

Regular Session, 2012

HOUSE BILL NO. 314

BY REPRESENTATIVE BERTHELOT

BOARDS/COMMISSIONS: Provides for the abolition of certain boards and commissions

1 AN ACT

2 To amend and reenact R.S. 25:380.145(A) and R.S. 39:21.3(A)(2)(e) and (B)(2)(e) and
3 22(1) and to repeal R.S. 17:2758(A)(4), 3129.2, 3138, and 3453(F), R.S. 25:380.142
4 and 380.143, R.S. 36:4(B)(1)(q), 209(J)(3) and (Y), 309(C)(3), 650(B), 651(N), (R),
5 and (V), and 769(K), and R.S. 49:667, relative to boards, commissions, authorities,
6 districts, and like entities; to provide relative to the functional organization of state
7 government by abolishing certain boards, commissions, authorities, and like entities;
8 to transfer certain powers, functions, and duties; to remove references to certain
9 abolished entities; to remove references to, provisions for, and the powers, functions,
10 and duties of the Advisory Council of the Louisiana Universities Marine Consortium
11 for Research and Education, Board of Directors for the Louisiana Infrastructure
12 Bank, Board of Directors for Regional Education Service Centers, Council of 100,
13 Executive Committee of the Louisiana Systemic Initiatives Program Council,
14 Governor's State Manpower Services Council, Louisiana Higher Education
15 Executive Advisory Committee, Louisiana Political Museum and Hall of Fame
16 Advisory Board, Minority Health Professions Education Foundation, Ozarks
17 Regional Commission, and Postsecondary Education Review Commission; and to
18 provide for related matters.

19 Be it enacted by the Legislature of Louisiana:

20 **Advisory Council of the Louisiana Universities Marine Consortium for Research and**
21 **Education**

22 Section 1. R.S. 17:3453(F) is hereby repealed in its entirety.

1 **Board of Directors for the Louisiana Infrastructure Bank**

2 Section 2. R.S. 36:769(K) is hereby repealed in its entirety.

3 **Board of Directors for Regional Education Service Centers**

4 Section 3. R.S. 36:651(V) is hereby repealed in its entirety.

5 **Council of 100**

6 Section 4. R.S. 36:209(J)(3) is hereby repealed in its entirety.

7 **Executive Committee of the Louisiana Systemic Initiatives Program Council**

8 Section 5. R.S. 17:2758(A)(4) is hereby repealed in its entirety.

9 **Governor's State Manpower Services Council**

10 Section 6. R.S. 36:309(C)(3) is hereby repealed in its entirety.

11 **Louisiana Higher Education Executive Advisory Committee**

12 Section 7.(A) R.S. 39:21.3(A)(2)(e) and (B)(2)(e) and 22(1) are hereby amended and
13 reenacted to read as follows:

14 §21.3. Consensus estimating conferences; duties and principals

15 A. Economic Estimating Conference.

16 * * *

17 (2) Principals. The principals of the conference are as follows:

18 * * *

19 (e) A faculty member from a public or private university or college in
20 Louisiana who shall have forecasting expertise to be selected by the other four
21 principals of the conference from a list of not less than three nor more than five
22 nominees submitted by the ~~Louisiana Higher Education Executive Advisory~~
23 ~~Committee~~ Board of Regents.

24 * * *

25 B. Demographic Estimating Conference.

26 * * *

27 (2) Principals. The principals of the conference are as follows:

28 * * *

1 (e) A faculty member from a public or private university or college in
2 Louisiana who shall have forecasting expertise to be selected by the other four
3 principals of the conference from a list of not less than three nor more than five
4 nominees submitted by the ~~Louisiana Higher Education Executive Advisory~~
5 ~~Committee~~ Board of Regents.

6 * * *

7 §22. Revenue Estimating Conference

8 The Revenue Estimating Conference is a conference consisting of principals
9 and participants as follows:

10 (1) "Principals" shall be the governor, the president of the Senate, the
11 speaker of the House of Representatives, or their respective designees, and a faculty
12 member with revenue forecasting expertise from a public or private university in the
13 state selected by the other three principal members from a list of as many as five, but
14 not less than three names, submitted to them by the ~~Louisiana Higher Education~~
15 ~~Executive Advisory Committee~~ Board of Regents after the board consults with the
16 president of the Louisiana Association of Independent Colleges and Universities.

17 * * *

18 (B) R.S. 17:3129.2 and R.S. 36:651(R) are hereby repealed in their entirety.

19 **Louisiana Political Museum and Hall of Fame Advisory Board**

20 Section 8.(A) R.S. 25:380.145(A) is hereby amended and reenacted to read as
21 follows:

22 §380.145. Donations and loans; disposition of property

23 A. The Department of Culture, Recreation and Tourism, ~~the board~~, or any
24 nonprofit corporation formed to support the museum and its activities, jointly or
25 separately, may solicit and accept funds, governmental grants, donations, and
26 contributions of lands, buildings, monies, artifacts, relics, audio and video
27 recordings, motion picture films, works of art, or other property on behalf and as
28 additions to the museum either in the form of loans or in the form of donations inter
29 vivos or mortis causa, and the Department of Culture, Recreation and Tourism may

1 acquire them by purchase, lease, or otherwise, subject to the terms, conditions, or
 2 limitations contained in the instrument by which such property is acquired.
 3 However, the museum, through the Department of Culture, Recreation and Tourism,
 4 or a nonprofit formed to support the programs and activities of the museum may
 5 enter into any and all contracts with any person, lender, or donor that it may deem
 6 fit, proper, and necessary to accept and receive such lands, buildings, monies,
 7 artifacts, relics, audio and video recordings, motion picture films, works of art, or
 8 other property on behalf of, as additions to, or for the benefit of the museum. The
 9 museum may serve as the beneficiary of any public or private trust or insurance
 10 policy heretofore or hereafter created for such purpose, pursuant to the provision of
 11 R.S. 9:2341 et seq.

