

2024 Regular Session

SENATE BILL NO. 181

BY SENATOR MORRIS

CIVIL SERVICE. Constitutional amendment to provide for membership of the Civil Service Commission from public universities. (2/3 - CA12s1)

1 A JOINT RESOLUTION

2 Proposing to amend Article X, Section 2(B) and Section 3 of the Constitution of Louisiana,
3 relative to state civil service; to provide for procedure for the addition of unclassified
4 positions; to provide for composition of the State Civil Service Commission; to
5 provide for terms of State Civil Service Commission members; to specify an election
6 for submission of the proposition to electors; and to provide a ballot proposition.

7 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
8 elected to each house concurring, that there shall be submitted to the electors of the state, for
9 their approval or rejection in the manner provided by law, a proposal to amend Article X,
10 Section 2(B) and Section 3 of the Constitution of Louisiana, to read as follows:

11 §2. Classified and Unclassified Service

12 Section 2.(A)

13 * * *

14 (B) Unclassified Service. The unclassified service shall include the following
15 officers and employees in the state and city civil service:

16 (1) elected officials and persons appointed to fill vacancies in elective offices;

17 (2) the heads of each principal executive department appointed by the

1 governor, the mayor, or the governing authority of a city;

2 (3) city attorneys;

3 (4) registrars of voters;

4 (5) members of state and city boards, authorities, and commissions;

5 (6) one private secretary to the president of each college or university;

6 (7) one person holding a confidential position and one principal assistant or
7 deputy to any officer, board, commission, or authority mentioned in (1), (2), (4), or

8 (5) above, except civil service departments;

9 (8) members of the military or naval forces;

10 (9) teaching and professional staffs, and administrative officers of schools,
11 colleges, and universities of the state, and bona fide students of those institutions
12 employed by any state, parochial, or municipal agency;

13 (10) employees, deputies, and officers of the legislature and of the offices of
14 the governor, lieutenant governor, attorney general, each mayor and city attorney,
15 of police juries, school boards, assessors, and of all offices provided for in Article
16 V of this constitution except the offices of clerk of the municipal and traffic courts
17 in New Orleans;

18 (11) commissioners of elections, watchers, and custodians and deputy
19 custodians of voting machines;

20 (12) railroad employees whose working conditions and retirement benefits
21 are regulated by federal agencies in accordance with federal law; and

22 (13) the director, deputy director, and all employees of the Governor's Office
23 of Homeland Security and Emergency Preparedness.

24 Additional positions may be added ~~to the unclassified service and those~~
25 ~~positions may be revoked by rules adopted by a commission~~ **as provided by law.**

26 §3. State Civil Service Commission

27 Section 3.(A) Composition. The State Civil Service Commission is
28 established and shall be domiciled in the state capital. It shall be composed of ~~seven~~
29 **eleven** members who are electors of this state, ~~four~~ **six** of whom shall constitute a

1 quorum. At least one appointed member shall be from each congressional district.
2 In order to implement this requirement, every ten years beginning on the day the
3 members of congress from newly reapportioned congressional districts take office,
4 any vacancy that occurs on the commission shall be filled from a congressional
5 district from which there is no commission member. Only when the membership
6 includes a member from each congressional district may a vacancy be filled by an
7 appointment from the state at large.

8 (B)(1) Appointment. The members shall be appointed by the governor, with
9 consent of the Senate, as hereinafter provided, for overlapping terms of ~~six~~ **four**
10 years.

11 (2) No person ~~who has served~~ **shall serve** as a member of the commission for
12 more than two ~~and one-half~~ **full** terms ~~in three consecutive terms shall be appointed~~
13 ~~to the commission for the succeeding term~~. This Subparagraph shall not apply to any
14 person appointed to the commission prior to the effective date of this Subparagraph,
15 except that it shall apply to any term of service of any such person that begins after
16 such date.

