

Regular Session, 2012

HOUSE BILL NO. 954

BY REPRESENTATIVE DANAHAAY

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

## 1 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. 13:32, R.S. 14:403.6(A), R.S. 17:1808(G), 2048.31(B), 2048.32(C),  
4 3139.5(3)(a), 3201(A) and (B)(1), 3202(1), 3351.11(D)(3), 3973(1)(e) and (2)(b)(i)  
5 and (ii), 3991(F), 3995(B), and 4001(A) and (C)(1), (2), and (4), R.S. 23:43,  
6 1203.1(F)(introductory paragraph), and 1294(A)(1), R.S. 24:36(C)(3), 513(A)(4) and  
7 (5)(a)(ii) and (F), R.S. 28:821(C) and 824(A) and (C), R.S. 32:123(B) and (D),  
8 143(A)(5) and (6), 175(A), 213, 215, and 234(A)(1), R.S. 33:4169.1(G), R.S.  
9 36:3(4), 4(B)(1)(aa) and (ee), (6)(a), and (18), (F), (L), (N), (U), and (X), 4.1(D)(9)  
10 and (15), 53(A), 109(N), 201(C)(1), 209(B)(1)(a), (C)(1), (F), (H)(1), (4), (5), (6),  
11 (10), and (11), (J), (K), (L), (M), (N), (O), (Q), (S), (T), (U), (W)(2), and (X),  
12 239(B)(1), (4), and (6) and (E), 259(E), (F)(9), (10), (16), (18), and (21), (G), (I)(5),  
13 (J)(1), and (L)(1), (M), (Q), (T), (U), (W), (X), (BB)(1), (CC), and (GG), 309(B),  
14 (C)(1), and (D), 359(D), (J), (K), and (L), 409(B), (C)(1), (2), (4), (5), and (8), (D),  
15 (E), (F), (G), (H), (J), (L), and (O), 459(B), (C), and (H), 474(B)(1)(a)(introductory  
16 paragraph) and (i), 475(A), 478(F), (H)(3) and (4), 509(C), (F)(2), (3), and (8), (H),  
17 (K), (L), (M), (O), (Q), (R), (S), and (T), 610(B)(1), (10), and (11), (E), (F), (H), (I),  
18 (K), (L), and (N), 629(C)(5), (6), and (8), (D), (E), (F), (G), (H), (J), (K), (L), and  
19 (N), 643(A) and (C), 651(B), (C), (D), (E), (H), (L), (M), (P), (U), (X), (Y), (Z), and  
20 (BB), 686(A)(2), (3), and (5), (B), and (F), 706(B) and (C), 725(A), 744(E), (H), (I),  
21 (J), (Q), (T), and (U), 769(C), (D)(1), (2), (4), and (6), (F), (H), (I), and (L),

1 802(introductory paragraph), 802.6, 802.9, 803(A)(1), 851(A), 901(A), 918, and  
2 921(A), R.S. 37:3103(A)(3.1) and 3134, R.S. 39:1593.1(B), R.S. 40:2009.1(C)(2)(d),  
3 R.S. 42:17(A)(9), 66(C), 1119(C)(3), and 1123(12) and (14), and R.S.  
4 56:1699(C)(introductory paragraph), to enact R.S. 36:4(B)(14) and (H), 4.1(D)(16),  
5 239(C), 259(D), 309(F) and (G), 409(I), (P), and (Q), 459(D), 478(M), 629(R),  
6 651(S), and 686(G), and to repeal R.S. 17:3138, Chapter 10 of Title 25 of the  
7 Louisiana Revised Statutes of 1950, comprised of R.S. 25:571 through 576, R.S.  
8 25:802(3), (4), (10), and (11), R.S. 35:396, R.S. 36:4.1(D)(18), 53(E), 109(A),  
9 209(A), (H)(9) and (14), and (AA), 239(A) and (B)(3) and (5), 259(A), (C)(24),  
10 (E)(22), (F)(8), (15), and (19), and (I)(4), 309(A) and (C)(3), 359(A), 408(B)(3),  
11 409(A) and (J)(2), 459(A), 478(A), (B), and (H)(8), (9), (10), and (11), 509(A), (E),  
12 (F)(1), and (G), 610(A), 629(A) and (C)(4), 650(B), 651(A), (K), (N), and (V),  
13 744(A), 769(A), (D)(3) and (5), (E), and (K), 802.4, and 802.8, R.S. 37:3601,  
14 Chapter 30 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
15 40:2801 through 2803, and Act No. 16 of the 1960 Regular Session of the  
16 Legislature, relative to the various provisions of the Louisiana Revised Statutes of  
17 1950; to provide for various technical corrections in provisions of the statutes,  
18 including corrections in legal citations, corrections in names of agencies, officers,  
19 and other entities, removal of references to agencies and other entities that have  
20 otherwise been repealed or no longer exist, and conforming changes to clarify  
21 potentially conflicting language; and to provide for related matters.

