HLS 12RS-1062 ORIGINAL

Regular Session, 2012

HOUSE BILL NO. 954

1

BY REPRESENTATIVE DANAHAY

LEGISLATION: Provides for technical corrections to various provisions of the La. Revised Statutes

AN ACT

2 To amend and reenact R.S. 3:2004, 4222(C), and 4674(F), R.S. 12:1084, 1164, and 1413, 3 R.S. 14:403.6(A), R.S. 17:1808(G), 2048.31(B), 2048.32(C), 3139.5(3)(a), 3201(A) 4 and (B)(1), 3202(1), 3351.11(D)(3), 3973(2)(b)(i) and (ii), 3991(F), 3995(B), and 5 4001(A) and (C)(1), (2), and (4), R.S. 23:43 and 1294(A)(1), R.S. 24:36(C)(3), 513(A)(4) and (5)(a)(ii) and (F), R.S. 28:821(C) and 824(A) and (C), R.S. 6 7 33:4169.1(G), R.S. 36:3(4), 4(B)(1)(aa) and (ee), 6(a), and (18), (F), (L), (N), (U), 8 and (X), 4.1(D)(9) and (15), 53(A), 109(N), 201(C)(1), 209(B)(1)(a), (C)(1), (F), 9 (H)(1), (4), (5), (6), (10), and (11), (J), (K), (L), (M), (N), (O), (Q), (S), (T), (U), 10 (W)(2), and (X), 239(B)(1), (4), and (6) and (E), 259(E), (F)(9), (10), (16), (18), and 11 (21), (G), (I)(5), (J)(1), and (L)(1), (M), (Q), (T), (U), (W), (X), (BB)(1), (CC), and 12 (GG), 309(B), (C)(1), and (D), 359(D), (J), (K), and (L), 409(B), (C)(1), (2), (4), (5), 13 and (8), (D), (E), (F), (G), (H), (J), (L), and (O), 459(B), (C), and (H), 14 474(B)(1)(a)(i), 475(A), 478(F), (H)(3) and (4), 509(C), (F)(1), (2), (3), and (8), (H), 15 (K), (L), (M), (O), (Q), (R), (S), and (T), (E), (D), (D), and (D), and (D), (D16 (K), (L), and (N), 629(C)(5), (6), & (8), (D), (E), (F), (G), (H), (J), (K), (L), and (N), 17 643(A) and (C), 651(B), (C), (D), (H), (L), (P), (U), (X), (Y), (Z), and (BB), 686(A)(2) and (3), (B), and (F), 706(B) and (C), 725(A), 744, (E), (H), (I), (J), (Q), 18 19 (T), and (U), 769(C), (D), (F), (H), (I), and (L), 802(Introductory Paragraph), 802.6, 802.9, 803(A)(1), 851(A), 901(A), 918, and 921(A), R.S. 37:3103(A)(3.1) and 3134, 20

Page 1 of 60

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	R.S. 39:1593.1(B), R.S. 40:2009.1(C)(2)(d), R.S. 42:17:(A)(9), 66(C), 1119(C)(3),
2	and 1123(12) and (14), and R.S. 56:1699(C)(introductory paragraph), to enact R.S.
3	36:4(B)(14) and (H), 4.1(D)(16), 239(C), 259(D), 309(F) and (G), 409(I), (P), and
4	(Q), 459(D), 478(M), 629(R), 651(S), and 686(G), and to repeal R.S. 17:3138, R.S.
5	25:802(11), R.S. 35:396, R.S. 36:4.1(D)(18), 53(E), 109(A), 209(A), (H)(9) and
6	(14), and (AA), 239(A) and (B)(3) and (5), 259(A), (C)(24), (E)(22), (F)(8), (15), and
7	$(19), \text{ and } (I)(4), 309(A) \text{ and } (C)(3), 359(A), \ 408(B)(3), 409(A) \text{ and } (J)(2), 459(A), \\$
8	478(A), (B), and (H)(8), (9), (10), and (11), 509(A), (E), (F)(1), and (G), 610(A),
9	629(A) and (C)(4), 650(B), 651(A), (K), (N), and (V), 744(A), 769(A), (D)(3) and
10	(5), (E), and (K), 802.4, and 802.8, R.S. 37:3601, Chapter 30 of Title 40 of the
11	Louisiana Revised Statutes of 1950, comprised of R.S. 40:2801 through 2803, and
12	Act No. 16 of the 1960 Regular Session of the Legislature, relative to the various
13	provisions of the Louisiana Revised Statutes of 1950; to provide for various technical
14	corrections in provisions of the statutes, including corrections in legal citations,
15	corrections in names of agencies, officers, and other entities, removal of references
16	to agencies and other entities that have otherwise been repealed or no longer exist,
17	and conforming changes to clarify potentially conflicting language; and to provide
18	for related matters.
19	Be it enacted by the Legislature of Louisiana:
20	Section 1. R.S. 3:2004, 4222(C), and 4674(F) are hereby amended and reenacted to
21	read as follows:
22	§2004. Scrub bull defined
23	For the purpose of this Part the term "scrub bull" means any bull not entitled
24	to pedigree or registration, as such terms are ordinarily understood in registry
25	associations, societies, or companies recognized by the United States Department of
26	Agriculture and approved by the Louisiana State Livestock Sanitary Board of
27	Animal Health.
28	* * *

§4222. Federal and state cooperation; designated authority

1 * * *

C. The commissioner of agriculture shall serve as the representative of the governor in all consultations and negotiations with the secretary of the United States Department of Agriculture concerning the development and implementation of this Chapter and the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act. The Louisiana State Livestock Sanitary Board of Animal Health (R.S. 3:2091) shall advise the commissioner on all aspects of all consultations with the federal secretary and on all other aspects of the enforcement of the provisions of this Chapter.

* * *

§4674. Minimum ethanol and bio-diesel requirements

12 * * *

F. Blenders and retailers will have six months to meet the new minimum content requirements. Any combination of alternative fuels, including but not limited to denatured ethanol, bio-diesel and alternative renewable fuel may be used to meet the two percent requirements of Subsections C, D, and E. The Commission on Louisiana Commission of Weights and Measures may waive or extend the sixmonth time period upon a finding that the quality or supply of bio-diesel or ethanol is insufficient to allow blenders or retailers to meet the minimum content requirements, or upon a finding that the motor fuel distribution terminals are or will be unable to blend ethanol due to delays in obtaining permits or delays in construction or installation of ethanol blending or storage equipment for reasons beyond the control of the terminal owner or operator.

24 * * *

Section 2. R.S. 12:1084, 1164, and 1413 are hereby amended and reenacted to read as follows:

§1084. Regulation by Louisiana State Board of Nurse Examiners Nursing

1	Professional nursing corporations shall be subject to the discipline of the
2	Louisiana State Board of Nurse Examiners Nursing and to its authority to adopt rules
3	and regulations governing the practice of nursing.
4	* * *
5	§1164. Regulation by Louisiana State Board of Veterinary Medical Examiners
6	<u>Medicine</u>
7	Professional medical corporations shall be subject to the discipline of the
8	Louisiana State Board of Veterinary Medical Examiners Medicine and to its
9	authority to adopt rules and regulations governing the practice of medicine.
10	* * *
11	§1413. Regulation by the Louisiana State Board of Certified Social Work
12	Examiners
13	Professional social work corporations shall be subject to the discipline of the
14	Louisiana State Board of Certified Social Work Examiners and to its authority to
15	adopt rules and regulations governing the practice of social work.
16	Section 3. R.S. 14:403.6(A) is hereby amended and reenacted to read as follows:
17	§403.6. Reporting of neglect or abuse of animals
18	A. Any state or local law enforcement officer, or any employee of
19	government or of a government contractor who in his professional capacity routinely
20	investigates alleged abuse or neglect or sexual abuse of a child, or abuse or neglect
21	of an adult under the provisions of R.S. 15:1507, who becomes aware of evidence
22	of neglect or abuse of an animal shall report such incident to the law enforcement
23	authority of the governing authority in which the incident has occurred or the local
24	animal welfare authority. The name and identifying information regarding the
25	reporter of animal maltreatment shall be confidential.
26	* * *
27	Section 4. R.S. 17:1808(G), 2048.31(B), 2048.32(C), 3139.5(3)(a), 3201(A) and
28	(B)(1), 3202(1), 3351.11(D)(3), 3973(2)(b)(i) and (ii), 3991(F), 3995(B), and 4001(A) and
29	(C)(1), (2), and (4) are hereby amended and reenacted to read as follows:

1		§1808. Registration and licensure of postsecondary, academic degree-granting
2		institutions
3		* * *
4		G. No institution, except those exempted pursuant to Subsection J of this
5		Section, shall be approved for veterans benefits by the office of veterans affairs,
6		Department of Veterans Affairs, unless licensed by the Board of Regents; nor shall
7		the teacher education curriculum of any institution not licensed by the Board of
8		Regents be approved by the State Board of Elementary and Secondary Education.
9		* * *
10		§2048.31. Allied health professionals training programs; student admittance;
11		documentation; records; authorization to obtain criminal history record
12		information
13		* * *
14		B. Such records shall be submitted to the Board of Regents and the
15		postsecondary education management boards on a quarterly basis and shall also be
16		submitted to the Allied Health Professionals Supply and Demand Commission on
17		whatever schedule they request.
18		* * *
19		§2048.32. Allied health professionals training programs; expansion or
20		establishment; salary of faculty members
21		* * *
22		C. Expansion of existing programs or establishment of additional programs
23		shall be sought with due regard for the efficient expenditure of state funds and after
24		consultation with the Allied Health Professionals Supply and Demand Commission.
25	*	* *
26		§3139.5. Autonomies granted
27		* * *
28		(3) Beginning with the 2012-2013 Fiscal Year and thereafter, if the Board
29		of Regents has determined that the institution has met the short-term targets

established in the performance agreement and demonstrated progress on long-term targets, the institution shall be authorized to:

(a) Increase tuition and fee amounts by up to ten percent annually, without legislative approval, until the institution reaches the average tuition and fee amounts of its peer institutions. The incremental tuition and fee amount increase Tuition and fee amounts for peer institutions shall be weighted in such a manner that based upon the median household income in Southern Regional Education Board states in which respective peer institutions are located. is The median household income in such states shall be compared with the median household income in Louisiana, and any differences between the average of the states shall be factored into the allowable tuition and fee amount increase for the respective institution.

* * *

§3201. Application of Chapter

A. Except as otherwise specifically provided in this Chapter, the provisions of this Chapter shall apply in the same manner and to the same extent to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Trustees for State Colleges and Universities Supervisors for the University of Louisiana System, the Board of Supervisors of Community and Technical Colleges, and any other board vested with the supervision and management of institutions of postsecondary education hereafter created.

B.(1) Except as otherwise provided by law for employees of public institutions predominantly or exclusively providing vocational-technical educational programs, the provisions of this Chapter shall apply in the same manner and to the same extent to the institutions and the employees thereof that are under the management of the Board of Supervisors of Community and Technical Colleges as such provisions apply to those institutions and the employees thereof under the management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern

1	University and Agricultural and Mechanical College, and the Board of Trustees for
2	State Colleges and Universities Supervisors for the University of Louisiana System.
3	* * *
4	§3202. Definitions
5	Unless the context otherwise clearly indicates, the following words shall have
6	the meaning hereinafter ascribed to each:
7	(1) "Board" or "boards" means the Board of Supervisors of Louisiana State
8	University and Agricultural and Mechanical College, the Board of Supervisors of
9	Southern University and Agricultural and Mechanical College, the Board of Trustees
10	for State Colleges and Universities Supervisors for the University of Louisiana
11	System, and the Board of Supervisors of Community and Technical Colleges, or any
12	of these boards.
13	§3351.11. Board of Supervisors of Louisiana State University and Agricultural and
14	Mechanical College; tuition and attendance fee amounts; Health Sciences
15	Centers; waivers
16	* * *
17	D.
18	* * *
19	(3) Notwithstanding any provision of this Subsection or of any other law to
20	the contrary, tuition and fee amounts at the Louisiana State University Health
21	Sciences Center-New Orleans School of Medicine or School of Dentistry or the
22	Louisiana State University Health Sciences Center-Shreveport School of Medicine
23	shall be weighted based upon median household income as provided in R.S.
24	17:3139.5(3)(a) and shall not exceed average tuition and fee amounts of their
25	respective peer institutions. For purposes of this Subsection, "peer institutions" shall
26	have the meaning provided by guidelines established by the Board of Regents in the
27	same manner as provided by R.S. 17:3351(A)(5)(e)(i) and weighted based upon
28	median household income as provided in R.S. 17:3139(F)(3)(a).
29	* * *

1	§3973. Definitions
2	As used in this Chapter, the following words, terms, and phrases shall have
3	the meaning ascribed to them in this Section except when the context clearly
4	indicates a different meaning:
5	* * *
6	(2)
7	* * *
8	(b) Charter schools shall be one of the following types:
9	(i) Type 1, which means a new school operated as the result of and pursuant
10	to a charter between the nonprofit corporation created to operate the school and a
11	local school board. Within such type Type 1 charter schools, only pupils who would
12	be eligible to attend a public school operated by the local school board within the
13	same city or parish will be eligible to attend as provided in the charter.
14	(ii) Type 2, which means a new school or a preexisting public school
15	converted and operated as the result of and pursuant to a charter between the
16	nonprofit corporation created to operate the school and the State Board of
17	Elementary and Secondary Education. Prior to the creation of such a charter to
18	convert a preexisting school, it shall be approved by the professional faculty and staff
19	of the preexisting school and by the parents or guardians of children enrolled in the
20	school as provided in R.S. 17:3983(C). Within such type Type 2 charter schools,
21	pupils who reside within the state will be eligible to attend as provided in the charter.
22	Creation of a type Type 2 charter school shall comply with the provisions of R.S.
23	17:3983(A)(2)(a)(i).
24	* * *
25	§3991. Charter schools; requirements; limitations; renewal; amendment; revocation
26	* * *
27	F. Except for a type Type 4 charter school, a local school board shall not
28	assign any pupil or employee to a charter school or interfere in any way with the
29	operation and management of a charter school except as provided by the approved

2	or its officers or employees.
3	* * *
4	§3995. Charter school funding
5	* * *
6	B. For each pupil enrolled in a charter school who is entitled to special
7	education services, any state special education funding beyond that provided in the
8	minimum foundation program and any federal funds for special education for that
9	pupil that would have been allocated for that pupil shall be allocated to the charter
10	school which the pupil attends. Any type Type 2 charter school shall be considered
11	the local education agency for the purposes of any special education funding or
12	statutory definitions, while the local school board shall remain the local education
13	agency for any type Type 1, 3, or 4 charter school.
14	* * *
15	§4001. Louisiana Charter School Start-Up Loan Fund; creation; purpose;
16	distribution
17	A. The Louisiana Charter School Start-Up Loan Fund, hereafter referred to
18	as the "fund", is hereby created within the state treasury for the purposes of
19	providing a source for funding no-interest loans to assist both existing and new type
20	<u>Type</u> 1, type <u>Type</u> 2, or type <u>Type</u> 3 charter schools with initial start-up funding and
21	for funding the administrative and legal cost associated with the charter school
22	program.
23	* * *
24	C.(1) The State Board of Elementary and Secondary Education shall
25	administer the use of the monies appropriated from the fund and shall adopt rules in
26	accordance with the Administrative Procedure Act. The adopted rules shall specify
27	that state board approval of any type Type 2 charter school proposal that includes
28	within its budget a request for loan funding which complies with the provisions of
29	this Section and details regarding how those loan funds are to be expended, shall

charter, the provisions of this Chapter, or other law applicable to the charter school

constitute the approval of that loan amount. No additional loan application paperwork shall be required. Any type Type 1 or type Type 3 charter school approved by their local school board shall be required to submit no more than their approved charter proposal and a detailed budget identifying how any loan funds are to be expended and how such request complies with the provisions of this Section. The state board may reject any such request which does not comply with terms of this Section. Such rules shall also note that any loan funding may only be used to purchase tangible items such as equipment, technology, instructional materials, and facility acquisition, upgrade, and repairs. Such equipment or other items shall become the property of the state if the loan is not fully repaid by virtue of the school ceasing to operate during the three years of automatic loan repayment as noted in Paragraph (3) of this Subsection.

