

Regular Session, 2009

HOUSE BILL NO. 521

BY REPRESENTATIVE LAFONTA

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BOARDS/COMMISSIONS: Creates an advisory council to propose ways to eliminate obstacles to the effective delivery of governmental services to Latin Americans

1 AN ACT

2 To enact Chapter 19 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 49:1221 through 1223, and R.S. 36:4(AA) and 917, to create an advisory
4 council in the governor's office to identify obstacles to the effective delivery of
5 governmental services to Latin Americans and to make recommendations for
6 removal of such obstacles; to provide for membership on the council; to provide for
7 its powers and duties; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 19 of Title 49 of the Louisiana Revised Statutes of 1950,
10 comprised of R.S. 49:1221 through 1223, is hereby enacted to read as follows:

11 CHAPTER 19. LOUISIANA COUNCIL ON THE PROVISION OF
12 GOVERNMENTAL SERVICES TO LATIN AMERICANS

13 §1221. Legislative findings

14 A. The legislature recognizes that there has been a dramatic increase over the
15 past five years in the number of first and second generation Latin Americans who
16 have made a home in Louisiana; this change is reflected in the forty-five percent
17 increase in the Hispanic population of Louisiana between 2000 and 2007 according
18 to the Pew Hispanic Center's tabulations of United States census data.

19 B. The legislature further recognizes that residents who have recently arrived
20 from Central and South America were and continue to be instrumental in the state's

1 efforts to rebuild infrastructure and communities that were decimated by Hurricane
2 Katrina and the other catastrophic hurricanes that have hit Louisiana.

3 C. The legislature further recognizes that there are particular challenges
4 associated with delivering government services to these recent arrivals; challenges
5 that stem from a lack of awareness of the availability of services, language barriers,
6 and other real world complexities.

7 D. The legislature further recognizes that this nation and its individual states
8 have been overcoming such challenges throughout our history; we have always been
9 a nation comprised of people of many cultures.

10 E. The legislature concludes from these findings that, at this point in history,
11 the state has an obligation to make a concerted effort to reach out to these newly
12 arrived residents of our state, many of whom have been so crucial to our survival of
13 recent tragedies, to make sure they have access to all of the guidance and assistance
14 the legislature intends to be made available to all residents of the state.

15 §1222. Louisiana Council on the Provision of Governmental Services to Latin
16 Americans; creation; domicile; membership

17 A. The Louisiana Council on the Provision of Governmental Services to
18 Latin Americans, hereafter referred to in this Chapter as the "council", is hereby
19 established in the executive branch of state government in the office of the governor.
20 The council is hereby declared to be a body corporate and public, exercising public
21 and essential governmental functions. The domicile of the council shall be in the
22 city of New Orleans.

23 B. The council shall be comprised of members as provided in this
24 Subsection:

25 (1) The president of the Senate shall appoint two members.

26 (2) The speaker of the House of Representatives shall appoint two members.

27 (3) The governor shall appoint one member.

28 (4) The Louisiana Municipal Association shall appoint one member.

29 (5) The Police Jury Association of Louisiana shall appoint one member.

- 1 (6) Each of the following or his designee shall be a member:
- 2 (a) The executive director of the Louisiana Workforce Commission.
- 3 (b) The secretary of the Department of Social Services.
- 4 (c) The secretary of the Department of Health and Hospitals.
- 5 (7) Puentes New Orleans shall appoint three members.
- 6 (8) The following shall each appoint one member:
- 7 (a) Catholic Charities of New Orleans.
- 8 (b) The Hispanic Chamber of Commerce of Louisiana.
- 9 (c) The Labor Council for Latin American Advancement.
- 10 (d) The Latino Forum.
- 11 (e) Casa Argentina of New Orleans.
- 12 (f) The publisher of "El Tiempo New Orleans".
- 13 (g) The general manager of KGLA TV.
- 14 C. A majority of the members shall constitute a quorum.
- 15 D. The council shall annually elect a chairman and a vice chairman from
- 16 among its members.
- 17 E. The council shall meet at least quarterly and may meet upon the call of
- 18 the chairman or any three members.
- 19 F. Appointed members shall serve at the pleasure of the appointing authority.
- 20 G. The governor shall provide staff and administrative support to the council.
- 21 §1223. Powers and duties
- 22 A. The council shall identify obstacles to the effective delivery of
- 23 governmental services by all service providers at all levels of government to Latin
- 24 Americans, and the council shall propose methods for removing those obstacles from
- 25 such delivery of services and submit its proposals to the appropriate governmental
- 26 entity or entities. To this end the council shall:
- 27 (1) Conduct public hearings at which it takes testimony from service
- 28 providers, citizens, and advocates who can speak to the needs of the Latin American
- 29 community. Such public hearings shall be held at various locations around the state

1 so as to facilitate the broadest possible participation by recipients and potential
2 recipients of governmental services.

