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

## DIGEST

SB 462 Reengrossed

2024 Regular Session

Hodges

<u>Present law</u> provides that all public officers who are appointed by the governor shall serve at the pleasure of the governor except for public officers appointed upon recommendation or from lists submitted by others where the law requires appointments to be so made, officers whose terms of office are fixed by the constitution, and those officers who are required by the constitution to be appointed with the advice and consent of the Senate.

<u>Present law</u> further provides that public officers appointed by the governor to the Louisiana State Board of Public Welfare, the Louisiana Merit System Council, the Board of Review, the State Advisory Council of the office of employment security of the Louisiana Workforce Commission are also exempt from serving at the pleasure of the governor.

<u>Proposed law</u> retains <u>present law</u> and further exempts public officers of any Louisiana public retirement or pension system, plan, or fund.

<u>Proposed law</u> provides that notwithstanding any contrary provision of <u>present law</u>, the terms of the members of all boards and commissions, except for higher education boards and boards and commissions provided for in <u>present constitution</u> shall be concurrent with the term of the governor.

<u>Proposed law</u> provides that notwithstanding any provision of <u>present law</u> to the contrary, the governor may choose to appoint the chairman or presiding member of each board and commission provided that the majority of the membership of the board or commission is gubernatorially appointed and the appointment is not otherwise prohibited by <u>present constitution</u>.

<u>Proposed law</u> provides that any appointment of a chairman or presiding officer made by the governor pursuant to <u>proposed law</u> must be from the membership of the board or commission.

<u>Proposed law</u> provides that any gubernatorial appointment made pursuant to <u>proposed law</u> and confirmed by the Senate will serve at the pleasure of the governor in the position to which appointed.

<u>Proposed law</u> provides the governor is not authorized to appoint any officer of any board or commission created in Article VIII of <u>present constitution</u>, except for the appointment of the chairman specifically authorized by <u>proposed law</u>.

<u>Proposed law</u> provides that the limitations on membership terms running concurrent with the term of the governor and the gubernatorial appointment authority of a chairman or presiding officer in <u>proposed law</u> are not applicable to post-secondary education governing boards.

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

(Amends R.S. 42:4(A) and (B); adds R.S. 42:4(C) and (D))

## Summary of Amendments Adopted by Senate

## <u>Committee Amendments Proposed by Senate Committee on Senate and Governmental</u> <u>Affairs to the original bill</u>

- 1. Require the governor to provide notice of his intent to appoint a chairman or any other officer to the board or commission within 180 days of taking office.
- 2. Remove a requirement of the governor to make an appointment no later than the first day of the first regular session of the legislature during the first year of his term.
- 3. Make technical changes.

## Senate Floor Amendments to engrossed bill

- 1. Make technical changes.
- 2. Provide that officers of any Louisiana public retirement or pension system, plan, or fund are not subject to serving at the pleasure of the governor.
- 3. Provide that the terms of the members of all boards and commissions, except for higher education boards and boards and commissions provided for in the state constitution, shall be concurrent with the governor, notwithstanding any law to the contrary.
- 4. Provide that the governor may choose to appoint the chairman or presiding member of boards and commissions to which he appoints the majority of the members and is not otherwise prohibited from doing so by the state constitution.
- 5. Require the governor to select a member of a board or commission to the position of chairman or presiding officer of that board or commission for which he chooses to exercise his appointment authority.
- 6. Provide that the governor is not authorized to appoint any officer of any board or commission created in Article VIII (Education) of the state constitution, except as provided by law.
- 7. Provide that limitations on terms of members and gubernatorial appointment of a chairman or presiding officer do not apply to post-secondary education governing boards.

8. Delete provisions providing the governor 180 days to provide notice to board or commission of his intention to appoint chair.