(2) Loans shall be made only to type Type 1, type Type 2, and type Type 3 charter schools and shall not exceed one hundred thousand dollars to pay for charter school start-up and early operating expenses. No money lent as provided in this Section may be used to pay prior debts of the nonprofit corporation which formed the charter school, any of the natural persons principally involved in forming the charter school, or any former or current business or nonprofit venture of any such natural persons for any purchase not related to the creation of the charter school, or to pay to members of the immediate family of any such natural persons, or to make any investments.

22 * * *

(4) The state board shall not knowingly approve the loan portion of any type Type 2 charter school's budget proposal if the background checks required by the state board reveals that any person principal to the charter school proposal has been convicted of any felony related to misappropriation of funds or theft.

* * *

Section 5. R.S. 23:43 and 1294(A)(1) are hereby amended and reenacted to read as follows:

1	§43. Appointment; compensation
2	All members of the board of boiler inspector examiners, except the chief
3	inspector, shall be appointed by the secretary executive director, and shall serve at
4	his pleasure, without compensation.
5	* * *
6	§1294. Workers' Compensation Advisory Council
7	A.(1) The Workers' Compensation Advisory Council is hereby created
8	within the Louisiana Workforce Commission pursuant to R.S. 36:309(C)(5)
9	36:309(C)(4).
10	* * *
11	Section 6. R.S. 24:36(C)(3), 513(A)(4) and (5)(a)(ii) and (F) are hereby amended
12	and reenacted to read as follows:
13	§36. Additional benefits payable to legislators; certain legislative personnel;
14	governor; lieutenant governor; political subdivision service credit; credit for
15	service previously rendered; additional contributions; computation of
16	benefits payable; membership
17	* * *
18	C.
19	* * *
20	(3) Any person retiring under the provisions of this Subsection shall receive
21	a full retirement benefit, without reduction of any percentage which may be provided
22	in the laws pertaining to the retirement system for retirement before the normal
23	retirement age. For purposes of computing retirement benefits for those persons
24	provided for in R.S. 24:36(A) Subsection A of this Section, "average compensation"
25	shall be the average annual earned compensation of the member for any three years
26	of service during which said earned compensation was the highest, including salary,
27	per diem, and also the expense allowances provided by R.S. 24:31.1 and R.S. 24:31.2
28	and any other expense allowances provided for the clerk of the House of
29	Representatives and the secretary of the Senate. The retirement benefits provided

1	herein for any person covered by this provision shall not exceed the limitation
2	provided in R.S. 42:575(B) 11:444(B). Beginning with August 1, 1962, the benefits
3	provided herein shall extend to members covered hereby who were employed in the
4	state service on or after May 1, 1960 and to their survivors.
5	* * *
6	§513. Powers and duties of legislative auditor; audit reports as public records;
7	assistance and opinions of attorney general; frequency of audits; subpoena
8	power
9	A.
10	* * *
11	(4)(a) Paragraph (3) of this Subsection and Subsection B of this Section
12	notwithstanding, the legislative auditor may audit or investigate a local auditee only
13	in those instances when:
14	(a) (i) The local auditee has failed after thirty days written notice from the
15	legislative auditor to comply with the provisions of this Section relating to timely
16	audits.
17	(b) (ii) The Legislative Audit Advisory Council and the legislative auditor
18	have determined that the local auditee is unable to pay for an audit by a licensed
19	certified public accountant.
20	(e) (iii) The local auditee exhibits a record of egregious control deficiencies
21	and failures to comply with laws and regulations.
22	(d) (iv) The legislative auditor has received complaints of illegal or irregular
23	acts with respect to the local auditee.
24	(e) (v) The local auditee, after requesting proposals for audit services,
25	receives less than three proposals from licensed certified public accountants or the
26	local auditee receives three or more proposals and the local auditee rejects all
27	proposals for cause, including but not limited to excessive cost.

(f) (vi) In the opinion of the legislative auditor and the Legislative Audit
Advisory Council the best interest of the state of Louisiana would be served by his
audit of the local auditee.

(b) Any local auditee selected for audit under the provisions of Subparagraph (c) Item (iii) of Subparagraph (a) of this Paragraph shall have the right of appeal to the Legislative Audit Advisory Council. Furthermore, the legislative auditor shall ensure that under the provisions of Subparagraph (c) Item (iii) of Subparagraph (a) of this Paragraph audit services are not duplicated.

(5)(a)

10 * * *

(ii) At any time after a disaster or emergency is declared under the provisions of R.S. 29:724(B)(1) which prevents an entity from completing its report within the period prescribed in R.S. 24:513(A)(5)(i) Item (i) of this Subparagraph, the entity may ask the legislative auditor in writing for an extension of time to complete the report. The legislative auditor may approve the request at his discretion, subject to the approval of the Legislative Audit Advisory Council.

* * *

F.(1) The legislative auditor shall have authority to compile financial statements and to examine, audit, or review the books and accounts of all private water supply systems. The scope of the examinations may include financial accountability, legal compliance and evaluations of the economy, efficiency, and effectiveness of the private water supply systems or any combination of the foregoing. In addition to the authority granted above, the legislative auditor shall have access to and be permitted to examine all papers, books, accounts, records, files, instruments, documents, films, tapes, and any other forms of recordation of all private water supply systems, including but not limited to computers and recording devices, and all software and hardware which hold data, are part of the technical processes leading up to the retention of data, or are part of the security system.

1	(1) (2) For the purpose of this Subsection, "private water supply system"
2	means any private water system which receives local or state assistance in any fiscal
3	year and does not have audited financial statements prepared by licensed certified
4	public accountants. Assistance shall include grants, loans, transfers of property,
5	awards, and direct appropriations of state or local public funds. Assistance shall not
6	include guarantees, membership dues, vendor contracts for goods and services
7	related to administrative support for a local or state assistance program, or benefits
8	to individuals.
9	(2) (3) The financial statements of a private water supply system shall be
10	audited or reviewed by licensed certified public accountants subject to Paragraphs
11	(A)(5) and $\frac{(A)(6)}{(6)}$ of this Subsection Section, but may be audited by the
12	legislative auditor pursuant to Paragraph (A)(4) of this Section. Any person
13	authorized to conduct an audit of a governmental entity pursuant to R.S. 37:88 37:77
14	shall be permitted to audit the private water supply system subject to the approval
15	of the legislative auditor provided for in Paragraphs (A)(5) and $\frac{(A)(6)}{(6)}$ (6) of this
16	Section.
17	(3) (4) State or local assistance and other funds and expenditures of private
18	water supply systems shall be audited.
19	* * *
20	Section 7. R.S. 28:821(C) and 824(A) and (C) are hereby amended and reenacted
21	to read as follows:
22	§821. Findings and purpose
23	* * *
24	C. It is the intention of the legislature that the state of Louisiana adhere to
25	the principles contained in this Chapter in program planning, development, funding,
26	and implementation for persons with developmental disabilities and their families.
27	It is the further intention of the legislature that the Department of Health and
28	Hospitals work to implement the Community and Family Support System plan

2	Council pursuant to this Chapter.
3	* * *
4	§824. Community and Family Support System plan
5	A. The Louisiana State Planning Council on Developmental Disabilities
6	Council shall develop a plan to implement a Community and Family Support System
7	in accordance with the principles contained in this Chapter. The secretary of the
8	Department of Health and Hospitals shall allocate funds from existing resources to
9	provide staff support to the council for the development of the plan. The council
10	may appoint an advisory committee as necessary to assist in the development of the
11	plan. The advisory committee shall include representation of parents of children or
12	adults now residing in an intermediate care facility for people with developmental
13	disabilities.
14	* * *
15	C. The plan shall be coordinated with the plans of the Mental Retardation
16	and Developmental Disabilities Services System (R.S. 28:380 et seq.), the
17	Handicapped Infants and Toddlers Program (P.L. 99-457 Part H), the Child and
18	Adolescent Service System Program (R.S. 28:801 et seq.), the Comprehensive
19	Mental Health Plan Act of 1986 (P.L. 99-660), and other activities of the Louisiana
20	State Planning Council on Developmental Disabilities Council (R.S. 28:750 et seq.).
21	* * *
22	Section 8. R.S. 33:4169.1(G) is hereby amended and reenacted to read as follows:
23	§4169.1. Municipal and parish authority over collection and disposal of garbage and
24	trash; franchising, permitting, and licensing; assessment and collection of
25	service charge
26	* * *
27	G. The power to permit or regulate solid waste collection, transportation,
28	processing, recovery, and disposal, granted herein to parish and municipal governing
29	authorities, shall not preempt regulatory and licensing authority of the Environmental

developed by the Louisiana State Planning Council on Developmental Disabilities

1	Control Commission and the office of environmental affairs, Department of Natural
2	Resources secretary of the Department of Environmental Quality, pursuant to R.S.
3	30:2001, et seq.
4	* * *
5	Section 9. R.S. 36:3(4), 4(B)(1)(aa) and (ee), 6(a), and (18), (F), (L), (N), (U), and
6	$(X),\ 4.1(D)(9)\ and\ (15),\ 53(A),\ 109(N),\ 201(C)(1),\ 209(B)(1)(a),\ (C)(1),\ (F),\ (H)(1),\ (4),\ (5),\ (C)(1),\ $
7	(6), (10), and (11), (J), (K), (L), (M), (N), (O), (Q), (S), (T), (U), (W)(2), and (X), 239(B)(1), (M), (M), (M), (M), (M), (M), (M), (M
8	(4), and (6) and (E), 259(E), (F)(9), (10), (16), (18), and (21), (G), (I)(5), (J)(1), and (L)(1),
9	(M), (Q), (T), (U), (W), (X), (BB)(1), (CC), and (GG), 309(B), (C)(1), and (D), 359(D), (J), (CC), (
10	(K), and (L), 409(B), (C)(1), (2), (4), (5), and (8), (D), (E), (F), (G), (H), (J), (L), and (O),
11	459(B), (C), and (H), 474(B)(1)(a)(i), 475(A), 478(F), (H)(3) and (4), 509(C), (F)(1), (2),
12	(3), and (8), (H), (K), (L), (M), (O), (Q), (R), (S), and (T), 610(B)(1), (10), and (11), (E),
13	(F), (H), (I), (K), (L), and (N), 629 (C)(5), (6), & (8), (D), (E), (F), (G), (H), (J), (K), (L), and (R), (R), (R), (R), (R), (R), (R), (R),
14	(N), 643(A) and (C), 651(B), (C), (D), (H), (L), (P), (U), (X), (Y), (Z), and (BB), 686(A)(2)
15	and (3), (B), and (F), 706(B) and (C), 725(A), 744, (E), (H), (I), (J), (Q), (T), and (U),
16	769(C), (D), (F), (H), (I), and (L), 802(Introductory Paragraph), 802.6, 802.9, 803(A)(1),
17	851(A), 901(A), 918, and 921 (A) are hereby amended and reenacted and R.S. 36:4(B)(14)
18	$and \ (H), 4.1(D)(16), 239(C), 259(D), 309(F) \ and \ (G), 409(I), (P), and \ (Q), \ 459(D), 478(M), (Q), (Q), (Q), (Q), (Q), (Q), (Q), (Q$
19	629(R), 651(S), and 686(G) are hereby enacted to read as follows:
20	§3. Definitions
21	For the purposes of this Title the following terms shall have the following
22	meanings unless the context clearly indicates otherwise:
23	* * *
24	(4) "Deputy secretary" means the officer authorized to be appointed by the
25	secretary to serve as his principal administrative assistant. For the Department of
26	Public Safety and Corrections, the "deputy secretary for public safety services" and
27	the "deputy secretary for corrections services" shall be the officers of the department
28	appointed by the secretary to serve as the principal administrative assistants of the
29	secretary and references in any provision of law to the deputy secretary, where

1	reference is to a deputy secretary of the Department of Public Safety and
2	Corrections, shall include these two officers. "Deputy secretary" shall also include
3	the deputy secretary for youth services of the Department of Public Safety and
4	Corrections. For the Louisiana Workforce Commission, the "deputy executive
5	director" shall mean the officer authorized by the executive director to serve as his
6	principal administrative assistant. For the Department of Children and Family
7	Services, "deputy secretary" means the officer officers appointed by the secretary to
8	direct and be responsible for the functions of the division of programs and the
9	division of operations within the office of children and family services.
10	* * *
11	§4. Structure of executive branch of state government
12	* * *
13	B. The office of the governor shall be in the executive branch of state
14	government.
15	(1) The following agencies and their powers, duties, functions, and
16	responsibilities are hereby transferred to the office of the governor:
17	* * *
18	(aa) The Louisiana Sentencing Commission (R.S. 15:322-324 <u>15:321 et seq.</u>)
19	under the jurisdiction of the Louisiana Commission on Law Enforcement and
20	Administration of Criminal Justice.
21	* * *
22	(ee) The Louisiana Commission on HIV, and AIDS and Hepatitis C (R.S.
23	40:2018.1)
24	* * *
25	(6)(a) The Office of Elderly Affairs office of elderly affairs and the
26	Louisiana Executive Board on Aging, as more specifically provided in R.S. 46:931
27	through 934 et seq., shall be placed within the office of the governor.
28	* * *

1	(14) The following agencies are placed within the office of the governor,
2	division of administration, and shall perform and exercise their powers, duties,
3	functions, and responsibilities as provided by law.
4	(a) The board of trustees of the Post Employment Benefits Trust Fund (R.S.
5	<u>39:100.111 et seq.)</u>
6	(b) The Louisiana Information Technology Advisory Board (R.S. 39:15.4)
7	(c) The Louisiana Technology Advisory Group (R.S. 39:15.5)
8	(d) The Louisiana Postsecondary Education Information Technology Council
9	(R.S. 39:15.6)
10	* * *
11	(18) The Louisiana Tax Commission (R.S. 47:1831 -1837 e seq.; R.S.
12	47:1951-1998 et seq.) is placed within the office of the governor, division of
13	administration and shall exercise and perform its powers, duties, functions, and
14	responsibilities as provided for agencies transferred in accordance with the
15	provisions of R.S. 36:801.1.
16	* * *
17	F. The office on women's policy, as more specifically provided in (R.S.
18	46:2521-2525;) shall be placed within the office of the governor. The Louisiana
19	Women's Policy and Research Commission (R.S. 46:2525) is placed within the
20	office on women's policy.
21	* * *
22	H. The Intrastate Mutual Aid Subcommittee (R.S. 29:739) is placed within
23	the office of the governor and shall perform and exercise its powers, duties,
24	functions, and responsibilities as provided by law.
25	* * *
26	L.(1) The Office of Rural Development, as more specifically provided in
27	office of rural development (R.S. 3:311 through 318, et seq.) shall be placed within
28	the office of the governor and shall perform and exercise its powers, duties,
29	functions, and responsibilities as provided by law.

