

RS 46:933

§933. Louisiana Executive Board on Aging established; membership; term of office; compensation of members

NOTE: Subsection A eff. until one or more of the 20 depts. of the executive branch is abolished or a const. amend. authorizing the creation of an additional dept. becomes effective, whichever is earlier. See Acts 2013, No. 384, §5.

A. There is hereby established the Louisiana Executive Board on Aging within the office of the governor.

NOTE: Subsection A as amended by Acts 2013, No. 384, §5, eff. when one or more of the 20 depts. of the executive branch is abolished or a const. amend. authorizing the creation of an additional dept. becomes effective, whichever is earlier.

A. The Louisiana Executive Board on Aging is established within the Department of Elderly Affairs.

B. The Louisiana Executive Board on Aging, hereafter referred to as "the board", shall consist of fifteen members appointed as follows:

(1) Five members shall be appointed by the president of the Senate, one from each of the five districts of the Public Service Commission.

(2) Five members shall be appointed by the speaker of the House of Representatives, one from each of the five districts of the Public Service Commission.

(3) Five members shall be appointed by the governor, one from each of the five districts of the Public Service Commission. Each appointment by the governor shall be submitted to the Senate for confirmation.

C. Nominations for the board shall be solicited from the Louisiana Association of Councils on Aging, the Louisiana State Medical Society, the Louisiana State Bar Association, the National Association of Social Workers - Louisiana Chapter, the National Association of Black Social Workers - Louisiana Chapter, the American Association of Retired Persons, the Louisiana Association of Business and Industry, the AFL-CIO, the Louisiana Geriatric Education Center, the Louisiana Interchurch Conference, and other entities as appropriate. Appointments shall be made from the lists of names submitted. The persons appointed shall have a recognized interest in and knowledge of the problems of aging and none of the members of the board shall be elected officials or paid employees of the state of Louisiana. Preference shall be given to persons sixty years of age and older.

NOTE: Subsection D eff. until one or more of the 20 depts. of the executive branch is abolished or a const. amend. authorizing the creation of an additional dept. becomes effective, whichever is earlier. See Acts 2013, No. 384, §§5 and 9.

D. A person is not eligible for appointment if the person or the person's spouse is either:

(1) Employed by a business entity or other organization regulated by or receiving funds from the governor's office of elderly affairs.

(2) Owns, controls, or has, directly or indirectly, more than a ten percent interest in a business entity or other organization regulated by or receiving funds from the governor's office of elderly affairs.

NOTE: Subsection D as amended by Acts 2013, No. 384, §5, eff. when one or more of the 20 depts. of the executive branch is abolished or a const. amend. authorizing the creation of an additional dept. becomes effective, whichever is earlier.

D. A person is not eligible for appointment if the person or the person's spouse either:

(1) Is employed by a business entity or other organization regulated by or receiving funds from the Department of Elderly Affairs.

(2) Owns, controls, or has, directly or indirectly, more than a ten percent interest in a business entity or other organization regulated by or receiving funds from the Department of Elderly Affairs.

E. The terms of office of members of the board shall be five years, except that the appointing authority shall appoint the original members as follows: three members for a term of one year, three members for a term of two years, three members for a term of three years, three members for a term of four years, and three members for a term of five years. Vacancies shall be filled by appointment by the governor only for the remainder of the unexpired terms.

F. The board shall meet and organize immediately after appointment of the members and shall elect from its membership a slate of officers other than chairman, who is to be appointed by the governor. The board shall elect any officers, other than the chairman, it deems necessary, and the duties of such officers shall be those customarily performed by such officers. The board shall meet at least once per quarter of the fiscal year, and as often thereafter as deemed necessary by the chairman. Members shall serve without salary but shall be reimbursed at the established per diem rate for attendance at board and board committee meetings. Members shall be reimbursed for actual travel and other expenses incurred while in the performance of their duties in accordance with the division of administration regulations.

NOTE: Subsection G eff. until one or more of the 20 depts. of the executive branch is abolished or a const. amend. authorizing the creation of an additional dept. becomes effective, whichever is earlier. See Acts 2013, No. 384, §§5 and 9.

G. The board may recommend discharge of the executive director. The board shall adopt rules for the transaction of its business and shall keep a record of its resolutions, transactions, findings, and determinations. A majority of members shall constitute a quorum. The office shall provide office and meeting space and staff support for the board.

NOTE: Subsection G as amended by Acts 2013, No. 384, §5, eff. when one or more of the 20 depts. of the executive branch is abolished or a const. amend. authorizing the creation of an additional dept. becomes effective, whichever is earlier.

G. The board may recommend to the governor that the secretary be replaced. The board shall adopt rules for the transaction of its business and shall keep a record of its resolutions, transactions, findings, and determinations. A majority of

members shall constitute a quorum. The department shall provide office and meeting space and staff support for the board.

Acts 1979, No. 206, §1, eff. July 6, 1979; Acts 1992, No. 648, §2, eff. July 2, 1992; Acts 2013, No. 384, §5, eff. when one of the 20 executive branch depts. is abolished or a const. amend. authorizing creation of an additional dept. becomes effective, whichever is earlier.

RS 46:934

§934. Louisiana Executive Board On Aging; powers, duties, and functions

NOTE: §934 eff. until one or more of the 20 depts. of the executive branch is abolished or a const. amend. authorizing the creation of an additional dept. becomes effective, whichever is earlier. See Acts 2013, No. 384, §§5 and 9.

A. The board shall develop and implement policies and procedures pertaining to the office of elderly affairs and its functions, shall approve matters of policy and all rules and regulations promulgated by the board or the office which pertain to elderly affairs and voluntary parish councils on aging, shall review and make recommendations to the director on matters of general importance and relevance to the planning, monitoring, coordination, and delivery of services to the elderly of the state, and shall prepare and submit an annual report to the legislature and to the governor sixty days prior to the legislative session.

B. The board shall adopt rules governing the functions of the office, including rules that prescribe the policies and procedures followed by the board and the office in the administration of its programs, all in accordance with the Administrative Procedure Act.

C. The board by rule or its order may delegate any portion of its rights, powers, and duties to the executive director.

NOTE: §934 as amended by Acts 2013, No. 384, §5, eff. when one or more of the 20 depts. of the executive branch is abolished or a const. amend. authorizing the creation of an additional dept. becomes effective, whichever is earlier.

A. The board shall develop and implement policies and procedures pertaining to the Department of Elderly Affairs and its functions, shall approve matters of policy and all rules and regulations promulgated by the board or the department that pertain to elderly affairs and voluntary parish councils on aging, shall review and make recommendations to the secretary on matters of general importance and relevance to the planning, monitoring, coordination, and delivery of services to the elderly of the state, and shall prepare and submit an annual report to the legislature and to the governor sixty days prior to the legislative session.

B. The board shall adopt rules governing the functions of the department, including rules that prescribe the policies and procedures followed by the board and the department in the administration of its programs, all in accordance with the Administrative Procedure Act. The rules adopted by the board for the Office of Elderly Affairs in effect on the effective date of this Subsection shall remain in effect and shall be applicable to the board and the Department of Elderly Affairs and such rules shall remain in effect subject to their own provisions until changed as provided in this Subsection.

C. The board by rule or its order may delegate any portion of its rights, powers, and duties to the secretary of the department.

Acts 1979, No. 206, §1, eff. July 6, 1979. Amended by Acts 1981, No. 867, §1; Acts 1992, No. 648, §2, eff. July 2, 1992; Acts 2013, No. 384, §5, when one of the 20 executive branch depts. is abolished or a const. amend. authorizing creation of an additional dept. becomes effective, whichever is earlier.