22 Be it enacted by the Legislature of Louisiana:

23 Section 1. R.S. 3:2004, 4222(C), and 4674(F) are hereby amended and reenacted to  
24 read as follows:

25 §2004. Scrub bull defined

26 For the purpose of this Part the term "scrub bull" means any bull not entitled  
27 to pedigree or registration, as such terms are ordinarily understood in registry  
28 associations, societies, or companies recognized by the United States Department of

1 Agriculture and approved by the Louisiana ~~State Livestock Sanitary~~ Board of  
2 Animal Health.

3 \* \* \*

4 §4222. Federal and state cooperation; designated authority

5 \* \* \*

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

14 \* \* \*

15 §4674. Minimum ethanol and bio-diesel requirements

16 \* \* \*

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

28 \* \* \*

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

3 §1084. Regulation by Louisiana State Board of ~~Nurse-Examiners~~ Nursing  
4 Professional nursing corporations shall be subject to the discipline of the  
5 Louisiana State Board of ~~Nurse-Examiners~~ Nursing and to its authority to adopt rules  
6 and regulations governing the practice of nursing.

7 \* \* \*

8 §1164. Regulation by Louisiana ~~State~~ Board of Veterinary ~~Medical-Examiners~~  
9 Medicine

10 Professional medical corporations shall be subject to the discipline of the  
11 Louisiana ~~State~~ Board of Veterinary ~~Medical-Examiners~~ Medicine and to its  
12 authority to adopt rules and regulations governing the practice of medicine.

13 \* \* \*

14 §1413. Regulation by the Louisiana State Board of ~~Certified~~ Social Work  
15 Examiners

16 Professional social work corporations shall be subject to the discipline of the  
17 Louisiana State Board of ~~Certified~~ Social Work Examiners and to its authority to  
18 adopt rules and regulations governing the practice of social work.

19 Section 3. R.S. 13:32 is hereby amended and reenacted to read as follows:

20 §32. Judiciary Commission

21 As used in this chapter, "commission" means the Judiciary Commission  
22 provided for by ~~Section 4 of Article IX~~ Article V, Section 25 of the Louisiana  
23 Constitution of Louisiana.

24 Section 4. R.S. 14:403.6(A) is hereby amended and reenacted to read as follows:

25 §403.6. Reporting of neglect or abuse of animals

26 A. Any state or local law enforcement officer, or any employee of  
27 government or of a government contractor who in his professional capacity routinely  
28 investigates alleged abuse or neglect or sexual abuse of a child, or abuse or neglect  
29 of an adult under the provisions of R.S. 15:1507, who becomes aware of evidence

1 of neglect or abuse of an animal shall report such incident to the law enforcement  
2 authority of the governing authority in which the incident has occurred or the local  
3 animal welfare authority. The name and identifying information regarding the  
4 reporter of animal maltreatment shall be confidential.

5 \* \* \*

6 Section 5. R.S. 17:1808(G), 2048.31(B), 2048.32(C), 3139.5(3)(a), 3201(A) and  
7 (B)(1), 3202(1), 3351.11(D)(3), 3973(1)(e) and (2)(b)(i) and (ii), 3991(F), 3995(B), and  
8 4001(A) and (C)(1), (2), and (4) are hereby amended and reenacted to read as follows:

9 §1808. Registration and licensure of postsecondary, academic degree-granting  
10 institutions

11 \* \* \*

12 G. No institution, except those exempted pursuant to Subsection J of this  
13 Section, shall be approved for veterans benefits by the ~~office of veterans affairs;~~  
14 Department of Veterans Affairs, unless licensed by the Board of Regents; nor shall  
15 the teacher education curriculum of any institution not licensed by the Board of  
16 Regents be approved by the State Board of Elementary and Secondary Education.