1	(2) The Louisiana Broadband Advisory Council, as more specifically
2	provided in R.S. 51:995.1 through 995.4, (R.S. 51:955.1 et seq.) shall be placed
3	within the Office of Rural Development office of rural development in the office of
4	the governor and shall perform and exercise its powers, duties, functions, and
5	responsibilities as provided by law.
6	* * *
7	N. The Louisiana Serve Commission, as more specifically provided for in
8	R.S. 49:1111 through 1122 et seq., shall be placed within the office of the lieutenant
9	governor and shall exercise its powers, duties, and functions in accordance with the
10	provisions of R.S. 36:802.14.
11	* * *
12	U. The Encore Louisiana Commission, as provided for in R.S. 51:1317
13	through 1319 et seq., shall be placed within the office of the lieutenant governor and
14	shall exercise its powers, duties, and functions as provided by law.
15	* * *
16	X. The Louisiana Council on the Social Status of Black Men and Boys, as
17	provided for in R.S. 49:1211 through 1213 et seq., shall be placed within the office
18	of the lieutenant governor and shall exercise its powers, duties, and functions as
19	provided by law.
20	* * *
21	§4.1. Agencies transferred from the Department of Economic Development to the
22	office of the governor; agencies placed within the office of the governor
23	* * *
24	D. The following agencies, as defined in R.S. 36:3, are hereby transferred
25	to and shall be placed within the office of the governor and shall perform and
26	exercise their powers, duties, functions, and responsibilities as provided in R.S.
27	36:803:
28	* * *

1	(9) Louisiana Auctioneers Licensing Board (R.S. 37:3101 through 3105 and
2	R.S. 37:3111 et seq.).
3	* * *
4	(15) <u>Louisiana State</u> Polygraph Board (R.S. 37:2831 et seq.), notwithstanding
5	the provisions of Chapter 36-A of Title 37 to the contrary.
6	(18) (16) The Louisiana State Board of Cosmetology (R.S. 37:561 through
7	607 <u>et seq.</u>).
8	* * *
9	§53. Transfer of boards, commissions, departments, and agencies to Department of
10	State Civil Service
11	A. The state examiner of municipal fire and police civil service and the
12	office of the state examiner of municipal fire and police civil service (R.S. 33:2471-
13	33:2508 Parts II and III of Chapter 5 of Title 33 of the Louisiana Revised Statutes
14	of 1950 and other provisions of the constitution and law applicable to the state
15	examiner and his office) are transferred to and hereafter shall be within the
16	Department of State Civil Service, as provided in R.S. 36:801.
17	* * *
18	§109. Transfer of boards, commissions, departments, and agencies to Department
19	of Economic Development
20	* * *
21	N. The Louisiana Economic Development Corporation and its board of
22	directors (R.S. 51:2311-2312 et seq.) is are placed within the Department of
23	Economic Development and shall exercise and perform its their duties, powers,
24	functions, and responsibilities in the manner provided for agencies transferred in
25	accordance with R.S. 36:801.
26	* * *
27	§201. Department of Culture, Recreation and Tourism; creation; domicile;
28	composition; purposes and functions
29	* * *

1	C.(1) The Department of Culture, Recreation and Tourism shall be
2	composed of the executive office of the secretary, the office of management and
3	finance, the office of the state library, the office of the state museum, the office of
4	state parks, the office of cultural development, the office of tourism, the office of
5	litter reduction and public action, and such other offices as shall be created by law.
6	* * *
7	§209. Transfer of boards, commissions, departments, and agencies to Department
8	of Culture, Recreation and Tourism
9	B.(1) The following agencies, as defined by R.S. 36:3, are transferred to and
10	hereafter shall be within the Department of Culture, Recreation and Tourism, as
11	provided in Part II of Chapter 22 of this Title:
12	(a) The Wedell-Williams Memorial Aviation Museum (R.S. 25:871 -874 et
13	<u>seq.</u>)
14	* * *
15	C. The following agencies, as defined in R.S. 36:3, are transferred to and
16	hereafter shall be within the Department of Culture, Recreation and Tourism, as
17	provided in Part III of Chapter 22 of this Title:
18	(1) Louisiana Archaeological Survey and Antiquities Commission (R.S.
19	41:1601 -41:1613 et seq.)
20	* * *
21	F. The Board of Commissioners of the State Library of Louisiana (R.S. 25:2=
22	4; R.S. 25:8-9 et seq.) is transferred to and hereafter shall be within the Department
23	of Culture, Recreation and Tourism, as provided in R.S. 36:910.
24	* * *
25	H. The following agencies, as defined by R.S. 36:3, are hereby abolished and
26	their powers, duties, functions, and responsibilities are transferred to the secretary
27	of the Department of Culture, Recreation and Tourism and hereafter shall be
28	exercised and performed as provided in Part IV of Chapter 22 of this Title:

1	(1) State Art, Historical and Cultural Preservation Agency (R.S
2	25:801(A)(B) and R.S. 25:802-812 R.S. 25:801 et seq.)
3	(4) State Library of Louisiana (R.S. 25:1; R.S. 25:5-7; R.S. 25:10-17; R.S.
4	25:222-223; R.S. 25:451-455; R.S. 25:631-636 R.S. 25:1, 5-7, and 10-16)
5	(5) Toledo Bend Forest Scenic Drive Commission (R.S. 48:1401 -1406 et
6	<u>seq.</u>)
7	(6) Louisiana Art Commission (R.S. 25:301 -306 et seq.)
8	(10) Louisiana Historical Preservation and Cultural Commission (R.S.
9	25:521 -527 et seq.)
10	(11) Old Arsenal Museum Commission (R.S. 25:551 -553 et seq.)
11	* * *
12	J. The following agencies, as defined in R.S. 36:3, are Louisiana National
13	Register Review Committee (R.S. 25:901 et seq.) is placed within the Department
14	of Culture, Recreation and Tourism and shall exercise and perform their its powers,
15	duties, functions, and responsibilities in the manner provided for agencies transferred
16	in accordance with the provisions of Part III of Chapter 22 of this Title:
17	(2) The Louisiana National Register Review Committee (R.S. 25:901-
18	25:902)
19	(3) The Council of 100 (Executive Order 78-10).
20	K. The Louisiana Naval War Memorial Commission (R.S. 25:1000 -1002 et
21	seq.) is placed within the Department of Culture, Recreation and Tourism and shall
22	exercise and perform its powers, duties, functions, and responsibilities in the manner
23	provided for agencies transferred in accordance with the provisions of R.S. 36:801.1.
24	L. The Louisiana Folklife Commission (R.S. 25:821 -R.S. 25:825 et seq.) is
25	placed within the Department of Culture, Recreation and Tourism and shall perform
26	and exercise its powers, duties, functions, and responsibilities in the manner provided
27	for agencies transferred in accordance with the provisions of Part III of Chapter 22
28	of this Title.

1	M.(1) The Atchafalaya Trace Commission, as more specifically provided in
2	R.S. 25:1221 through 1225 et seq., shall be placed within the Department of Culture,
3	Recreation and Tourism as provided for agencies transferred in accordance with R.S.
4	36:802.3.
5	(3) The Atchafalaya Trace Heritage Area Development Zone Review Board,
6	as more specifically provided in R.S. 25:1226 through 1226.6 et seq., shall be placed
7	within the Department of Culture, Recreation and Tourism as provided for agencies
8	transferred in accordance with Part III of Chapter 22 of this Title.
9	N. The Kenner Naval Museum Commission (R.S. 25:1005 -1005.3 et seq.)
10	is placed within the Department of Culture, Recreation and Tourism and shall
11	exercise and perform its powers, duties, functions, and responsibilities in the manner
12	provided for agencies transferred in accordance with the provisions of R.S. 36:801.1.
13	O. The New Orleans City Park Improvement Association and its board of
14	commissioners (Act No. 130 of 1896; Act No. 104 of 1934; Act No. 492 of 1958;
15	Act No. 405 of 1962; Act No. 865 of 1982; Act No. 569 of 1989; Act No. 13 of 1998
16	First Extraordinary Session; Act No. 395 of 2006) is transferred to the Department
17	of Culture, Recreation and Tourism and shall exercise and perform its powers,
18	duties, functions, and responsibilities as provided for agencies transferred in
19	accordance with the provisions of R.S. 36:802.22.
20	* * *
21	Q. The Louisiana Bicentennial Commission (R.S. 25:1231 -1237 et seq.)
22	shall be placed within the Department of Culture, Recreation and Tourism as
23	provided for agencies transferred in accordance with R.S. 36:802.
24	* * *
25	S. The Mississippi River Road Commission (R.S. 25:1251 -1255 et seq.) is
26	placed within the Department of Culture, Recreation and Tourism and shall exercise
27	and perform its powers, functions, duties, and responsibilities as provided in R.S.
28	36:802.17.

1	T. The Louisiana Historic Cemetery Trust Fund Advisory Board (R.S.
2	25:940 -943 et seq.) shall be placed within the Department of Culture, Recreation and
3	Tourism as provided for agencies transferred in accordance with R.S. 36:802.
4	U. The Battle of New Orleans Bicentennial Commission (R.S. 25:1238.1=
5	1238.7 et seq.) shall be placed within the Department of Culture, Recreation and
6	Tourism as provided for agencies transferred in accordance with R.S. 36:802.
7	* * *
8	W. The following museums shall be placed within the office of the state
9	museum of the Department of Culture, Recreation and Tourism and shall exercise
10	their powers, duties, functions, and responsibilities as provided in R.S. 36:851.1.
11	* * *
12	(2) The Louisiana Political Museum and Hall of Fame and its advisory board
13	(R.S. 25:342(B)(3)(c), R.S. 25: 352, and 380.141 et seq.).
14	* * *
15	X. The Louisiana Byways Commission (R.S. 56:1948.11 - 1948.13 et seq.)
16	is placed within the Department of Culture, Recreation and Tourism and shall
17	exercise and perform its powers, duties, functions, and responsibilities as provided
18	for agencies transferred in accordance with R.S. 36:802.19.
19	* * *
20	§239. Transfer of agencies and functions to Department of Environmental Quality
21	B. The following agencies, as defined in R.S. 36:3, are hereby abolished and
22	their powers, duties, functions, and responsibilities are transferred to the secretary
23	of the Department of Environmental Quality and shall be exercised and performed
24	as provided in Part IV of Chapter 22 of this Title:
25	(1) Governor's Council on Environmental Quality (R.S. 40:2351 -40:2355 et
26	<u>seq.</u>)
27	* * *
28	(4) Environmental Control Commission (R.S. 30:2013 -30:2017)

