

February 9, 2000
OPINION NUMBER 00-47

E. Joseph Savoie
Commissioner of Higher Education, Board of Regents
150 Third Street, Suite 129
Baton Rouge, Louisiana 70801-1389

OPINION NUMBER 00-47
78 - Officers - Dual Officeholding
LSA-R.S. 42:62(6); LSA-R.S. 42:63(9); LSA-R.S. 42:63(D)
A mayor may simultaneously serve on the Board of Regents.

Dear Mr. Savoie:

You have requested an Attorney General's opinion as to whether an individual may hold the elected office of mayor in a municipality while simultaneously serving on Board of Regents.

The Board of Regents falls under the executive branch of state government for the purposes of Louisiana's dual officeholding laws. LSA-R.S. 42:62(6). Members to the Board of Regents are appointed by the Governor and, as you describe, meet approximately two days a month with other occasional meetings scheduled when necessary. They also receive a per diem and reimbursement for expenses. A municipality of the state is considered a political subdivision under the dual officeholding laws. LSA-R.S. 42:63(9). LSA-R.S. 42:63(D), in pertinent part, states:

No person holding an elective office in a political subdivision of this state shall at the same time hold another elective office or full-time appointive office in the government of this state or in the government of a political subdivision thereof....

A member of the Board of Regents holds part-time appointive office in state government. Therefore, serving in that capacity while at the same time holding elective office as a mayor of a municipality is not prohibited under the dual officeholding provisions.

I trust this addresses your concerns. Please contact this office should you require further assistance.

Yours very truly,

RICHARD P. IEYOUB
ATTORNEY GENERAL

BY:

CARLOS M. FINALET, III
Assistant Attorney General

SYLLABUS
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