17 \* \* \*

18 §2048.31. Allied health professionals training programs; student admittance;  
19 documentation; records; authorization to obtain criminal history record  
20 information

21 \* \* \*

22 B. Such records shall be submitted to the Board of Regents and the  
23 postsecondary education management boards on a quarterly basis ~~and shall also be~~  
24 ~~submitted to the Allied Health Professionals Supply and Demand Commission on~~  
25 ~~whatever schedule they request.~~

26 \* \* \*

27 §2048.32. Allied health professionals training programs; expansion or  
28 establishment; salary of faculty members

29 \* \* \*

1 C. Expansion of existing programs or establishment of additional programs  
2 shall be sought with due regard for the efficient expenditure of state funds ~~and after~~  
3 ~~consultation with the Allied Health Professionals Supply and Demand Commission.~~

4 \* \* \*

5 §3139.5. Autonomies granted

6 \* \* \*

7 (3) Beginning with the 2012-2013 Fiscal Year and thereafter, if the Board  
8 of Regents has determined that the institution has met the short-term targets  
9 established in the performance agreement and demonstrated progress on long-term  
10 targets, the institution shall be authorized to:

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

20 \* \* \*

21 §3201. Application of Chapter

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

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

11   \*       \*       \*

12       §3202. Definitions

13           Unless the context otherwise clearly indicates, the following words shall have  
 14 the meaning hereinafter ascribed to each:

15           (1) "Board" or "boards" means the Board of Supervisors of Louisiana State  
 16 University and Agricultural and Mechanical College, the Board of Supervisors of  
 17 Southern University and Agricultural and Mechanical College, the Board of ~~Trustees~~  
 18 ~~for State Colleges and Universities~~ Supervisors for the University of Louisiana  
 19 System, and the Board of Supervisors of Community and Technical Colleges, or any  
 20 of these boards.

21   \*       \*       \*

22       §3351.11. Board of Supervisors of Louisiana State University and Agricultural and  
 23 Mechanical College; tuition and attendance fee amounts; Health Sciences  
 24 Centers; waivers

25   \*       \*       \*

26       D.

27   \*       \*       \*

28           (3) Notwithstanding any provision of this Subsection or of any other law to  
 29 the contrary, tuition and fee amounts at the Louisiana State University Health

1 Sciences Center-New Orleans School of Medicine or School of Dentistry or the  
 2 Louisiana State University Health Sciences Center-Shreveport School of Medicine  
 3 shall be weighted based upon median household income as provided in R.S.  
 4 17:3139.5(3)(a) and shall not exceed average tuition and fee amounts of their  
 5 respective peer institutions. For purposes of this Subsection, "peer institutions" shall  
 6 have the meaning provided by guidelines established by the Board of Regents in the  
 7 same manner as provided by R.S. 17:3351(A)(5)(e)(i) ~~and weighted based upon~~  
 8 ~~median household income as provided in R.S. 17:3139(F)(3)(a).~~

9 \* \* \*

10 §3973. Definitions

11 As used in this Chapter, the following words, terms, and phrases shall have  
 12 the ~~meaning~~ meanings ascribed to them in this Section except when the context  
 13 clearly indicates a different meaning:

14 (1) "At-risk pupil" means any pupil about whom at least one of the following  
 15 is true:

16 \* \* \*

17 (e) Has been identified as an exceptional child as defined in R.S. 17:~~1943~~  
 18 1942 not including gifted and talented.

19 \* \* \*

20 (2)

21 \* \* \*

22 (b) Charter schools shall be one of the following types:

23 (i) Type 1, which means a new school operated as the result of and pursuant  
 24 to a charter between the nonprofit corporation created to operate the school and a  
 25 local school board. Within such ~~type~~ Type 1 charter schools, only pupils who would  
 26 be eligible to attend a public school operated by the local school board within the  
 27 same city or parish will be eligible to attend as provided in the charter.

28 (ii) Type 2, which means a new school or a preexisting public school  
 29 converted and operated as the result of and pursuant to a charter between the



1 nonprofit corporation created to operate the school and the State Board of  
 2 Elementary and Secondary Education. Prior to the creation of such a charter to  
 3 convert a preexisting school, it shall be approved by the professional faculty and staff  
 4 of the preexisting school and by the parents or guardians of children enrolled in the  
 5 school as provided in R.S. 17:3983(C). Within such ~~type~~ Type 2 charter schools,  
 6 pupils who reside within the state will be eligible to attend as provided in the charter.  
 7 Creation of a ~~type~~ Type 2 charter school shall comply with the provisions of R.S.  
 8 17:3983(A)(2)(a)(i).