through 2546 et seq.) C. The Motor Fuels Underground Storage Tank Trust Fund Advise is placed within the Department of Environmental Quality and shall exe perform its powers, duties, functions, and responsibilities as otherwise probabilities. Beard of Certification and Training for Solid Waste Man System Operators (R.S. 37:3101-37:3111 37:3151 et seq.) is placed with Department of Environmental Quality and shall exercise and perform its duties, functions, and responsibilities in the manner provided for agencies to in accordance with R.S. 36:803. * * * * D. The following agencies, as defined in R.S. 36:3, are placed with the duties, functions, and responsibilities as otherwise provided by law: Department of Health and Hospitals and shall perform and exercise their duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on Obesity Prevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. (Established by the Louisiana Licensed Professional Counselors II Examiners). (5) Nursing Home Emergency Preparedness Review Committed (R.S. 40:2009.25)	1	(6) The Louisiana Litter Reduction and Public Action Commission,
C. The Motor Fuels Underground Storage Tank Trust Fund Adviss is placed within the Department of Environmental Quality and shall exe perform its powers, duties, functions, and responsibilities as otherwise problem. E. The Board of Certification and Training for Solid Waste Management of Environmental Quality and shall exercise and perform its duties, functions, and responsibilities in the manner provided for agencies to in accordance with R.S. 36:803. *** *** D. The following agencies, as defined in R.S. 36:3, are placed with the duties, functions, and responsibilities as otherwise provided by law: Department of Health and Hospitals and shall perform and exercise their duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on Obesity Prevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. (Established by the Louisiana Licensed Professional Counselors II Examiners). (5) Nursing Home Emergency Preparedness Review Committed (R.S. 40:2009.25)	2	previously abolished by Act No. 1137 of the 2001 Regular Session, (R.S. 30:2521
is placed within the Department of Environmental Quality and shall exected perform its powers, duties, functions, and responsibilities as otherwise provided. E. The Board of Certification and Training for Solid Waste Management of Environmental Quality and shall exercise and perform its duties, functions, and responsibilities in the manner provided for agencies to in accordance with R.S. 36:803. * * * * Substance of Environmental Quality and shall exercise and perform its duties, functions, and responsibilities in the manner provided for agencies to in accordance with R.S. 36:803. * * * * Department of Health and Hospitals and functions to Department of Health and Hospitals and shall perform and exercise their duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana State office of rural health (R.S. 40:2195.1) (2) Louisiana Council on ObesityPrevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. (Established by the Louisiana Licensed Professional Counselors In Examiners). (5) Nursing Home Emergency Preparedness Review Committee (R.S. 40:2009.25)	3	through 2546 et seq.)
perform its powers, duties, functions, and responsibilities as otherwise problem. E. The Board of Certification and Training for Solid Waste Man System Operators (R.S. 37:3101-37:3111 37:3151 et seq.) is placed with Department of Environmental Quality and shall exercise and perform it duties, functions, and responsibilities in the manner provided for agencies train accordance with R.S. 36:803. * * * * 14	4	C. The Motor Fuels Underground Storage Tank Trust Fund Advisory Board
E. The Board of Certification and Training for Solid Waste Man System Operators (R.S. 37:3101-37:3111 37:3151 et seq.) is placed w Department of Environmental Quality and shall exercise and perform it duties, functions, and responsibilities in the manner provided for agencies tr in accordance with R.S. 36:803. * * * * B. Transfer of agencies and functions to Department of Health and Hospitals and shall perform and exercise their duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on Obesity Prevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. (Established by the Louisiana Licensed Professional Counselors I Examiners). (5) Nursing Home Emergency Preparedness Review Commit 40:2009.25)	5	is placed within the Department of Environmental Quality and shall exercise and
E. The Board of Certification and Training for Solid Waste Man System Operators (R.S. 37:3101-37:3111 37:3151 et seq.) is placed w Department of Environmental Quality and shall exercise and perform it duties, functions, and responsibilities in the manner provided for agencies tr in accordance with R.S. 36:803. * * * * System Operators (R.S. 37:3101-37:3111 37:3151 et seq.) is placed w Department of Environmental Quality and shall exercise and perform it duties, functions, and responsibilities in the manner provided for agencies tr D. Transfer of agencies and functions to Department of Health and Health and Hospitals and shall perform and exercise their duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on Obesity Prevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. (Established by the Louisiana Licensed Professional Counselors In Examiners). (5) Nursing Home Emergency Preparedness Review Committee (R.S. 40:2009.25)	6	perform its powers, duties, functions, and responsibilities as otherwise provided by
System Operators (R.S. 37:3101-37:3111 37:3151 et seq.) is placed w Department of Environmental Quality and shall exercise and perform it duties, functions, and responsibilities in the manner provided for agencies tr in accordance with R.S. 36:803. * * * \$259. Transfer of agencies and functions to Department of Health and Health * * D. The following agencies, as defined in R.S. 36:3, are placed w Department of Health and Hospitals and shall perform and exercise their duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on Obesity Prevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. (Established by the Louisiana Licensed Professional Counselors II Examiners). (5) Nursing Home Emergency Preparedness Review Commit	7	<u>law.</u>
Department of Environmental Quality and shall exercise and perform its duties, functions, and responsibilities in the manner provided for agencies to in accordance with R.S. 36:803. * * * §259. Transfer of agencies and functions to Department of Health and Hospitals and shall perform and exercise their duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on Obesity Prevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. 40:2019) (5) Nursing Home Emergency Preparedness Review Committee (R.S. 40:2009.25)	8	E. The Board of Certification and Training for Solid Waste Management
duties, functions, and responsibilities in the manner provided for agencies tr in accordance with R.S. 36:803. * * * * \$259. Transfer of agencies and functions to Department of Health and Hospitals and shall perform and exercise their duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on Obesity Prevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. (Established by the Louisiana Licensed Professional Counselors II Examiners). (5) Nursing Home Emergency Preparedness Review Committee (R.S. 40:2009.25)	9	System Operators (R.S. 37:3101-37:3111 37:3151 et seq.) is placed within the
in accordance with R.S. 36:803. * * * * \$259. Transfer of agencies and functions to Department of Health and Hospitals and shall perform and exercise their duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on Obesity Prevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. (Established by the Louisiana Licensed Professional Counselors II Examiners). (5) Nursing Home Emergency Preparedness Review Committee (R.S. 40:2009.25)	10	Department of Environmental Quality and shall exercise and perform its powers,
\$259. Transfer of agencies and functions to Department of Health and Hospitals and shall perform and exercise their duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on Obesity Prevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. (Established by the Louisiana Licensed Professional Counselors II Examiners). (5) Nursing Home Emergency Preparedness Review Commit 40:2009.25)	11	duties, functions, and responsibilities in the manner provided for agencies transferred
\$259. Transfer of agencies and functions to Department of Health and Health and Health and Health and Health and Health and Hospitals and shall perform and exercise their duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on Obesity Prevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. (Established by the Louisiana Licensed Professional Counselors In Examiners). (5) Nursing Home Emergency Preparedness Review Committed (Professional Counselors)	12	in accordance with R.S. 36:803.
15 * * * * 16 D. The following agencies, as defined in R.S. 36:3, are placed w 17 Department of Health and Hospitals and shall perform and exercise their 18 duties, functions, and responsibilities as otherwise provided by law: 19 (1) Louisiana state office of rural health (R.S. 40:2195.1) 20 (2) Louisiana Council on Obesity Prevention and Management (R.S. 21 et seq.) 21 (3) Louisiana State Child Death Review Panel (R.S. 40:2019) 22 (4) Marriage and Family Therapy Advisory Committee (R.S. 24 (Established by the Louisiana Licensed Professional Counselors II Examiners). 25 Examiners). 26 (5) Nursing Home Emergency Preparedness Review Commit 40:2009.25)	13	* * *
D. The following agencies, as defined in R.S. 36:3, are placed volume to the feath and Hospitals and shall perform and exercise their duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on Obesity Prevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. (Established by the Louisiana Licensed Professional Counselors I Examiners). (5) Nursing Home Emergency Preparedness Review Commit 40:2009.25)	14	§259. Transfer of agencies and functions to Department of Health and Hospitals
Department of Health and Hospitals and shall perform and exercise thei duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on ObesityPrevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. (Established by the Louisiana Licensed Professional Counselors I Examiners). (5) Nursing Home Emergency Preparedness Review Commit 40:2009.25)	15	* * *
duties, functions, and responsibilities as otherwise provided by law: (1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on ObesityPrevention and Management (R.S. et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. et seq.) (Established by the Louisiana Licensed Professional Counselors In Examiners). (5) Nursing Home Emergency Preparedness Review Committee (Panel Professional Counselors In Pro	16	D. The following agencies, as defined in R.S. 36:3, are placed within the
(1) Louisiana state office of rural health (R.S. 40:2195.1) (2) Louisiana Council on Obesity Prevention and Management (R.S. 21 et seq.) (3) Louisiana State Child Death Review Panel (R.S. 40:2019) (4) Marriage and Family Therapy Advisory Committee (R.S. 24 (Established by the Louisiana Licensed Professional Counselors I Examiners). (5) Nursing Home Emergency Preparedness Review Commit 40:2009.25)	17	Department of Health and Hospitals and shall perform and exercise their powers,
20 (2) Louisiana Council on ObesityPrevention and Management (R.S. 21 et seq.) 22 (3) Louisiana State Child Death Review Panel (R.S. 40:2019) 23 (4) Marriage and Family Therapy Advisory Committee (R.S. 24 (Established by the Louisiana Licensed Professional Counselors I Examiners). 25 Examiners). 26 (5) Nursing Home Emergency Preparedness Review Commit 40:2009.25)	18	duties, functions, and responsibilities as otherwise provided by law:
21 et seq.) 22 (3) Louisiana State Child Death Review Panel (R.S. 40:2019) 23 (4) Marriage and Family Therapy Advisory Committee (R.S. 24 (Established by the Louisiana Licensed Professional Counselors I 25 Examiners). 26 (5) Nursing Home Emergency Preparedness Review Commit 27 40:2009.25)	19	(1) Louisiana state office of rural health (R.S. 40:2195.1)
22 (3) Louisiana State Child Death Review Panel (R.S. 40:2019) 23 (4) Marriage and Family Therapy Advisory Committee (R.S. 24 (Established by the Louisiana Licensed Professional Counselors I 25 Examiners). 26 (5) Nursing Home Emergency Preparedness Review Commit 27 40:2009.25)	20	(2) Louisiana Council on Obesity Prevention and Management (R.S. 46:2611
23 (4) Marriage and Family Therapy Advisory Committee (R.S. 24 (Established by the Louisiana Licensed Professional Counselors I 25 Examiners). 26 (5) Nursing Home Emergency Preparedness Review Commit 27 40:2009.25)	21	et seq.)
24 (Established by the Louisiana Licensed Professional Counselors I 25 Examiners). 26 (5) Nursing Home Emergency Preparedness Review Commit 27 40:2009.25)	22	(3) Louisiana State Child Death Review Panel (R.S. 40:2019)
 Examiners). (5) Nursing Home Emergency Preparedness Review Commit 40:2009.25) 	23	(4) Marriage and Family Therapy Advisory Committee (R.S. 37:1104)
26 (5) Nursing Home Emergency Preparedness Review Commit 27 40:2009.25)	24	(Established by the Louisiana Licensed Professional Counselors Board of
27 40:2009.25)	25	Examiners).
	26	(5) Nursing Home Emergency Preparedness Review Committee (R.S.
28 (6) Advisory Committee on Polysomnography (R.S. 37:2861 et se	27	40:2009.25)
	28	(6) Advisory Committee on Polysomnography (R.S. 37:2861 et seq.)

1	(7) Louisiana Birth Defects Surveillance System Advisory Board (R.S.
2	40:31.41 et seq.)
3	(8) Prescription Monitoring Program Advisory Council (R.S. 40:1001 et
4	seq.)
5	(9) Health Data Panel (R.S. 40:1300.111 et seq.)
6	E. The following agencies, as defined in R.S. 36:3, are transferred to and
7	hereafter shall be within the Department of Health and Hospitals, as provided in R.S.
8	36:803:
9	(1) Louisiana State Board of Nurse Examiners Nursing (R.S. 37:911=37:935
10	et seq.)
11	(2) Louisiana State Board of Dentistry (R.S. 37:753-37:790 <u>R.S. 37:751 et</u>
12	seq.)
13	(3) Louisiana State Board of Board Certified Social Work Examiners (R.S.
14	37:2701 -37:2718 et seq.)
15	(4) Louisiana State Board of Optometry Examiners (R.S. 37:1041 -37:1067
16	et seq.)
17	(5) Louisiana State Board of Examiners for Sanitarians (R.S. 37:2101=
18	37:2116 et seq.)
19	(6) Louisiana State Board of Practical Nurse Examiners (R.S. 37:961 -37:979
20	et seq.)
21	(7) Louisiana Board of Chiropractic Examiners (R.S. 37:2801 -37:2818 et
22	seq.)
23	(8) Louisiana State Board of Medical Examiners (R.S. 12:914; R.S. 37:611=
24	37:628 et seq.; 37:1261-37:1290 et seq.; 37:2401-37:2417)
25	(9) Louisiana State Board of Embalmers and Funeral Directors (R.S. 37:831=
26	37:851 et seq.)
27	(10) State Board of Examiners for of Psychologists (R.S. 37:2351 -37:2368
28	et seq.)

1	(11) Louisiana Board of Examiners for Speech-Language Pathology and
2	Audiology (R.S. 37:2650 et seq.)
3	(12) State <u>Louisiana</u> Board of Veterinary <u>Medical Examiners Medicine</u> (R.S.
4	37:1511 -37:1532 et seq.)
5	(13) Board of Examiners for Nursing Home Facility Administrators (R.S.
6	37:2501 -37:2511 et seq.)
7	(14) Louisiana Board of Pharmacy (R.S. 37:1161 -1250 et seq.; R.S.
8	51:521 -51:525 et seq.)
9	(16) Louisiana Board for Hearing Aid Dealers (R.S. 37:2441 -37:2465 et
10	seq.)
11	(17) Radiologic Technology Board of Examiners (R.S. 37:3200 -37:3219 et
12	seq.)
13	(20) Louisiana Physical Therapy Board (R.S. 37:2401 -2424 et seq.)
14	(21) The Louisiana Licensed Professional Vocational Rehabilitation
15	Counselors Board of Examiners (R.S. 37:3441 -3452 et seq.)
16	(23) The Addictive Disorder Regulatory Authority (R.S. 37:3389).
17	F. The following agencies, as defined in R.S. 36:3, previously abolished by
18	the Executive Reorganization Act, and their powers, duties, functions, and
19	responsibilities are transferred to the secretary of the Department of Health and
20	Hospitals and shall be exercised and performed as provided in Part IV of Chapter 22
21	of this Title:
22	* * *
23	(9) Louisiana State Board of Health and the Louisiana Department of Health
24	and all its subsidiary boards (R.S. 40:1-40:335 Such provisions of Title 40 of the
25	Louisiana Revised Statutes of 1950 as are applicable to the abolished board and
26	<u>department)</u>
27	(10) Louisiana Narcotics Rehabilitation Commission (R.S. 40:1051 -40:1055
28	et seq.)
29	(16) Anatomical Board (R.S. 17:2271 -17:2280 et seq.)

1	(18) Board of Commissioners of the South Louisiana Health Services
2	District (R.S. 28:241 -28:249 et seq.)
3	* * *
4	(21) Hospital Licensing Council (R.S. 40:2108 -40:2113.3)
5	G. The State Board of Electrolysis Examiners (R.S. 37:3051 -3077 et seq.)
6	is placed within the Department of Health and Hospitals and shall exercise and
7	perform its powers, duties, functions, and responsibilities in the manner provided for
8	agencies transferred in accordance with the provisions of R.S. 36:803.
9	* * *
10	I. The following agencies, as defined in R.S. 36:3, are placed within the
11	Department of Health and Hospitals and shall exercise and perform their powers,
12	duties, functions, and responsibilities in the manner provided for agencies transferred
13	in accordance with the provisions of R.S. 36:802:
14	* * *
15	(5) Water Supply and Sewerage Systems Certification Committee (R.S.
16	40:1141 -40:1151 et seq.)
17	J.(1) The Louisiana Emergency Response Network Board (R.S.
18	40:2841-2846 et seq.) is placed within the Department of Health and Hospitals and
19	shall exercise and perform its powers, duties, functions, and responsibilities in the
20	manner provided for agencies transferred in accordance with R.S. 36:801.1.
21	* * *
22	L.(1) The Louisiana State Planning Council on Developmental Disabilities
23	Council (R.S. 28:750 et seq.) is placed within the Department of Health and
24	Hospitals and shall exercise and perform its powers, duties, functions, and
25	responsibilities in the manner provided for agencies transferred in accordance with
26	the provisions of R.S. 36:801.1. The council shall have full appointing authority for
27	all personnel purposes.
28	* * *

1	M. The Ambulance Standards Committee of the Emergency Medical
2	Services Task Force as established by the assistant secretary of the office of public
3	health (R.S. 40:1232(A)(3) and (4) R.S. 40:1235(A)(3) and (4)) is placed within the
4	Department of Health and Hospitals and shall exercise and perform its powers,
5	duties, functions, and responsibilities in the manner provided for agencies transferred
6	with the provisions of Part III of Chapter 22 of this Title.
7	* * *
8	Q. The Louisiana State Board of Examiners in Dietetics and Nutrition (R.S.
9	37:3081 -3093 et seq.) is placed within the Department of Health and Hospitals and
10	shall exercise and perform its powers, duties, functions, and responsibilities in the
11	manner provided for agencies transferred in accordance with R.S. 36:803.
12	* * *
13	T. The Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board
14	(R.S. 46:2631 through 2635 et seq.) is hereby placed within the Department of
15	Health and Hospitals and shall exercise and perform its powers, duties, functions,
16	and responsibilities in the manner provided for agencies transferred in accordance
17	with the provisions of R.S. 36:802.
18	U. The Louisiana Access to Better Care Medicaid Insurance Demonstration
19	Project Oversight Board (R.S. 46:160.8 R.S. 46:160.1 et seq.) is placed within the
20	Department of Health and Hospitals and shall exercise and perform its powers,
21	duties, functions, and responsibilities in the manner provided for agencies transferred
22	in accordance with the provisions of Part III of Chapter 22 of this Title.
23	W. The Louisiana Board of Wholesale Drug Distributors (R.S. 37:3461=
24	3482) et seq. shall be placed within the Department of Health and Hospitals and shall
25	exercise and perform its powers, duties, functions, and responsibilities in the manner
26	provided for agencies transferred in accordance with the provisions of R.S. 36:803.
27	X. The Advisory Committee on Hospice Care (R.S. 40:2191 R.S. 40:2190
28	et seq.) is placed within the Department of Health and Hospitals and shall exercise

1	and perform its powers, duties, functions, and responsibilities in the manner provided
2	for agencies transferred as provided in Part III of Chapter 22 of this Title.
3	BB. The following agencies, as defined in R.S. 36:3, are placed within the
4	Department of Health and Hospitals and shall perform and exercise their powers,
5	duties, functions, and responsibilities in the manner provided for agencies transferred
6	in accordance with the provisions of R.S. 36:914:
7	(1) Respiratory Care Advisory Committee (R.S. 37:3356 et seq.)
8	* * *
9	CC. The Louisiana Board of Massage Therapy (R.S. 37:3551 -3567 et seq.)
10	is placed within the Department of Health and Hospitals and shall exercise and
11	perform its powers, duties, functions, and responsibilities in the manner provided for
12	agencies transferred in accordance with R.S. 36:803.
13	* * *
14	GG. The Louisiana Emergency Medical Services Certification Commission
15	(R.S. 40:1232.2 R.S. 40:1231 et seq.) is placed within the Department of Health and
16	Hospitals and shall perform and exercise its powers, duties, functions, and
17	responsibilities in the manner provided for agencies transferred in accordance with
18	R.S. 36:919.4.
19	* * *
20	§309. Transfer of agencies to Louisiana Workforce Commission
21	B. The following agencies, as defined by R.S. 36:3, are transferred to and
22	hereafter shall be within the Louisiana Workforce Commission, as provided in R.S.
23	36:802:
24	(1) Employment Security Board of Review (R.S. 23: 1652; 1621-1636 <u>1621</u>
25	et seq. and particularly R.S. 36:1652).
26	(2) Louisiana Worker's Compensation Second Injury Board (R.S. 23:1371=
27	1379 <u>et seq.</u>).
28	(3) The Louisiana Workforce Investment Council (R.S. 23:2041 et seq. and
29	2091 et seq.)