3 (2) Request of and receive from staff assigned to it research of available data
4 and information pertinent to the delivery of governmental services to Latin
5 Americans, which research may include investigation of efforts in other states to
6 deliver services to foreign born populations.

7 (3) Formally adopt specific recommendations for changes in the allocation
8 of funds and spending, statutory law, administrative rules, and agency policy,
9 procedure, and practice and submit such specific recommendations to the appropriate
10 governmental entity or entities. If the recommendation is made to any entity other
11 than the legislature, a copy thereof shall also be submitted to the presiding officers
12 of the legislature each of whom shall forward the copy to the standing committee
13 or committees of his respective house which have jurisdiction over the issue or
14 entity.

15 B. The council may solicit, accept, and expend funds for the purposes
16 provided in this Section.

17 Section 2. R.S. 36:4(AA) and 917 are hereby enacted to read as follows:

18 §4. Structure of executive branch of state government

19 * * *

20 AA. The Louisiana Council on the Provision of Governmental Services to
21 Latin Americans (R.S. 49:1221 et seq.) is hereby placed within the office of the
22 governor and shall exercise its powers, duties, functions, and responsibilities as
23 provided in R.S. 36:917.

24 * * *

25 §917. Transfer, Louisiana Council on the Provision of Governmental Services to
26 Latin Americans

27 The Louisiana Council on the Provision of Governmental Services to Latin
28 Americans is placed within the office of the governor and shall exercise its powers,

1 duties, functions, and responsibilities as provided in this Part. In addition the board
2 may solicit, receive, and expend funds as authorized by law.

3 Section 3. This Act shall become effective upon signature by the governor or, if not
4 signed by the governor, upon expiration of the time for bills to become law without signature
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
7 effective on the day following such approval.

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)]

LaFonta

HB No. 521

Abstract: Creates the La. Council on the Provision of Governmental Services to Latin Americans and charges the council with proposing ways to remove obstacles to the effective delivery of governmental services to Latin Americans.

Proposed law provides statement of legislative findings regarding Latin Americans in La. and concludes from such findings that the state has an obligation to make a concerted effort to make sure services are available to recently arrived Latin Americans.

Proposed law creates the La. Council on the Provision of Governmental Services to Latin Americans to identify obstacles to the effective delivery of governmental services by all service providers at all levels of government to Latin Americans, to propose methods for removing those obstacles, and to submit its proposals to the appropriate governmental entity or entities.

Proposed law provides for the membership on the council as follows:

- (1) Two members appointed by the president of the Senate.
- (2) Two members appointed by the speaker of the House of Representatives.
- (3) One member appointed by the governor.
- (4) One member appointed by the La. Municipal Association.
- (5) One member appointed by the Police Jury Association of La.
- (6) The secretaries of the following departments or their designees: Social Services and Health and Hospitals.
- (7) The executive director of the La. Workforce Commission or his designee.
- (8) Three members appointed by Puentes New Orleans.

- (9) Each of the following shall appoint one member: Catholic Charities of New Orleans, the Hispanic Chamber of Commerce of La., the Labor Council for Latin American Advancement, the Latino Forum, Casa Argentina of New Orleans, the publisher of "El Tiempo New Orleans", the general manager of KGLA TV.

Proposed law provides that to achieve its purpose, the council shall:

- (1) Conduct public hearings at which it takes testimony from service providers, citizens, and advocates who can speak to the needs of the Latin American community. Such public hearings shall be held at various locations around the state so as to facilitate the broadest possible participation by recipients and potential recipients of governmental services.
- (2) Request of and receive from staff assigned to it research of available data and information pertinent to the delivery of governmental services to Latin Americans, which research may include investigation of efforts in other states to deliver services to foreign born populations.
- (3) Formally adopt specific recommendations for changes in the allocation of funds and spending, statutory law, administrative rules, and agency policy, procedure, and practice and submit such specific recommendations to the appropriate entity or entities. If the recommendation is made to any entity other than the legislature, a copy thereof shall also be submitted to the presiding officers of the legislature each of whom shall forward the copy to the standing committee or committees of his respective house which have jurisdiction over the issue or entity.

Proposed law authorizes the council to solicit, accept, and expend funds to achieve its purposes.

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

(Adds R.S. 49:1221-1223 and R.S. 36:4(AA) and 917)