\* \* \*

10 §3991. Charter schools; requirements; limitations; renewal; amendment; revocation

\* \* \*

12 F. Except for a ~~type~~ Type 4 charter school, a local school board shall not  
 13 assign any pupil or employee to a charter school or interfere in any way with the  
 14 operation and management of a charter school except as provided by the approved  
 15 charter, the provisions of this Chapter, or other law applicable to the charter school  
 16 or its officers or employees.

\* \* \*

18 §3995. Charter school funding

\* \* \*

20 B. For each pupil enrolled in a charter school who is entitled to special  
 21 education services, any state special education funding beyond that provided in the  
 22 minimum foundation program and any federal funds for special education for that  
 23 pupil that would have been allocated for that pupil shall be allocated to the charter  
 24 school which the pupil attends. Any ~~type~~ Type 2 charter school shall be considered  
 25 the local education agency for the purposes of any special education funding or  
 26 statutory definitions, while the local school board shall remain the local education  
 27 agency for any ~~type~~ Type 1, 3, or 4 charter school.

\* \* \*

1 §4001. Louisiana Charter School Start-Up Loan Fund; creation; purpose;  
2 distribution

3 A. The Louisiana Charter School Start-Up Loan Fund, hereafter referred to  
4 as the "fund", is hereby created within the state treasury for the purposes of  
5 providing a source for funding no-interest loans to assist both existing and new ~~type~~  
6 Type 1, ~~type~~ Type 2, or ~~type~~ Type 3 charter schools with initial start-up funding and  
7 for funding the administrative and legal cost associated with the charter school  
8 program.

9 \* \* \*

10 C.(1) The State Board of Elementary and Secondary Education shall  
11 administer the use of the monies appropriated from the fund and shall adopt rules in  
12 accordance with the Administrative Procedure Act. The adopted rules shall specify  
13 that state board approval of any ~~type~~ Type 2 charter school proposal that includes  
14 within its budget a request for loan funding which complies with the provisions of  
15 this Section and details regarding how those loan funds are to be expended, shall  
16 constitute the approval of that loan amount. No additional loan application  
17 paperwork shall be required. Any ~~type~~ Type 1 or ~~type~~ Type 3 charter school  
18 approved by their local school board shall be required to submit no more than their  
19 approved charter proposal and a detailed budget identifying how any loan funds are  
20 to be expended and how such request complies with the provisions of this Section.  
21 The state board may reject any such request which does not comply with terms of  
22 this Section. Such rules shall also note that any loan funding may ~~only be used~~ be  
23 used only to purchase tangible items such as equipment, technology, instructional  
24 materials, and facility acquisition, upgrade, and repairs. Such equipment or other  
25 items shall become the property of the state if the loan is not fully repaid by virtue  
26 of the school ceasing to operate during the three years of automatic loan repayment  
27 as noted in Paragraph (3) of this Subsection.

28 (2) Loans shall be made only to ~~type~~ Type 1, ~~type~~ Type 2, and ~~type~~ Type 3  
29 charter schools and shall not exceed one hundred thousand dollars to pay for charter

1 school start-up and early operating expenses. No money lent as provided in this  
2 Section may be used to pay prior debts of the nonprofit corporation which formed  
3 the charter school, any of the natural persons principally involved in forming the  
4 charter school, or any former or current business or nonprofit venture of any such  
5 natural persons for any purchase not related to the creation of the charter school, or  
6 to pay to members of the immediate family of any such natural persons, or to make  
7 any investments.

8 \* \* \*

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

13 \* \* \*

14 Section 6. R.S. 23:43, 1203.1(F)(introductory paragraph), and 1294(A)(1) are hereby  
15 amended and reenacted to read as follows:

16 §43. Appointment; compensation

17 All members of the board of boiler inspector examiners, except the chief  
18 inspector, shall be appointed by the ~~secretary~~ executive director, and shall serve at  
19 his pleasure, without compensation.

20 \* \* \*

21 §1203.1. Medical treatment schedule; medical advisory council

22 \* \* \*

23 F. The director of the office of workers' compensation administration shall  
24 appoint a medical advisory ~~committee~~ council, which shall be selected in accordance  
25 with the following:

26 \* \* \*

1 §1294. Workers' Compensation Advisory Council

2 A.(1) The Workers' Compensation Advisory Council is hereby created  
3 within the Louisiana Workforce Commission pursuant to R.S. ~~36:309(C)(5)~~  
4 36:309(C)(4).