17 (C) ~~Nominations:~~ **Election and** Vacancies. ~~The presidents of Centenary~~
18 ~~College at Shreveport, Dillard University at New Orleans, Louisiana College at~~
19 ~~Pineville, Loyola University at New Orleans, Tulane University of Louisiana at New~~
20 ~~Orleans, and Xavier University at New Orleans, after giving consideration to~~
21 ~~representation of all groups, each shall nominate three persons. The governor shall~~
22 ~~appoint one member of the commission from the three persons nominated by each~~
23 ~~president.~~ One member of the commission shall be elected by the classified
24 employees of the state from their number as provided by law. A vacancy for any
25 cause shall be filled by appointment or election in accordance with the procedure or
26 law governing the appointment or election, and from the same source. Within thirty
27 days after a vacancy **of an appointed member** occurs, ~~the president concerned shall~~
28 ~~submit the required nominations. Within thirty days thereafter,~~ the governor shall
29 make his appointment, with consent of the Senate. ~~If the governor fails to appoint~~

1 ~~within thirty days, the nominee whose name is first on the list of nominees~~
 2 ~~automatically shall become a member of the commission, with consent of the Senate.~~

3 ~~If any nominating authority fails to submit nominees in the time required, or if one~~
 4 ~~of the named institutions ceases to exist, the governor shall make the appointment~~
 5 ~~to the commission, with consent of the Senate.~~

6 Section 2. Be it further resolved that this proposed amendment shall be submitted to
 7 the electors of the state of Louisiana at the statewide election to be held on November 5,
 8 2024.

9 Section 3. Be it further resolved that on the official ballot to be used at said 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 to allow for the addition of unclassified state
 14 civil service positions, increase membership of the state civil service
 15 commission from seven to eleven members, shorten the length of a term of
 16 service on the state civil commission from six to four years, and end the
 17 practice of private university presidents providing a list of nominees to the
 18 governor?

19 (Amends Article X, Section 2(B) and Section 3)

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Matt DeVille.

DIGEST

SB 181 Engrossed

2024 Regular Session

Morris

Present constitution provides that unclassified positions in the state and city civil service system include: elected officials and persons appointed to fill vacancies in elective offices, the heads of each principal executive department appointed by the governor, the mayor, or the governing authority of a city, city attorneys, registrars of voters, members of state and city boards, authorities, and commissions, one private secretary to the president of each college or university, one person holding a confidential position and one principal assistant or deputy to any officer, board, commission, or authority as provided in present constitution, members of the military or naval forces, teaching and professional staffs, and administrative officers of schools, colleges, and universities of the state, and bona fide students of those institutions employed by any state, parochial, or municipal agency, employees, deputies, and officers of the legislature and of the offices of the governor, lieutenant governor, attorney general, each mayor and city attorney, of police juries, school boards, assessors, and of all offices provided for in present constitution except the offices of clerk of the municipal and

traffic courts in New Orleans, commissioners of elections, watchers, and custodians and deputy custodians of voting machines, railroad employees whose working conditions and retirement benefits are regulated by federal agencies in accordance with federal law, and the director, deputy director, and all employees of the Governor's Office of Homeland Security and Emergency Preparedness.

Proposed constitutional amendment retains present constitution as to the designation of unclassified civil service positions.

Present constitutional amendment further provides that additional positions may be added to the unclassified service and those positions may be revoked by rules adopted by a commission.

Proposed constitutional amendment provides that additional positions to the unclassified service may be added as provided by law.

Present constitution provides that the State Civil Service Commission shall be composed of seven members who are electors of the state and that four members constitute a quorum.

Proposed constitutional amendment provides that the State Civil Service Commission shall be composed of eleven members who are electors of the state and that six members constitute a quorum.

Present constitutional amendment requires at least one appointed member to be from each congressional district and provides that an appointment of a member from the state at large is permitted only when the membership of the body includes a member from each congressional district.

Proposed constitutional amendment requires at least one member to be appointed from each congressional district.

Present constitution provides that members are appointed by the governor, with consent of the Senate, for overlapping terms of six years.

Proposed constitutional amendment provides that members are appointed by the governor, with consent of the Senate, for overlapping terms of four years.

Present constitution provides that no person who has served as a commission member for more than two and one-half terms in three consecutive terms shall be appointed for the succeeding term.

Proposed constitutional amendment provides that no member shall serve more than two full terms.

Present constitution provides that the presidents of Centenary College at Shreveport, Dillard University at New Orleans, Louisiana College at Pineville, Loyola University at New Orleans, Tulane University of Louisiana at New Orleans, and Xavier University at New Orleans each shall nominate three persons for consideration by the governor for appointment to the State Civil Service Commission.

Present constitution further provides that the governor shall appoint one member of the commission from the three persons nominated by each president and that one member shall be elected by the classified employees of the state as provided by law.

Proposed constitutional amendment repeals present constitution.

Specifies submission of the amendment to the voters at the statewide election to be held on November 5, 2024.

(Amends Const. Art. X, Sec. 2(B) and 3)