of 12 members.

Proposed law amends present law to reduce board membership from 12 to 10 members.

Present law provides for the board to consist of 11 members who are appointed by the governor.

Proposed law reduces the number of governor-appointed members from 11 to 9.

Present law requires 1 member to be appointed from a list of 3 private sector individuals nominated by the La. Business League, or 1 minority member appointed from the La. business community at large.

Proposed law amends present law to require 1 member to be a minority member appointed from a list of 3 private sector individuals submitted by La.-based organizations representing minority business interests.

Present law requires 1 member to be appointed from a list of 3 private sector individuals submitted by the La. members of the National Association of Security Dealers.

Proposed law deletes present law.

Present law requires 1 member to represent the venture capital industry.

Proposed law amends present law to require 1 member to specifically represent the La. venture capital industry or the La. angel investor community.

Present law prohibits a corporate member or employee, or employee of the Dept. of Economic Development from being a direct or indirect party to or interested person in any contract or agreement with the corporation for any matter, cause, or thing for which liability or indebtedness would result against the corporation. Provides if any contract or agreement is made in violation of present law, such agreement or contract is null and void and no action will be maintained against the corporation.

Proposed law retains present law.

Proposed law adds that present law is not applicable to a member of the corporation or an employee thereof if the respective member recuses himself from voting on the otherwise prohibited contract or agreement. Further adds that any member of the corporation who recuses himself from voting is also prohibited from participating in any discussion or debate with respect to the otherwise prohibited contract or agreement.

(Amends R.S. 51:2311(A) and 2320.1)