5 \* \* \*

6 Section 7. R.S. 24:36(C)(3), 513(A)(4) and (5)(a)(ii) and (F) are hereby amended  
7 and reenacted to read as follows:

8 §36. Additional benefits payable to legislators; certain legislative personnel;  
9 governor; lieutenant governor; political subdivision service credit; credit for  
10 service previously rendered; additional contributions; computation of  
11 benefits payable; membership

12 \* \* \*

13 C.

14 \* \* \*

15 (3) Any person retiring under the provisions of this Subsection shall receive  
16 a full retirement benefit, without reduction of any percentage which may be provided  
17 in the laws pertaining to the retirement system for retirement before the normal  
18 retirement age. For purposes of computing retirement benefits for those persons  
19 provided for in ~~R.S. 24:36(A)~~ Subsection A of this Section, "average compensation"  
20 shall be the average annual earned compensation of the member for any three years  
21 of service during which said earned compensation was the highest, including salary,  
22 per diem, and also the expense allowances provided by R.S. 24:31.1 and ~~R.S. 24:31.2~~  
23 and any other expense allowances provided for the clerk of the House of  
24 Representatives and the secretary of the Senate. The retirement benefits provided  
25 herein for any person covered by this provision shall not exceed the limitation  
26 provided in R.S. ~~42:575(B)~~ 11:444(B). Beginning with August 1, 1962, the benefits  
27 provided herein shall extend to members covered hereby who were employed in the  
28 state service on or after May 1, 1960, and to their survivors.

29 \* \* \*

1 §513. Powers and duties of legislative auditor; audit reports as public records;  
2 assistance and opinions of attorney general; frequency of audits; subpoena  
3 power

4 A.

5 \* \* \*

6 (4)(a) Paragraph (3) of this Subsection and Subsection B of this Section  
7 notwithstanding, the legislative auditor may audit or investigate a local auditee only  
8 in those instances when:

9 ~~(a)~~ (i) The local auditee has failed after thirty days written notice from the  
10 legislative auditor to comply with the provisions of this Section relating to timely  
11 audits.

12 ~~(b)~~ (ii) The Legislative Audit Advisory Council and the legislative auditor  
13 have determined that the local auditee is unable to pay for an audit by a licensed  
14 certified public accountant.

15 ~~(c)~~ (iii) The local auditee exhibits a record of egregious control deficiencies  
16 and failures to comply with laws and regulations.

17 ~~(d)~~ (iv) The legislative auditor has received complaints of illegal or irregular  
18 acts with respect to the local auditee.

19 ~~(e)~~ (v) The local auditee, after requesting proposals for audit services,  
20 receives less than three proposals from licensed certified public accountants or the  
21 local auditee receives three or more proposals and the local auditee rejects all  
22 proposals for cause, including but not limited to excessive cost.

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

26 (b) Any local auditee selected for audit under the provisions of ~~Subparagraph~~  
27 ~~(c)~~ Item (a)(iii) of this Paragraph shall have the right of appeal to the Legislative  
28 Audit Advisory Council. Furthermore, the legislative auditor shall ensure that under

1 the provisions of ~~Subparagraph (c)~~ Item (a)(iii) of this Paragraph audit services are  
2 not duplicated.

3 (5)(a)

4 \* \* \*

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

11 \* \* \*

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

23 ~~(1)~~ (2) For the purpose of this Subsection, "private water supply system"  
24 means any private water system which receives local or state assistance in any fiscal  
25 year and does not have audited financial statements prepared by licensed certified  
26 public accountants. Assistance shall include grants, loans, transfers of property,  
27 awards, and direct appropriations of state or local public funds. Assistance shall not  
28 include guarantees, membership dues, vendor contracts for goods and services

1 related to administrative support for a local or state assistance program, or benefits  
2 to individuals.