1	* * *
2	C. The following agencies, as defined in R.S. 36:3, are transferred to and
3	hereafter shall be within the Louisiana Workforce Commission, as provided in Part
4	III of Chapter 22 of this Title:
5	(1) Apprenticeship Council (R.S. 23:381 -392 et seq.).
6	* * *
7	D. The following agencies, as defined in R.S. 36:3, are transferred to and
8	hereafter shall be within the Louisiana Workforce Commission as provided in R.S.
9	36:803:
10	(1) Board of Barber Examiners (R.S. 37:341 -392 et seq.).
11	(2) State Plumbing Board (R.S. 37:1361 -1379 et seq.).
12	* * *
13	F. The Worker's Compensation Medical Advisory Council (R.S. 23:1203.1)
14	is placed within the Louisiana Workforce Commission and shall perform and
15	exercise its powers, duties, functions, and responsibilities as provided by law.
16	G. The Blind Vendors Trust Fund Advisory Board is placed within the
17	Louisiana Workforce Commission and shall perform and exercise its powers, duties,
18	functions, and responsibilities as provided by law.
19	* * *
20	§359. Transfer of agencies and functions to Department of Natural Resources
21	* * *
22	D. The State Department of Conservation (Article V, Section 18 and Article
23	VI, Section 1(c) of 1921 Louisiana Constitution made statutory by Article XIV,
24	Section 16(A)(2) and (3) of 1974 Louisiana Constitution; R.S. 30:1-30:63; 30:501-
25	30:504; 30:521-30:528; 30:541-30:558; 30:571-30:580; 30:591-30:606; 30:691-
26	30:692; 30:701-30:704 Part I of Chapter 1 of Subtitle I of Title 30 of the Louisiana
27	Revised Statutes of 1950 and other provisions of Title 30 that directly apply to the
28	department) is transferred to and hereafter shall be within the Department of Natural
29	Resources as provided in R.S. 36:806.

1	* * *
2	J. The <u>Atchafalaya Basin Research and Promotion Board and the</u> Atchafalaya
3	Basin Program is (R.S. 30:2000.1 et seq.) are placed within the Department of
4	Natural Resources and shall perform its their powers, duties, functions, and
5	responsibilities in the manner provided by law.
6	K. The Ground Water Resources Commission as provided in (R.S. 38:3097.1
7	through 3097.6 et seq.) shall be placed within the office of conservation, Department
8	of Natural Resources, and shall exercise its powers, duties, functions, and
9	responsibilities as provided in R.S. 36:802.18.
10	L. The Ground Water Management Advisory Task Force (R.S. 38:3097.7)
11	shall be placed within the office of conservation, Department of Natural Resources,
12	and shall perform its powers, duties, functions, and responsibilities in the manner
13	provided by law.
14	* * *
15	§409. Transfer of agencies to Department of Public Safety and Corrections
16	B. The Louisiana Highway Safety Commission (R.S. 48:1351 -48:1357 et
17	seq.) is transferred to the Department of Public Safety and Corrections and hereafter
18	shall perform and exercise its powers, duties, functions, and responsibilities as
19	provided in R.S. 36:801.
20	C. The following agencies, as defined by R.S. 36:3, are transferred to and
21	hereafter shall be within the Department of Public Safety and Corrections, as
22	provided in R.S. 36:802:
23	(1) Fire Prevention Board of Review (R.S. 40:1578.1 -40:1578.5 et seq.)
24	(2) Fireman's Supplemental Pay Board (R.S. 33:2006 -33:2009 et seq.)
25	* * *
26	(4) Board of Parole (R.S. 15:572; 15:574.2 -15:574.13 et seq.; R.S. 46:1651=
27	46:1656 <u>et seq.</u>)
28	(5) Board of Pardons (Article IV, Section 5(E) of the 1974 Louisiana
29	Constitution; R.S. 15:572 -15:574.1 et seq.)

1	(8) The Weights and Standards Police Force (R.S. 40:1379.8). The Weights
2	and Standards Police Force shall perform the functions of the state related to the
3	enforcement of R.S. 32:380 through 388, R.S. 32:388.1, R.S. 32:390, and R.S.
4	47:718, and the provisions of Chapter 4 of Subtitle II of Title 47 relating to trucks,
5	trailers, and semitrailers and Part V of Chapter 7 of Subtitle II of Title 47 of the
6	Louisiana Revised Statutes of 1950 and the department's regulations adopted
7	pursuant thereto.
8	* * *
9	D. The following agencies, as defined by R.S. 36:3, are Louisiana State
10	Board of Private Security Examiners (R.S. 37:3270 et seq.) is transferred to and shall
11	be within the Department of Public Safety and Corrections, as provided in R.S.
12	36:803:
13	(1) Repealed by Acts 2005, No. 428, §3, eff. July 1, 2005.
14	(2) Louisiana State Board of Private Security Examiners (R.S. 37:3270-
15	3298)
16	E. The Louisiana Medical Advisory Council Board (R.S. 40:1351 -40:1355
17	et seq.) is transferred to and hereafter shall be within the Department of Public Safety
18	and Corrections, as provided in Part III of Chapter 22 of this Title.
19	F. The following agencies, as defined in R.S. 36:3, are hereby abolished and
20	their powers, duties, functions, and responsibilities are transferred to the secretary
21	of the Department of Public Safety and Corrections and hereafter shall be exercised
22	and performed as provided in Part IV of Chapter 22 of this Title:
23	(1) Department of Public Safety (R.S. 40:1301-40:1471.22; R.S. 26:791-
24	26:797; R.S. 32:401-32:427; 32:851-32:1043; 32:1301-32:1310; R.S. 47:531-47:540
25	Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950 and other statutes
26	that directly apply to said department)
27	(2) State Fire Marshal (R.S. 40:1561-40:1592; 40:1601; 40:1621 Part III of
28	Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950 and other statutes
29	that directly apply to the state fire marshal)

1	(3) The Interagency Recreation Board (R.S. 40:2501 through 2505 et seq.;
2	R.S. 41:1081 through 1088 et seq.)
3	(4) Louisiana Criminal Justice Information System (R.S. 15:575 et seq.)
4	(5) Louisiana State Board of Boiler Inspector Examiners (R.S. 23:41 -23:49
5	et seq.)
6	(6) The Department of Corrections (R.S. 15:572; 15:574.2-15:574.3; 15:821-
7	15:840.1; 15:851-15:875; 15:892-15:894; 15:901-15:907; 15:1061-15:1071;
8	15:1111; 15:1131-15:1135; 15:1151-15:1159; and R.S. 46:1651-46:1656 15:821 et
9	seq. and other provisions of Title 15 of the Louisiana Revised Statutes of 1950 that
10	directly apply to said department)
11	G. The Prison Enterprises Board (R.S. 15:1155 R.S. 15:1151 et seq.) is
12	placed within the Department of Public Safety and Corrections and shall exercise and
13	perform its powers, duties, functions, and responsibilities in the manner provided for
14	agencies transferred in accordance with the provisions of R.S. 36:901, et seq.
15	H. The Liquified Petroleum Gas Commission (Article VI, Section 28 of the
16	1921 Louisiana Constitution made statutory by Article XIV, Section 16(A)(3) of the
17	1974 Louisiana Constitution; R.S. 40:1841 -40:1850; R.S. 3:1351-3:1357 et seq. and
18	1911 et seq.) is placed within the Department of Public Safety and Corrections and
19	shall exercise and perform its powers, duties, functions, and responsibilities in the
20	manner provided for agencies transferred in accordance with the provisions of R.S.
21	36:802, except that any director or assistant director of the agency or similar
22	personnel authorized by law shall continue to be appointed as otherwise provided by
23	law.
24	I. The advisory board to the Liquefied Petroleum Gas Commission (R.S.
25	40:1851(F)) is placed within the Department of Public Safety and Corrections and
26	shall perform and exercise its powers, duties, functions, and responsibilities in the
27	manner provided for agencies transferred in accordance with R.S. 36:901 et seq.
28	J.(1) The Louisiana Manufactured Housing Commission (R.S. 51:911.26
29	51:911.21 et seq. and 911.51 et seq.) is placed within the office of the state fire

2	exercise its powers, duties, functions, and responsibilities in accordance with the
3	provisions of R.S. 36:803.1.
4	(2) The Louisiana state administrative agency (R.S. 51:912.51 et seq.) is
5	placed within public safety services of the Department of Public Safety and
6	Corrections and shall perform and exercise all of its powers, duties, functions, and
7	responsibilities in accordance with the provisions of R.S. 51:912.51 et seq. Public
8	safety services shall assist the agency in the administration and implementation of
9	its powers, duties, functions, and responsibilities and the deputy secretary and the
10	undersecretary for public safety services shall perform and exercise their respective
11	powers, duties, functions, and responsibilities as necessary to so assist the agency.
12	* * *
13	L. The Louisiana State Board of Private Investigator Examiners (R.S.
14	37:3501 -3525 et seq.) is placed within the Department of Public Safety and
15	Corrections and shall perform and exercise its powers, duties, functions, and
16	responsibilities as provided for agencies transferred in accordance with R.S. 36:803.
17	* * *
18	O. The Louisiana Truck Center (R.S. 32:390.21-390.24 et seq.) is placed
19	within the Department of Public Safety and Corrections as provided in R.S. 36:851.
20	P. The Reentry Advisory Council (R.S. 15:1199.4) is placed within the
21	Department of Public Safety and Corrections and shall perform and exercise its
22	powers, duties, functions, and responsibilities as provided by law.
23	Q. The task force to develop and implement an electronic media system for
24	lien recordation and motor vehicle title information (R.S. 32:707.2) is placed within
25	the Department of Public Safety and Corrections and shall perform and exercise its
26	powers, duties, functions, and responsibilities as provided by law.
27	* * *
28	§459. Transfer of agencies or their powers to Department of Revenue

marshal of the Department of Public Safety and Corrections and shall perform and

1	B. Public administrators for all parishes appointed pursuant to R.S. 9:1581
2	(R.S. 9:1581 -1590; R.S. 9:1551-1552 et seq. and other provisions of Title 9 of the
3	Louisiana Revised Statutes of 1950 that apply to such administrators) shall be
4	transferred to and hereafter shall be within the Department of Revenue, as provided
5	in R.S. 36:802.
6	C. The Department of Revenue (R.S. 47:1501-1690 et seq. and generally,
7	other provisions of Title 47 of the Louisiana Revised Statutes of 1950 applicable to
8	the former department) is hereby abolished and its powers, duties, functions, and
9	responsibilities are transferred to the secretary of the Department of Revenue and
10	hereafter shall be exercised and performed as provided in Part IV of Chapter 22 of
11	this Title.
12	D. The Louisiana Bio-Fuel Panel (R.S. 3:3712) is placed within the
13	Department of Revenue and shall perform and exercise its powers, duties, functions,
14	and responsibilities as provided by law.
15	* * *
16	H. The Uniform Electronic Local Return and Remittance Advisory
17	Committee as provided for in (R.S. 47:337.23) is placed within the Department of
18	Revenue and shall exercise and perform its powers, duties, functions, and
19	responsibilities as provided for agencies transferred in accordance with the
20	provisions of R.S. 36:901.
21	* * *
22	§474. Powers and duties of the secretary of the Department of Children and Family
23	Services
24	* * *
25	B. The secretary shall have authority to:
26	(1)(a) Except as otherwise specifically provided in R.S. 36:801 and R.S.
27	36:803 <u>36:802.9</u> :
28	(i) Employ, appoint, remove, assign, and promote such personnel as is
29	necessary for the efficient administration of the department and the performance of

1	its powers, duties, functions, and responsibilities and such other personnel, who are
2	not assigned to an office, as may be necessary for the efficient administration of the
3	department and for and the performance of the responsibilities, powers, duties, and
4	functions of agencies transferred to it;
5	* * *
6	§475. Deputy secretaries
7	A. There shall be a deputy secretary of programs and a deputy secretary of
8	operations, who each of whom shall be appointed by the secretary with consent of
9	the Senate and who shall serve at the pleasure of the secretary at a salary fixed by the
10	secretary, which salary shall not exceed the amount approved for such the respective
11	position by the legislature while in session. The deputy secretary of programs shall
12	serve as acting secretary in the absence of the secretary.
13	* * *
14	§478. Transfer of agencies and functions to Department of Children and Family
15	Services
16	F. The Louisiana Children's Trust Fund Board (R.S. 46:2404 R.S. 46:2401
17	et seq.) is placed within the Department of Children and Family Services and shall
18	exercise and perform its powers, duties, functions, and responsibilities in the manner
19	provided by the provisions of R.S. 36:802.9.
20	H. The following agencies, as defined in R.S. 36:3, previously abolished by
21	the Executive Reorganization Act and their powers, duties, functions, and
22	responsibilities are transferred to the secretary of the Department of Children and
23	Family Services and shall be exercised and performed as provided in Part IV of
24	Chapter 22 of this Title:
25	* * *
26	(3) State Department of Public Welfare (R.S. 46:51-46:115 Such provisions
27	of Title 46 of the Louisiana Revised Statutes of 1950 as apply to the abolished
28	<u>department</u>)