* * *

13 (B) R.S. 25:380.142 and 380.143 and R.S. 36:209(Y) are hereby repealed in their
 14 entirety.

15 **Minority Health Professions Education Foundation**

16 Section 9. R.S. 36:650(B) is hereby repealed in its entirety.

17 **Ozarks Regional Commission**

18 Section 10. R.S. 36:4(B)(1)(q) and R.S. 49:667 are hereby repealed in their entirety.

19 **Postsecondary Education Review Commission**

20 Section 11. R.S. 17:3138 and R.S. 36:651(N) are hereby repealed in their entirety.

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)]

Berthelot

HB No. 314

Abstract: Provides for the abolition of certain boards, commissions, authorities, and like entities; in some cases also abolishes the functions and responsibilities of the entity; in other cases provides that some other person or entity is responsible for the functions and responsibilities of the abolished entity.

Proposed law provides for the abolition of certain boards, commissions, and like entities; in some cases also abolishes the functions and responsibilities of the entity; in other cases provides that some other person or entity is responsible for the functions and responsibilities of the abolished entity, all as follows:

Advisory Council of the La. Universities Marine Consortium for Research and Education: Present law creates the La. Universities Marine Consortium for Research and Education to conduct research and promote education in marine sciences and marine technology, particularly where related to coastal resources and the impact of energy-related industries upon these coastal resources. Provides for an executive board to administer the affairs of the consortium. Proposed law retains present law.

Present law requires the executive board to create an advisory board to meet as necessary to respond to requests of the executive board for advice and information as well as to provide the executive board with the benefit of perspectives represented on the council. Proposed law repeals present law.

Council of 100: Present law places this entity (which was previously created by executive order in 1978) within the Dept. of Culture, Recreation and Tourism. Proposed law repeals present law.

Executive Committee of the La. Systemic Initiatives Program Council: Present law creates La. Systemic Initiatives Program for the improvement of the quality of science and mathematics education through a committed and cooperative effort among agencies involved in higher education, elementary and secondary education, and the National Science Foundation. Provides for the La. Systemic Initiatives Program Council to administer the program. Proposed law retains present law.

Present law requires the council to establish an executive committee to act for the council in its absence, subject to certain restrictions. Proposed law repeals present law.

Governor's State Manpower Services Council: Present law places this entity (which was previously created by executive order in 1976) within the La. Workforce Commission. Proposed law repeals present law.

La. Higher Education Executive Advisory Committee: Present law creates the committee to consider matters relating to education and to make recommendations to the Board of Regents as the committee deems necessary. Requires the committee to submit a list of nominees for selection of a higher education faculty member for the economic, demographic, and revenue estimating conferences. Proposed law abolishes the committee and provides that the Board of Regents submit the list of nominees required by present law. Relative to the nominees for the revenue estimating conference, requires the Board of Regents to consult with the La. Assoc. of Independent Colleges and Universities.

La. Political Museum and Hall of Fame Advisory Board: Present law creates the La. Political Museum and Hall of Fame under the jurisdiction of the Dept. of Culture, Recreation and Tourism. Proposed law retains present law.

Present law creates an advisory board to provide for the governance and operation of the museum and to advise the lieutenant governor on all matters relating to the operations of the museum. Proposed law repeals present law.

Ozarks Regional Commission: Present law recognizes the commission as created by executive order in 1972 and transfers its duties, staff, facilities, and programs to the office of the governor. Proposed law repeals present law.

Postsecondary Education Review Commission: Present law creates the commission to review postsecondary education and report to the Board of Regents prior to the 2010 R.S. Provides for the termination of the commission on Aug. 1, 2010. Proposed law removes provisions for the commission and its functions from the statutes.

Proposed law removes references in present law (Title 36—Organization of the Executive Branch of State Government) to the following previously abolished entities:

Board of Directors for the La. Infrastructure Bank

Board of Directors for Regional Education Service Centers

Minority Health Professions Education Foundation

(Amends R.S. 25:380.145(A) and R.S. 39:21.3(A)(2)(e) and (B)(2)(e) and 22(1); Repeals R.S. 17:2758(A)(4), 3129.2, 3138, and 3453(F), R.S. 25:380.142 and 380.143, R.S. 36:4(B)(1)(q), 209(J)(3) and (Y), 309(C)(3), 650(B), 651(N), (R), and (V), and 769(K), and R.S. 49:667)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill.

1. Requires the Board of Regents to consult with the president of the La. Association of Independent Colleges and Universities prior to submitting the list of nominees for selection of a higher education faculty member for the revenue estimating conferences.