3 ~~(2)~~ (3) The financial statements of a private water supply system shall be  
4 audited or reviewed by licensed certified public accountants subject to Paragraphs  
5 (A)(5) and ~~(A)(6)~~ (6) of this ~~Subsection~~ Section, but may be audited by the  
6 legislative auditor pursuant to Paragraph (A)(4) of this Section. Any person  
7 authorized to conduct an audit of a governmental entity pursuant to R.S. ~~37:88~~ 37:77  
8 shall be permitted to audit the private water supply system subject to the approval  
9 of the legislative auditor provided for in Paragraphs (A)(5) and ~~(A)(6)~~ (6) of this  
10 Section.

11 ~~(3)~~ (4) State or local assistance and other funds and expenditures of private  
12 water supply systems shall be audited.

13 \* \* \*

14 Section 8. R.S. 28:821(C) and 824(A) and (C) are hereby amended and reenacted  
15 to read as follows:

16 §821. Findings and purpose

17 \* \* \*

18 C. It is the intention of the legislature that the state of Louisiana adhere to  
19 the principles contained in this Chapter in program planning, development, funding,  
20 and implementation for persons with developmental disabilities and their families.  
21 It is the further intention of the legislature that the Department of Health and  
22 Hospitals work to implement the Community and Family Support System plan  
23 developed by the Louisiana ~~State Planning Council on~~ Developmental Disabilities  
24 Council pursuant to this Chapter.

25 \* \* \*

26 §824. Community and Family Support System plan

27 A. The Louisiana ~~State Planning Council on~~ Developmental Disabilities  
28 Council shall develop a plan to implement a Community and Family Support System  
29 in accordance with the principles contained in this Chapter. The secretary of the

1 Department of Health and Hospitals shall allocate funds from existing resources to  
2 provide staff support to the council for the development of the plan. The council  
3 may appoint an advisory committee as necessary to assist in the development of the  
4 plan. The advisory committee shall include representation of parents of children or  
5 adults now residing in an intermediate care facility for people with developmental  
6 disabilities.

7 \* \* \*

8 C. The plan shall be coordinated with ~~the~~ any plans ~~of the Mental~~  
9 ~~Retardation and Developmental Disabilities Services System (R.S. 28:380 et seq.),~~  
10 ~~the Handicapped Infants and Toddlers Program (P.L. 99-457 Part II), the Child and~~  
11 ~~Adolescent Service System Program (R.S. 28:801 et seq.);~~ established pursuant to  
12 the provisions of the Developmental Disability Law (R.S. 28:451.1 et seq.), the  
13 Individuals with Disabilities Education Act (P.L. 108-446), the Comprehensive  
14 Mental Health Plan Act of 1986 (P.L. 99-660), and with other activities of the  
15 Louisiana ~~State Planning Council on~~ Developmental Disabilities Council (R.S.  
16 28:750 et seq.).

17 \* \* \*

18 Section 9. R.S. 32:123(B) and (D), 143(A)(5) and (6), 175(A), 213, 215, and  
19 234(A)(1) are hereby amended and reenacted to read as follows:

20 §123. Stop signs and yield signs; penalties for violations

21 \* \* \*

22 B. Except when directed to proceed by a police officer or traffic-control  
23 signal, every driver and operator of a vehicle approaching a stop intersection  
24 indicated by a stop sign shall stop before entering the ~~cross-walk~~ crosswalk on the  
25 near side at a clearly marked stop line, but if none, then at the point nearest the  
26 intersecting roadway where the driver has a view of approaching traffic on the  
27 intersecting roadway before entering the intersection. After having stopped, the  
28 driver shall yield the ~~right-of-way~~ right-of-way to all vehicles which have entered the



1 intersection from another highway or which are approaching so closely on said  
2 highway as to constitute an immediate hazard.

3 \* \* \*

4 D. The driver or operator of a vehicle approaching a yield sign shall slow  
5 down to a speed reasonable for the existing conditions, or shall stop if necessary,  
6 before entering the ~~cross walk~~ crosswalk on the near side of the intersection or, in the  
7 event there is no ~~cross walk~~ crosswalk, at a clearly marked stop line, but if none, then  
8 at the point nearest the intersecting roadway where the driver has a view of  
9 approaching traffic on the intersecting roadway. Having slowed or stopped in this  
10 manner, the driver shall yield the ~~right-of-way~~ right-of-way to any pedestrian legally  
11 crossing the roadway on which he is driving, and to any vehicle in the intersection  
12 or approaching on another highway so closely as to constitute an immediate hazard.