1	(4) State Board of Public Welfare (R.S. 46:53-46:54 Such provisions of Title
2	46 of the Louisiana Revised Statutes of 1950 as apply to the abolished board)
3	* * *
4	M. The Louisiana Advisory Council on Child Care and Early Education is
5	placed within the Department of Children and Family Services and shall exercise and
6	perform its powers, duties, functions, and responsibilities as provided in R.S.
7	46:1401 et seq., particularly R.S. 46:1414.
8	* * *
9	§509. Transfer of agencies to Department of Transportation and Development
10	* * *
11	C. The Louisiana Professional Engineering and Land Surveying Board (R.S.
12	37:681 -704 et seq.) is transferred to and hereafter shall be within the Department of
13	Transportation and Development, as provided in R.S. 36:803.
14	F. The following agencies, as defined in R.S. 36:3, are hereby abolished, and
15	their powers, duties, functions, and responsibilities are transferred to the secretary
16	of the Department of Transportation and Development and hereafter shall be
17	exercised and performed as provided in Part IV of Chapter 22 of this Title:
18	(2) The Department of Highways (Article VI, Sections 19, 19.2, 19.3, 19.4,
19	22(1) and 23 of 1921 Louisiana Constitution, made statutory by Article XIV, Section
20	16(A)(3) of 1974 Louisiana Constitution; R.S. 48:1-48:461.17; 48:756; 48:781-
21	48:786; 48:941-48:952; 48:1091-48:1106; 48:1161-48:1167; and any other laws
22	applicable to said and such provisions of Title 48 of the Louisiana Revised Statutes
23	of 1950 as apply to the abolished department)
24	(3) Department of Public Works (R.S. 38:1 -38:19; R.S. 2:1-2:17; 2:81-2:87;
25	and any other laws applicable to said and such provisions of Title 38 of the Louisiana
26	Revised Statutes of 1950 as apply to the abolished department)
27	* * *
28	(8) Louisiana Expressway Authority (R.S. 48:1251 -48:1281 et seq.)
29	* * *

1	H. The Mississippi River Parkway Commission of Louisiana (R.S. 48:101=
2	103 et seq.) is placed within the Department of Transportation and Development and
3	shall exercise and perform its powers, duties, functions, and responsibilities as
4	provided for agencies transferred in accordance with the provisions of Part III of
5	Chapter 22 of this Title.
6	K. The Louisiana Transportation Authority (R.S. 48:2071 through 2083 et
7	seq.) is placed within the Department of Transportation and Development and shall
8	perform and exercise its powers, duties, functions, and responsibilities in the manner
9	provided for agencies transferred in accordance with the provisions of R.S. 36:801.
10	L. The Offshore Terminal Authority (R.S. 34:3101 et seq.) is transferred to
11	and hereafter shall be within the Department of Transportation and Development, as
12	provided by law.
13	M. The Mississippi River Bridge Authority (R.S. 48:1092 <u>-1092.1</u>) is placed
14	within the Department of Transportation and Development as provided in R.S.
15	36:901.
16	O. The Sabine River Authority, state of Louisiana (Article XIV, Section 45
17	of 1921 Louisiana Constitution, made statutory by Article XIV, Section 16(A)(10)
18	of 1974 Louisiana Constitution; R.S. 38:2321 - 2337 et seq.) is placed within the
19	Department of Transportation and Development and shall perform and exercise its
20	powers, duties, functions, and responsibilities in the manner provided for agencies
21	transferred in accordance with the provisions of R.S. 36:801.1.
22	Q. The Poverty Point Reservoir District (R.S. 38:3087.1=3087.15 et seq.) is
23	placed within the Department of Transportation and Development and shall perform
24	and exercise its powers, duties, functions, and responsibilities in the manner provided
25	for agencies transferred in accordance with the provisions of R.S. 36:801.1.
26	R. The Allen Parish Reservoir District (R.S. 38:3087.171 -3087.185 et seq.)
27	is placed within the Department of Transportation and Development and shall
28	perform and exercise its powers, duties, functions, and responsibilities in the manner
29	provided for agencies transferred in accordance with the provisions of R.S. 36:801.1.

1	S. The Washington Parish Reservoir District (R.S. 38:3087.191 -3087.205
2	et seq.) is placed within the Department of Transportation and Development and
3	shall perform and exercise its powers, duties, functions, and responsibilities in the
4	manner provided for agencies transferred in accordance with the provisions of R.S.
5	36:801.1.
6	T. The West Ouachita Reservoir Commission (R.S. 38:3087.241 -3087.255
7	et seq.) is placed within the Department of Transportation and Development and
8	shall perform and exercise its powers, duties, functions, and responsibilities in the
9	manner provided for agencies transferred in accordance with the provisions of R.S.
10	36:801.1.
11	§610. Transfer of agencies and functions to Department of Wildlife and Fisheries
12	B. The following agencies, as defined in R.S. 36:3, are transferred to and
13	hereinafter shall be within the Department of Wildlife and Fisheries, as provided in
14	R.S. 36:802.
15	(1) The Wildlife and Fisheries Commission (Article IX, Section 7 of 1974
16	Louisiana Constitution; R.S. 34:341-34:343; R.S. 56:1-56:28; 56:61-56:801;
17	56:1437; 56:1452; 56:1464-56:1464.4 et seq. and other provisions of the Louisiana
18	Revised Statutes of 1950 that apply to the commission)
19	* * *
20	(10) Louisiana Environmental Education Commission (R.S. 30:2503 R.S.
21	30:2501 et seq.)
22	(11) The <u>Louisiana</u> Shrimp Task Force (R.S. 56:494)
23	* * *
24	E. The Louisiana Seafood Promotion and Marketing Board, R.S. 56:578.1
25	through 578.10, et seq. is placed within the Department of Wildlife and Fisheries and
26	shall perform and exercise its duties, powers, functions, and responsibilities as
27	provided for agencies transferred in accordance with the provisions of R.S. 36:802.5.
28	F. The Lake Fausse Point, Lake Dauterive, and Grande Avoille Cove
29	Advisory Board (R.S. 56:796) is hereby placed within the Department of Wildlife

2	provided in R.S. 36:918.
3	* * *
4	H. The Louisiana Artificial Reef Development Council (R.S. 56:639.6 R.S.
5	56:639.1 et seq.) is placed within the Department of Wildlife and Fisheries and shall
6	exercise and perform its powers, duties, functions, and responsibilities in the manner
7	provided for agencies transferred in accordance with Part III of Chapter 22 of this
8	Title.
9	I. The Louisiana Fur Advisory Council (R.S. 56:266(C) R.S. 56:266) is
10	placed within the Department of Wildlife and Fisheries and shall exercise and
11	perform its powers, duties, functions, and responsibilities in the manner provided for
12	agencies transferred in accordance with Part III of Chapter 22 of this Title.
13	* * *
14	K. The White Lake Property Advisory Board (R.S. 56:799.1-799.6 et seq.)
15	is placed within the Department of Wildlife and Fisheries and shall exercise and
16	perform its powers, duties, functions, and responsibilities in the manner provided for
17	agencies transferred in accordance with R.S. 36:801.
18	L. The Louisiana Alligator Advisory Council (R.S. 56:278 and 279) is placed
19	within the Department of Wildlife and Fisheries and shall exercise and perform its
20	powers, duties, functions, and responsibilities in the manner provided for agencies
21	transferred in accordance with Part III of Chapter 22 of this Title.
22	* * *
23	N. The Oyster Seed Ground Vessel Permit Appeals Board (R.S. 56:433.1(C)
24	R.S. 56:433.1) is placed within the Department of Wildlife and Fisheries and shall
25	exercise and perform its powers, duties, functions, and responsibilities in the manner
26	provided for agencies transferred in accordance with Part III of Chapter 22 of this
27	Title.
28	* * *

and Fisheries and shall exercise its powers, duties, functions, and responsibilities as

1	§629. Transfer of boards, commissions, departments, and agencies to the
2	Department of Agriculture and Forestry
3	* * *
4	C. The following agencies as defined by R.S. 36:3 are transferred to and
5	hereafter shall be within the Department of Agriculture and Forestry as provided in
6	R.S. 36:802.3:
7	* * *
8	(5) Louisiana State Livestock Sanitary Board of Animal Health (R.S. 3:495-
9	496; 3:561-566; 3:661-671; 3:1961-1971; 3:2004-2005; 3-2091-2099; 3:2171-2188;
10	3:2221-2232; 3:2261-2264; 3:2341-2347; and 3:4222(C) R.S. 3:2091 et seq. and
11	other provisions of Title 3 of the Louisiana Revised Statutes of 1950 that apply to the
12	board). Notwithstanding the provisions of R.S. 36:802.3, the Louisiana State
13	Livestock Sanitary Board of Animal Health shall serve solely in an advisory capacity
14	with respect to the meat inspection program, as provided in R.S. 3:4222(C).
15	(6) Seed Commission (R.S. 3:1431 -3:1448 et seq.)
16	(8) <u>Louisiana Commission of</u> Weights and Measures Commission (R.S.
17	55:1-55:19 <u>3:4601 et seq.</u>).
18	D. The following agencies, as defined by R.S. 36:3, are transferred to and
19	hereinafter shall be within the Department of Agriculture and Forestry, as provided
20	in R.S 36:913:
21	(1) Livestock Brand Commission (R.S. 3:731 -3:784 et seq.)
22	(2) Advisory Commission on Pesticides (R.S. 3:3211 et seq.)
23	E. The following agencies, as defined by R.S. 36:3, are transferred to and
24	hereinafter shall be within the Department of Agriculture and Forestry, as provided
25	in R.S. 36:802.1:
26	(1) Louisiana Egg Commission (R.S. 3:835 -846 et seq.)
27	(3) Louisiana Rice Promotion Board (R.S. 3:3531 -3538 et seq.)
28	(4) Louisiana Rice Research Board (R.S. 3:3541 -3548 et seq.)

1	(5) Louisiana Soybean and Grain Research and Promotion Board (R.S.
2	3:3551 -3556 <u>et seq</u> .).
3	(6) Louisiana Strawberry Marketing Board (R.S. 3:730.1 -730.8 et seq.)
4	(7) Louisiana Beef Industry Council (R.S. 3:2051 -2063 et seq.)
5	(8) Louisiana Crawfish Promotion and Research Board (R.S. 3:556.1=
6	3:556.12 <u>et seq.</u>)
7	F. The Louisiana Sweet Potato Advertising and Development Commission
8	(R.S. 3:1741 -1748 et seq.) is hereby transferred to and hereafter shall be within the
9	Department of Agriculture and Forestry as provided in R.S. 36:802.2.
10	G. The Dairy Stabilization Board (R.S. 3:4106 3:4101 et seq.) is hereby
11	transferred to and hereafter shall be within the Department of Agriculture and
12	Forestry as provided in R.S. 36:801 until the second Monday in March of 1980, at
13	which time the Dairy Stabilization Board shall be transferred as provided in Part III
14	of Chapter 22 of this Title.
15	H. The Louisiana Feed, Fertilizer, and Agricultural Liming Commission
16	(R.S. 3:1891 1381 et seq.) is placed within the Department of Agriculture and
17	Forestry and shall perform and exercise its powers, duties, functions, and
18	responsibilities as provided by law.
19	* * *
20	J. The Louisiana Agricultural Commodities Commission (R.S. 3:3401 -3425
21	et seq.) hereafter shall be within the Department of Agriculture and Forestry as
22	provided under R.S. 36:802.6.
23	K. The Louisiana Agricultural Finance Authority (R.S. 3:261 through R.S.
24	3:283.1 et seq.) is established within the Department of Agriculture and Forestry and
25	hereafter shall exercise and perform its powers, duties, functions, and responsibilities
26	in the manner provided for agencies transferred in accordance with R.S. 36:802.6.
27	L. The Dairy Industry Promotion Board (R.S. 3:4151 -4162 et seq.) hereafter
28	shall be within the Department of Agriculture and Forestry as provided in R.S.
29	36:802.7.

1	* * *
2	N. The Forestry Commission (Article IX, Section 8(B) and (C) of the
3	Constitution of Louisiana, R.S. 3:4271-4365 and Chapter 28 of Title 3 of the
4	Louisiana Revised Statutes of 1950) hereafter shall be within the Department of
5	Agriculture and Forestry as provided in R.S. 36:802.10.
6	* * *
7	R. The Louisiana Catfish Promotion and Research Board (R.S. 3:558.3) is
8	placed within the Department of Agriculture and Forestry and shall perform and
9	exercise its powers, duties, functions, and responsibilities as provided by law.
10	* * *
1	§643. Officers of the department; compensation for one office only
12	A. The officers of the department shall be the superintendent of education,
13	the deputy superintendent of education, and an assistant deputy superintendent for
14	each office of the department. With the exception of the superintendent of
15	education, each of them shall be selected as provided in this Title. They shall
16	perform functions as provided in this Title. The deputy superintendent shall be the
17	first assistant to the superintendent appointed pursuant to Article IV, Section 13 of
18	the constitution Constitution of Louisiana.
19	* * *
20	C. Notwithstanding any provision herein of this Section to the contrary,
21	subject to approval of the superintendent, any person serving as deputy
22	superintendent or assistant deputy superintendent may receive additional
23	compensation for part-time services rendered as an instructor in post-secondary
24	educational institutions, or as a member of the National Guard.
25	* * *
26	§651. Transfer of boards, commissions, departments, and agencies to Department
27	of Education; boards, commissions, and agencies within Department of
28	Education

B. For purposes of this Chapter, references in Chapters 22 and 24 of this
Title to the "secretary" shall refer to the superintendent of education, references to
the "undersecretary" shall refer to the assistant deputy superintendent for the office
of management and finance, references to an "assistant secretary" shall refer to an
a deputy assistant superintendent, except that references in Chapters 22 and 24 of this
Title to the "secretary", "the undersecretary", or an "assistant secretary" shall mean
the chairman as provided in R.S. 17:3022(A), for any agency transferred under the
provisions of R.S. 36:651(K).
C. The Louisiana Educational Television Authority (R.S. 17:2501 -17:2500
et seq.) is transferred to and hereafter shall be within the Department of Education
as provided in R.S. 36:801.
D. The following agencies, as defined by R.S. 36:3, are transferred to and
hereafter shall be within the Department of Education as provided in R.S. 36:801.1
(1) The Board of Supervisors for the University of Louisiana System (Article
VIII, Section 6 of the 1974 Louisiana Constitution; R.S. 17:1831 et seq. and R.S.
17:1806, 3201 et seq., and 3351 et seq. and other provisions of Title 17 of the
Louisiana Revised Statutes of 1950 that apply to the board.)
(2) Board of Regents (Article VIII, Section 5 of the 1974 Constitution; R.S.
17:3121 -17:3133 et seq. and other provisions of Title 17 of the Louisiana Revised
Statutes that apply to the board.)
(3) Board of Supervisors of Louisiana State University and Agricultural and
Mechanical College (Article VIII, Section 7 of the 1974 Constitution; R.S. 17:1453
17:1455-1456; 17:2181-17:2193; 17:3121-17:3133 et seq. and 3201 et seq. and othe
provisions of the Louisiana Revised Statutes that apply to the board.)
(4) Board of Supervisors of Southern University and Agricultural and
Mechanical College (Article VIII, Section 7 of the 1974 Constitution; R.S. 17: 3121
17:3133 1851 et seq. and 3201 et seq. and other provisions of Title 17 of the
Louisiana Revised Statutes of 1950 that apply to the board.)