13 \* \* \*

14 §143. Stopping, standing or parking prohibited in specified places

15 A. No person shall stand, or park a vehicle, except when necessary to avoid  
16 conflict with other traffic, or in compliance with law or the directions of a police  
17 officer or traffic control device, in any of the following places:

18 \* \* \*

19 (5) On a ~~cross walk~~ crosswalk;

20 (6) Within twenty feet of a ~~cross walk~~ crosswalk at an intersection;

21 \* \* \*

22 §175. Vehicles must yield at railroad grade crossings; exceptions; penalties for  
23 violations

24 A. The driver or operator of a vehicle approaching a rail-highway grade  
25 crossing identified by the presence of a railroad cross buck sign shall slow down to  
26 a speed reasonable for the existing conditions, or shall stop if necessary, before  
27 entering the ~~cross walk~~ crosswalk on the near side of the intersection or, in the event  
28 there is no ~~cross walk~~ crosswalk, at a clearly marked stop line, or if none, then at the  
29 point nearest the intersecting rail of such railroad where the driver or operator has

1 a clear view of any approaching train. The driver or operator shall listen and look  
2 in both directions along such track for any approaching train and for signals  
3 indicating the approach of a train. Having slowed or stopped in this manner, the  
4 driver or operator shall yield the ~~right-of-way~~ right-of-way to any approaching train  
5 and then shall proceed only upon exercising due care and upon being sure that it is  
6 safe to proceed.

7 \* \* \*

8 §213. Crossing at other than ~~cross-walks~~ crosswalks

9 A. Every pedestrian crossing a roadway at any point other than within a  
10 marked ~~cross-walk~~ crosswalk or within an unmarked ~~cross-walk~~ crosswalk at an  
11 intersection shall yield the ~~right-of-way~~ right-of-way to all vehicles upon the  
12 roadway.

13 B. Between adjacent intersections at which traffic-control signals are in  
14 operation pedestrians shall not cross at any place except in a marked ~~cross-walk~~  
15 crosswalk.

16 \* \* \*

17 §215. Pedestrians to use right half of ~~cross-walks~~ crosswalks

18 Pedestrians shall move, whenever practicable, upon the right half of ~~cross~~  
19 ~~walks~~ crosswalks.

20 \* \* \*

21 §234. Flashing signals

22 A. Whenever an illuminated flashing red or yellow signal is used in a traffic  
23 sign or signal, it shall require obedience by vehicular traffic as follows:

24 (1) FLASHING RED (STOP SIGNAL)--When a red lens is illuminated with  
25 rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest  
26 ~~cross-walk~~ crosswalk at an intersection or at a limit line when marked, or, if none,  
27 then before entering the intersection, and the right to proceed shall be subject to the  
28 rules applicable after making a stop at a stop sign.

29 \* \* \*

1 Section 10. R.S. 33:4169.1(G) is hereby amended and reenacted to read as follows:

2 §4169.1. Municipal and parish authority over collection and disposal of garbage and  
3 trash; franchising, permitting, and licensing; assessment and collection of  
4 service charge

5 \* \* \*

6 G. The power to permit or regulate solid waste collection, transportation,  
7 processing, recovery, and disposal, granted herein to parish and municipal governing  
8 authorities, shall not preempt regulatory and licensing authority of the ~~Environmental~~  
9 ~~Control Commission and the office of environmental affairs, Department of Natural~~  
10 ~~Resources~~ secretary of the Department of Environmental Quality, pursuant to R.S.  
11 30:2001, et seq.