1	(5) The Board of Supervisors of Community and Technical Colleges (Article
2	VIII, Section 7.1 of the 1974 Louisiana Constitution; R.S. 17:1871 et seq. and 3201
3	et seq. and other provisions of Title 17 of the Louisiana Revised Statutes of 1950 that
4	apply to the board).
5	(6) Louisiana Systemic Initiatives Program Council (R.S. 17: 2757 <u>2751</u> et
6	seq.).
7	(8) The New Orleans Center for Creative Arts and its board of directors (R.S.
8	17:1970.21 - 1970.27 <u>et seq.</u>).
9	E. The State Board of Elementary and Secondary Education (Article VIII,
10	Section 3 of 1974 Louisiana Constitution; R.S. 17:1-17:14; R.S. 17:274.1; R.S.
11	17:341-17:347; R.S. 17:351; R.S. 17:391.1-17:391.10; R.S. 17:411; R.S. 17:416.2;
12	R.S. 17:420.1 et seq and other provisions of Title 17 of the Louisiana Revised
13	Statutes of 1950 that apply to the board) is hereby transferred to and hereafter shall
14	be within the Department of Education as provided in R.S. 36:801.2.
15	* * *
16	H. The State Department of Education (R.S. 17:24 as provided in Acts 1975,
17	No. 274) is hereby abolished and its powers, duties, functions, and responsibilities
18	are transferred to the superintendent of education of the Department of Education
19	and hereafter shall be exercised and performed as provided in Part IV of Chapter 22
20	of this Title.
21	* * *
22	L. The Advisory Commission on Proprietary Schools (R.S. 17:3141.1=
23	3141.19 et seq.) is placed within the Department of Education and shall exercise and
24	perform its powers, duties, functions, and responsibilities in the manner provided in
25	R.S. 36:801.5.
26	M. The Council of the Louisiana Universities Marine Consortium for
27	Research and Education (R.S. 17:3451-17:3456 et seq.) shall be within the
28	Department of Education as provided in R.S. 36:801.4.
29	* * *

1	P. The Task Force on Student Proficiency (R.S. 17:24.4(I)) is placed within
2	the Department of Education and shall exercise and perform its powers, duties,
3	functions, and responsibilities in the manner provided for agencies transferred under
4	the provisions of Part III of Chapter 22 of this Title.
5	* * *
6	S. The following agencies are placed within the Department of Education
7	and shall perform and exercise their powers, duties, functions, and responsibilities
8	as provided by law:
9	(1) Statewide Articulation and Transfer Council (R.S. 17:3162)
10	(2) Process Technology Advisory Board (R.S. 17:3398.2)
1	(3) Louisiana Tuition Trust Authority (R.S. 17:3091 et seq.)
12	(4) Governing board of the Louisiana Cancer Research Center of L.S.U.
13	Health Sciences Center in New Orleans/Tulane Health Sciences Center (R.S.
14	40:1922 et seq.)
15	(5) Louisiana State University Health Sciences Center Health Maintenance
16	Organization (R.S. 22:2181 et seq.)
17	U.(1) The office of instructional technology (R.S. 17:3921 -3921.4 et seq.)
18	is placed within the Department of Education and shall exercise and perform its
19	powers, duties, functions, and responsibilities in accordance with the provisions of
20	R.S. 36:801.
21	X. The State Advisory Commission on Teacher Education and Certification
22	(R.S. 17:31 -17:33 et seq.) is placed within the Department of Education and shall
23	exercise and perform its powers, duties, functions, and responsibilities in the manner
24	provided for agencies transferred in accordance with the provisions of Part III of
25	Chapter 22 of this Title.
26	Y. The Quality Science and Mathematics Council (R.S. 17:371 -377 et seq.)
27	is placed within the Department of Education and shall exercise and perform its
28	powers, duties, functions, and responsibilities in the manner provided for agencies
29	transferred under the provisions of R.S. 36:801.1.

1	Z. The Governor's Program for Gifted Children (R.S. 17:1989.1 -1989.8 et
2	seq.) is placed within the Department of Education and shall exercise and perform
3	its powers, duties, functions, and responsibilities in the manner provided for agencies
4	transferred in accordance with the provisions of R.S. 36:801.1.
5	* * *
6	BB. The Louisiana Student Financial Assistance Commission (R.S. 17:3021=
7	3048.7 et seq.) is placed within the Board of Regents and shall exercise and perform
8	its powers, duties, functions, and responsibilities in the manner provided for agencies
9	transferred in accordance with the provisions of R.S. 36:801.1.
10	* * *
11	§686. Transfer of agencies to the Department of Insurance
12	A. The following agencies are transferred to the Department of Insurance
13	and shall exercise their powers, duties, functions, and responsibilities in the manner
14	provided in R.S. 36:801.1:
15	* * *
16	(2) The Governing Committee of the Louisiana Joint Reinsurance Plan (R.S.
17	22:1406.3-1406.4 <u>R.S. 22:2336-2347</u>).
18	(3) The Governing Committee of the Louisiana Insurance Underwriting Plan
19	(R.S. 22:1434-1435 <u>R.S. 2322-2334</u>).
20	* * *
21	(5) The Board of Directors of the Louisiana Citizens Property Insurance
22	Corporation (R.S. 22:2294 R.S. 22:2291 et seq.).
23	B. The following agencies are transferred to the Department of Insurance
24	and shall exercise their powers, duties, functions, and responsibilities in the manner
25	provided in R.S. 36:801:
26	(1) The Board of Directors of the Louisiana Consortium of Insurance and
27	Financial Services (R.S. 22:2143 R.S. 22:2141 et seq.).
28	(2) The Advisory Committee of the Louisiana Consortium of Insurance and
29	Financial Services (R.S. 22:2144 <u>R.S. 22:2141 et seq.</u>).

1	* * *
2	F. The Louisiana Mandated Health Benefits Commission (R.S. 22:2186=
3	2186.1 et seq.) is hereby placed within the Department of Insurance and shall
4	exercise its powers, duties, functions, and responsibilities in the same manner as
5	agencies transferred in the manner provided in R.S. 36:802.
6	G. The board of review for public fire protection grading (R.S. 22:1461) is
7	hereby placed within the Department of Insurance ans shall exercise its powers,
8	duties, functions, and responsibilities in the manner provided by law.
9	* * *
10	§706. Transfer of boards, commissions, and agencies to Department of Justice
11	* * *
12	B. The Law Enforcement Officers and Firemen's Survivor Benefit Review
13	Board (R.S. 33:1947, 1981, and 2201 and other provisions of law applicable to the
14	board) is placed within the Department of Justice and shall perform and exercise its
15	powers, duties, functions, and responsibilities as provided by law.
16	C. The Governor's Consumer Protection Division (R.S. 51:1401 through
17	1418 et seq.) is hereby abolished and its powers, duties, functions, and
18	responsibilities are transferred to the Department of Justice and hereafter shall be
19	exercised and performed as provided in Part IV of Chapter 22 of this Title.
20	* * *
21	§725. Transfer of Public Service Commission
22	A. The Public Service Commission (Article IV, Section 21 of 1974
23	Louisiana Constitution; R.S. 45:171-45:194; R.S. 45:251-45:265; R.S. 45:301-
24	45:303; R.S. 45:307-45:315; R.S. 45:321; R.S. 45:351-45:357; R.S. 45:1161-
25	45:1205; R.S. 45:1500-45:1504 R.S. 45:1161 et seq. and other provisions of Title 45
26	of the Louisiana Revised Statutes of 1950 that apply to the commission) shall be
27	transferred to and hereafter shall be within the Department of Public Service, as
28	provided in R.S. 36:801.1, with all powers and duties enumerated in the constitution

1	or by law. This transfer shall be effective on or before December 31, 1977, as
2	provided in Chapter 24 of this Title.
3	* * *
4	§744. Transfer of boards, commissions, and agencies to the Department of State
5	* * *
6	E. The Archives and Records Commission and the Archives and Records
7	Service (R.S. 25:127 and R.S. 44:404-429 et seq.) are hereby abolished and their
8	powers, duties, functions, and responsibilities are transferred to the secretary of state
9	and hereafter shall be exercised and performed as provided in Part IV of Chapter 22
10	of this Title.
11	* * *
12	H. The Old State Capitol is and the Advisory Board of the Old State Capitol
13	are transferred to and placed within the Department of State as provided in Part II of
14	Chapter 22 of this Title R.S. 25:371 et seq. and R.S. 36:919.1.
15	I. The Regional Museum Governing Board of the Louisiana State Exhibit
16	Museum (R.S. 25:379.1 R.S. 25:379 et seq.) is placed within the Department of State
17	and shall perform and exercise its powers, duties, functions, and responsibilities in
18	the manner provided for agencies transferred in accordance with the provisions of
19	R.S. 36:801.6.
20	J. The Louisiana State Exhibit Museum (R.S. 25:379 et seq.) is transferred
21	to and placed within the Department of State as provided in R.S. 36:801.6.
22	* * *
23	Q. The Eddie G. Robinson Museum Commission (R.S. 25:1241 -1246 et
24	seq.) is placed in the Department of State as provided in R.S. 36:919.6.
25	* * *
26	T. The Louisiana Military Museum and its governing board (R.S. 25:380.61
27	et seq.) are placed within the Department of State as provided in R.S. 36:801.13.

1	U. The Jean Lafitte Marine Fisheries Museum and its governing board (R.S.
2	25:380.71 et seq.) are placed within the Department of State as provided in R.S.
3	36:801.14.
4	* * *
5	§769. Transfer of boards, commissions, departments, and agencies to Department
6	of the Treasury
7	* * *
8	C. The following agencies, as defined by R.S. 36:3, are transferred to and
9	hereafter shall be within the Department of the Treasury, as provided in R.S. 36:802:
10	(1) State Bond Commission, including the powers, duties, functions, and
11	responsibilities of any agencies which have been previously transferred to the State
12	Bond Commission (Article VII, Section 8 of the Constitution of 1974; R.S. 39:451-
13	39:456; R.S. 39:465.1-39:465.8; R.S. 39:466.11-39:466.13; 39:871; 39:1361-
14	39:1366; 39:1401-39:1410; R.S. 47:1801-47:1808 Chapter 11 of Subtitle III of Title
15	39 of the Louisiana Revised Statutes of 1950 and other provisions of the Louisiana
16	Revised Statutes of 1950 that apply to the commission.)
17	(2) Interim Emergency Board (Const. Art. VII, §7; R.S. 39:461 -461.8 et seq.)
18	D. The following agencies, as defined by R.S. 36:3, and the boards of each,
19	except the Board of Supervisors of Louisiana State University and Agricultural and
20	Mechanical College, are transferred to and shall be within the Department of the
21	Treasury, as provided in R.S. 36:801.3:
22	(1) Louisiana State Employees' Retirement System (R.S. 42:541-42:699 R.S.
23	11:401 et seq.)
24	(2) State Police Retirement Fund (R.S. 40:1421-40:1444) State Police
25	Pension and Retirement System (R.S. 11:1301 et seq.)
26	(4) Louisiana School Employees' Retirement System (R.S. 17:881-17:993
27	R.S. 11:1101 et seq.)
28	(6) Teachers' Retirement System of Louisiana (R.S. 17:571-17:764 R.S.
29	11:701 et seq.)

1	F. The following agencies, as defined by R.S. 36:3 are hereby abolished and
2	their powers, duties, functions, and responsibilities are transferred and shall be
3	exercised and performed within the Department of the Treasury to the extent and in
4	the manner as otherwise provided by law:
5	(2) State Bond and Tax Board (R.S. 39:641 -39:645 et seq.; R.S. 39:871)
6	H. The State Medical Disability Board (R.S. 42:700.1 R.S. 11:219 and other
7	provisions of Title 11 of the Louisiana Revised Statutes of 1950 that apply to the
8	board) is placed within the Department of Treasury and shall exercise and perform
9	its powers, duties, functions, and responsibilities in the manner provided for agencies
10	transferred in accordance with the provisions of R.S. 36:802.
11	I. The Louisiana Deferred Compensation Commission (R.S. 42:1301=
12	42:1310 et seq.) is placed within the Department of Treasury and shall exercise and
13	perform its powers, duties, functions, and responsibilities in the manner provided for
14	agencies transferred in accordance with the provisions of R.S. 36:801.1.
15	* * *
16	L. The Public Retirement Systems' Actuarial Committee (R.S. 11:82, 101 et
17	seq., and 121 et seq.) R.S. 11:121 et seq. and other provisions of Title 11 of the
18	Louisiana Revised Statutes of 1950 that apply to the board is placed within the
19	Department of the Treasury and shall exercise and perform its powers, duties,
20	functions, and responsibilities as provided by law.
21	* * *
22	§802. Transfer; retention of policymaking and rulemaking functions
23	The agencies transferred by the provisions of R.S. 36:209(Q), 239(E),
24	259(B), 259(T), 309(B), 359(B), 409(C), 459(B), 509(B), 610(B), 629(I), and 769(C)
25	shall continue to be composed and selected as provided by law, and each shall
2526	shall continue to be composed and selected as provided by law, and each shall continue to exercise all of the powers, duties, functions, and responsibilities provided

also shall continue to exercise all advisory powers, duties, functions, and

28

29

1	responsibilities provided by law. Such powers, duties, functions, and responsibilities
2	shall be exercised independently of the secretary and any assistant secretary, except
3	that:
4	* * *
5	§802.6. Transfer; certain appointive authority retained
6	The agencies placed in the Department of Agriculture and Forestry by R.S.
7	36:629(J), and (K) , and (R) shall exercise and carry out all powers, duties, functions,
8	and responsibilities as provided in R.S. 36:802, except that each agency, subject to
9	the approval of the commissioner of agriculture and forestry, shall appoint its own
10	director and assistant director.
11	* * *
12	§802.9. Transfer; Children's Trust Fund Board
13	The Louisiana Children's Trust Fund Board (R.S. 46:2404) shall exercise its
14	powers, duties, functions, and responsibilities in the manner provided for agencies
15	transferred in accordance with R.S. 36:802, except the board shall appoint the
16	executive director of the Louisiana Children's Trust Fund Board subject to the
17	approval of the secretary of the Department of Children and Family Services and the
18	assistant secretary of the office of community services. The executive director shall
19	serve as secretary to the board. The authority granted to the board by the provisions
20	of R.S. 36:802 shall specifically include but not be limited to the authority to adopt
21	the comprehensive state plan for prevention of child abuse and neglect.
22	* * *
23	§803. Transfer; licensing agencies
24	A.(1) Each of the agencies transferred by the provisions of R.S. 36:4.1(D),
25	R.S. 36:209(D), R.S. 36:259(E), R.S. 36:309(D), R.S. 36:409(D), R.S. 36:478(I), and
26	R.S. 36:509(C), all of which are charged by law with the responsibility for the

regulation, examination, certification and/or licensing of persons in this state, and the

enforcement of the laws relating thereto, shall continue to be composed and selected

as provided by law, and each shall continue to exercise all of the powers, duties,

functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of policymaking, rulemaking, certification, licensing, regulation, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, functions, and responsibilities provided by law.

* * *

§851. Transfer; merger and consolidation of functions

A. The powers, duties, functions, responsibilities, programs, and operations as vested by the constitution and laws of this state, of each of the agencies transferred by the provisions of R.S. 36:209(B), R.S. 36:209(I), R.S. 36:259(C), R.S. 36:409(D) and (O), R.S. 36:478(J), and R.S. 36:610(D), R.S. 36:209(B), 259(C), 409(O), and 610(D) upon and after the date of each such transfer shall be exercised by and be under the administration and control of the secretary of the department to which each is transferred, except for those functions of each which are required to be performed and administered by the undersecretary of each department, as heretofore provided for each by this Title.

16 * * *

§901. Transfer; merger and consolidation of functions; advisory agency

A. The functions, powers, duties, responsibilities, programs, and operations of each of the agencies transferred by the provisions of R.S. 36:109(D), R.S. 36:209(C), R.S. 36:209(M)(2), R.S. 36:259(D), R.S. 36:309(C), R.S. 36:359(C), R.S. 36:409(E), R.S. 36:509(E) and (N), R.S. 36:559(D), R.S. 36:629(Q), R.S. 36:651(G), and R.S. 36:744(D) R.S. 36:209(C), 309(C), 409(E), 651(G), and 744(D) on the date of each such transfer shall vest in and thereafter be the responsibility of the secretary of the department to which the transfer is made and shall be administered by the secretary in accordance with the powers vested in him by this Title and the applicable laws pertaining to each agency, except for those functions of each which are required to be performed and administered by the undersecretary of the department as heretofore provided for each by this Title. Each agency thus transferred shall continue in existence, the members thereof shall continue in office

1	and hereafter shall be selected in the manner provided by law for each, and each
2	agency hereafter shall serve solely in an advisory capacity to the secretary with
3	respect to policies concerning matters within the purview of each as originally
4	created.
5	* * *
6	§918. Transfer, Lake Fausse Point and Grande Avoille Cove Advisory Board
7	The Lake Fausse Point, Lake Dauterive, and Grande Avoille Cove Advisory
8	Board is placed within the Department of Wildlife and Fisheries and shall exercise
9	its powers, duties, functions, and responsibilities as provided in this Part. In addition
10	the board may solicit, receive, and expend funds as authorized by law.
11	* * *
12	§921. Transfer, merger and consolidation of functions
13	A. The powers, duties, functions, responsibilities, programs, and operations
14	as vested by the constitution and laws of the state, of each of the agencies abolished
15	by the provisions of R.S. 36:4.1(E), R.S. 36:109(G), R.S. 36:209(H), R.S. 36:259(F),
16	R.S. 36:259(G), R.S. 36:309(F), R.S. 36:359(G), R.S. 36:409(F), R.S. 36:459(C),
17	R.S. 36:509(F), R.S. 36:559(D), R.S. 36:559(F), R.S. 36:610(C), R.S. 36:651(H),
18	R.S. 36:651(K), R.S. 36:744(E), and R.S. 36:769(E), 109(G), 209(H), 259(F),
19	409(F), 459(C), 509(F), 610(C), 651(H) and (K), 744(E), and 769(E) upon and after
20	the date of each such abolition shall be exercised and performed by and be under the
21	administration and control of the secretary of the department to which such powers,
22	duties, functions, and responsibilities are transferred. The secretary shall assign
23	those functions of each which are required to be performed and administered by the
24	undersecretary of each department, as heretofore provided for each department by
25	this Title, to the undersecretary.
26	* * *
27	Section 10. R.S. 37:3103(A)(3.1) and 3134 are hereby amended and reenacted to
28	read as follows:

§3103. Definitions of terms

1	A. As used in this Chapter, these terms shall have the definitions ascribed to
2	them, unless the context indicates otherwise:
3	* * *
4	(3.1) "Auction house", "auction company", and "auction business" are
5	synonymous and interchangeable terms and mean any entity, whether a sole
6	proprietorship, partnership, limited liability partnership, limited liability company,
7	corporation, or any other legal entity defined by the board, which arranges, manages,
8	sponsors, advertises, or carries out two or more auctions within any twelve-month
9	period and which regularly represents that goods are sold at auction. However, a
10	public livestock auction business which exclusively auctions livestock and which is
11	regulated as a public livestock market by the Louisiana State Livestock Sanitary
12	Board of Animal Health pursuant to R.S. 3:2091 et seq. shall not be defined as an
13	auction business for purposes of this Chapter. "Auction house," "auction company,"
14	and "auction business" shall not mean an entity which sells property through an
15	Internet-based trading platform unless such entity's activities constitute an "auction"
16	as defined in Paragraph (3) of this Subsection.
17	* * *
18	§3134. Livestock auctioneers
19	The provisions of this Chapter shall not apply to and the board shall not have
20	jurisdiction over auctioneers who are engaged in the auction business exclusively as
21	an employee or agent of a Louisiana public livestock market which is regulated by
22	the Louisiana State Livestock Sanitary Board of Animal Health and who are
23	registered with that board as required by R.S. 3:2100.
24	* * *
25	Section 11. R.S. 39:1593.1(B) is hereby amended and reenacted to read as follows:
26	§1593.1. Group purchasing
27	* * *
28	B. Prior to the award of the such contract, the proposed contract shall be
29	approved by the commissioner of administration provided he determines the total

1	cost to be less than the state procurement prices and that the contract is in the best
2	interest of the state.
3	* * *
4	Section 12. R.S. 40:2009.1(C)(2)(d) is hereby amended and reenacted to read as
5	follows:
6	§2009.1. Rules and regulations; nursing home advisory committee
7	* * *
8	C.
9	* * *
0	(2) Ex officio members of the committee shall be:
1	* * *
12	(d) The chairman of the Louisiana Board of Examiners for Nursing Home
13	Facility Administrators.
14	* * *
15	Section 13. R.S. 42:17:(A)(9), 66(C), 1119(C)(3), and 1123(12) and (14) are hereby
16	amended and reenacted to read as follows:
17	§17. Exceptions to open meetings
18	A. A public body may hold an executive session pursuant to R.S. 42:16 for
19	one or more of the following reasons:
20	* * *
21	(9) The portion of any meeting of the Second Injury Board during which
22	records or matters regarding the settlement of a workers' compensation claim are
23	required to be considered or discussed by the board with its staff in order to grant
24	prior written approval as required by R.S. 23:1378(A)(8) 23:1378(A)(6).
25	* * *
26	§66. Exemptions
27	* * *
28	C. Nothing in this Part shall be construed to prohibit a municipal officer or
29	employee from holding another municipal office or employment as authorized by

1	Subsection C of Section 381 of Title 33 of the Louisiana Revised Statutes of 1950
2	R.S. 33:381(C).
3	* * *
4	§1119. Nepotism
5	* * *
6	C.
7	* * *
8	(3) The provisions of the Section shall not apply to pilots appointed by the
9	governor pursuant to R.S. 34:943, 34:992, 34:1043 34:1044, and 34:1072.
10	* * *
11	§1123. Exceptions
12	This Part shall not preclude:
13	* * *
14	(12) Any tenant of a housing authority, as defined in R.S. 40:382 40:384,
15	from serving on the board of commissioners of that housing authority.
16	* * *
17	(14) Persons employed by public school systems to provide special
18	education and related services pursuant to R.S. 17:1941 et seq. to exceptional
19	children, as defined by R.S. 17:1943(1) a student with an exceptionality as defined
20	in R.S. 17:1942 from performing, on a private fee basis and outside of school hours,
21	those same special education and related services for their own students or any other
22	persons eligible to receive such services from their school system during school
23	hours, provided that the child's parents or guardian are advised, in writing, of the
24	procedures through which their child may be evaluated for eligibility to receive such
25	services for free through the school system. With respect to any child already
26	receiving such services for free through the school system, the notice shall explain
27	the procedures through which the child's eligibility to receive additional services for
28	free from the school system may be reviewed.
29	* * *

1	Section 14. R.S. 56:1699(C)(introductory paragraph) is hereby amended and
2	reenacted to read as follows:
3	§1699. Chicot State Park, special facilities camp for handicapped; creation; advisory
4	committee; programs; use
5	* * *
6	C. The office for citizens with developmental disabilities of the Department
7	of Health and Hospitals, in coordination with the Louisiana State Planning Council
8	on Developmental Disabilities Council, shall be responsible for all programmatic
9	functions of such park facility, including but not limited to the following:
10	* * *
11	Section 15. R.S. 17:3138, R.S. 25:802(11), R.S. 35:396, R.S. 36:4.1(D)(18), 53(E),
12	109(A), 209(A), (H)(9) and (14), and (AA), 239(A) and (B)(3) and (5), 259(A), (C)(24),
13	(E)(22), (F)(8),(15), and (19), and (I)(4), 309(A) and (C)(3), 359(A), 408(B)(3), 409(A) and
14	(J)(2), 459(A), 478(A), (B), and (H)(8), (9), (10), and (11), 509(A), (E), (F)(1), and (G),
15	610(A), 629(A) and (C)(4), 650(B), 651(A), (K), (N), and (V), 744(A), 769(A), (D)(3) and
16	(5), (E), and (K), 802.4, and 802.8, and Act No. 16 of the 1960 Regular Session of the
17	Legislature are hereby repealed in their entirety.
18	Section 16. Chapter 30 of Title 40 of the Louisiana Revised Statutes of 1950,
19	comprised of R.S. 40:2801 through 2803, is hereby repealed in its entirety.
20	Section 17.(A) Sections 1 thorough 15 of his Act and this Section shall become
21	effective on July 1, 2012; if this Act is vetoed by the governor and subsequently approved
22	by the legislature, Sections 1 through 15 of this Act and this Section shall become effective
23	on July 1, 2012, or on the day following such approval by the legislature, whichever is later.
24	(B) Section 16 of this Act shall become effective on September 1, 2012.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Danahay HB No. 954

Abstract: Provides for technical corrections to certain provisions of the La. Revised Statutes.

<u>Proposed law</u> makes technical corrections in provisions of the La. Revised Statutes, including corrections in legal citations, corrections in names of agencies, officers, and other entities, removal of references to agencies and other entities that have otherwise been repealed or no longer exist, placement of agencies in appropriate listing for each department in Title 36 (Executive Branch organization), and conforming changes to clarify potentially conflicting language.

(Amends R.S. 3:2004, 4222(C), and 4674(F), R.S. 12:1084, 1164, and 1413, R.S. 14:403.6(A), R.S. 17:1808(G), 2048.31(B), 2048.32(C), 3139.5(3)(a), 3201(A) and (B)(1), 3202(1), 3351.11(D)(3), 3973(2)(b)(i) and (ii), 3991(F), 3995(B), and 4001(A) and (C)(1), (2), and (4), R.S. 23:43 and 1294(A)(1), R.S. 24:36(C)(3), 513(A)(4) and (5)(a)(ii) and (F), R.S. 28:821(C) and 824(A) and (C), R.S. 33:4169.1(G), R.S. 36:3(4), 4(B)(1)(aa) and (ee), 6(a), and (18), (F), (L), (N), (U), and (X), 4.1(D)(9) and (15), 53(A), 109(N), 201(C)(1), 209(B)(1)(a), (C)(1), (F), (H)(1), (4), (5), (6), (10), and (11), (J), (K), (L), (M), (N), (O), (Q), (C)(S), (T), (U), (W)(2), and (X), 239(B)(1), (4), and (6) and (E), 259(E), (F)(9), (10), (16), (18), and (21), (G), (I)(5), (J)(1), and (L)(1), (M), (Q), (T), (U), (W), (X), (BB)(1), (CC), and (GG), 309(B), (C)(1), and (D), 359(D), (J), (K), and (L), 409(B), (C)(1), (2), (4), (5), and (8), (D), (E), (F), (G), (H), (J), (L), and (O), 459(B), (C), and (H), 474(B)(1)(a)(i), 475(A), 478(F), (H)(3) and (4), 509(C), (F)(1), (2), (3), and (8), (H), (K), (L), (M), (O), (Q), (R), (S), and (T), 610(B)(1), (10), and (11),(E), (F), (H), (I), (K), (L), and (N), 629(C)(5), (6), & (8), (D), (E), (F), (G), (H), (J), (K), (L), and (N), 643(A) and (C), 651(B), (C), (D), (H), (L), (P), (U), (X), (Y), (Z), and (BB), 686(A)(2) and (3), (B), and (F), 706(B) and (C), 725(A), 744, (E), (H), (I), (J), (Q), (T), and (U), 769(C), (D), (F), (H), (I), and (L), 802(Introductory Paragraph), 802.6, 802.9, 803(A)(1), 851(A), 901(A), 918, and 921(A), R.S. 37:3103(A)(3.1) and 3134, R.S. 39:1593.1(B), R.S. 40:2009.1(C)(2)(d), R.S. 42:17:(A)(9), 66(C), 1119(C)(3), and 1123(12) and (14), and R.S. 56:1699(C)(introductory paragraph); **Adds** R.S. 36:4(B)(14) and (H), 4.1(D)(16), 239(C), 259(D), 309(F) and (G), 409(I), (P), and (Q), 459(D) 478(M), 629(R), 651(S), and 686(G); **Repeals** R.S. 17:3138, R.S. 25:802(11), R.S. 35:396, R.S. 36:4.1(D)(18), 53(E), 109(A), 209(A), (H)(9) and (14), and (AA), 239(A) and (B)(3) and (5), 259(A), (C)(24), (E)(22), (F)(8),(15), and (19), and (I)(4), 309(A) and (C)(3), 359(A), 408(B)(3), 409(A) and (J)(2), 459(A), 478(A), (B), and (H)(8), (9), (10), and (11), 509(A), (E), (F)(1), and (G), 610(A), 629(A) and (C)(4), 650(B), 651(A), (K), (N), and (V), 744(A), 769(A), (D)(3) and (5), (E), and (K), 802.4, and 802.8, R.S. 37:3601, Chapter 30 of Title 40 of the La. Revised Statutes of 1950, comprised of R.S. 40:2801 through 2803, and Act No. 16 of the 1960 R.S.)

Effective July 1, 2012, except repeal of provisions for Interagency Task Force on the Future of Family Medicine is effective September 1, 2012 (the date the provisions terminate as provided in <u>present law</u>).