12 \* \* \*

13 Section 11. R.S. 36:3(4), 4(B)(1)(aa) and (ee), (6)(a), and (18), (F), (L), (N), (U),  
14 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),  
15 (5), (6), (10), and (11), (J), (K), (L), (M), (N), (O), (Q), (S), (T), (U), (W)(2), and (X),  
16 239(B)(1), (4), and (6) and (E), 259(E), (F)(9), (10), (16), (18), and (21), (G), (I)(5), (J)(1),  
17 and (L)(1), (M), (Q), (T), (U), (W), (X), (BB)(1), (CC), and (GG), 309(B), (C)(1), and (D),  
18 359(D), (J), (K), and (L), 409(B), (C)(1), (2), (4), (5), and (8), (D), (E), (F), (G), (H), (J), (L),  
19 and (O), 459(B), (C), and (H), 474(B)(1)(a)(introductory paragraph) and (i), 475(A), 478(F),  
20 (H)(3) and (4), 509(C), (F)(2), (3), and (8), (H), (K), (L), (M), (O), (Q), (R), (S), and (T),  
21 610(B)(1), (10), and (11), (E), (F), (H), (I), (K), (L), and (N), 629(C)(5), (6), and (8), (D),  
22 (E), (F), (G), (H), (J), (K), (L), and (N), 643(A) and (C), 651(B), (C), (D), (E), (H), (L), (M),  
23 (P), (U), (X), (Y), (Z), and (BB), 686(A)(2), (3), and (5), (B), and (F), 706(B) and (C),  
24 725(A), 744(E), (H), (I), (J), (Q), (T), and (U), 769(C), (D)(1), (2), (4), and (6), (F), (H), (I),  
25 and (L), 802(introductory paragraph), 802.6, 802.9, 803(A)(1), 851(A), 901(A), 918, and  
26 921(A) are hereby amended and reenacted and R.S. 36:4(B)(14) and (H), 4.1(D)(16),  
27 239(C), 259(D), 309(F) and (G), 409(I), (P), and (Q), 459(D), 478(M), 629(R), 651(S), and  
28 686(G) are hereby enacted to read as follows:

1 §3. Definitions

2 For the purposes of this Title the following terms shall have the following  
3 meanings unless the context clearly indicates otherwise:

4 \* \* \*

5 (4) "Deputy secretary" means the officer authorized to be appointed by the  
6 secretary to serve as his principal administrative assistant. For the Department of  
7 Public Safety and Corrections, the "deputy secretary for public safety services" and  
8 the "deputy secretary for corrections services" shall be the officers of the department  
9 appointed by the secretary to serve as the principal administrative assistants of the  
10 secretary and references in any provision of law to the deputy secretary, where  
11 reference is to a deputy secretary of the Department of Public Safety and  
12 Corrections, shall include these two officers. For the Louisiana Workforce  
13 Commission, the "deputy executive director" shall mean the officer authorized by the  
14 executive director to serve as his principal administrative assistant. For the  
15 Department of Children and Family Services, "deputy secretary" means the ~~officer~~  
16 officers appointed by the secretary to direct and be responsible for the functions of  
17 the division of programs and the division of operations within the office of children  
18 and family services.

19 \* \* \*

20 §4. Structure of executive branch of state government

21 \* \* \*

22 B. The office of the governor shall be in the executive branch of state  
23 government.

24 (1) The following agencies and their powers, duties, functions, and  
25 responsibilities are hereby transferred to the office of the governor:

26 \* \* \*

1 (aa) The Louisiana Sentencing Commission (R.S. ~~15:322-324~~ 15:321 et seq.)  
2 under the jurisdiction of the Louisiana Commission on Law Enforcement and  
3 Administration of Criminal Justice.

4 \* \* \*

5 (ee) The Louisiana Commission on HIV, ~~and AIDS~~ and Hepatitis C (R.S.  
6 40:2018.1)

7 \* \* \*

8 (6)(a) ~~The Office of Elderly Affairs~~ office of elderly affairs and the  
9 Louisiana Executive Board on Aging, as more specifically provided in R.S. 46:931  
10 ~~through 934~~ et seq., shall be placed within the office of the governor.

11 \* \* \*

12 (14) The following agencies are placed within the office of the governor,  
13 division of administration, and shall perform and exercise their powers, duties,  
14 functions, and responsibilities as provided by law:

15 (a) The board of trustees of the Post Employment Benefits Trust Fund (R.S.  
16 39:100.111 et seq.)

17 (b) The Louisiana Information Technology Advisory Board (R.S. 39:15.4)

18 (c) The Louisiana Technology Advisory Group (R.S. 39:15.5)

19 (d) The Louisiana Postsecondary Education Information Technology Council  
20 (R.S. 39:15.6)

21 \* \* \*

22 (18) The Louisiana Tax Commission (R.S. 47:1831-~~1837~~ et seq.; R.S.  
23 47:1951-~~1998~~ et seq.) is placed within the office of the governor, division of  
24 administration and shall exercise and perform its powers, duties, functions, and  
25 responsibilities as provided for agencies transferred in accordance with the  
26 provisions of R.S. 36:801.1.

27 \* \* \*

28 F. The office on women's policy, ~~as more specifically provided in~~ (R.S.  
29 46:2521-2525;) shall be placed within the office of the governor. The Louisiana

1 Women's Policy and Research Commission (R.S. 46:2525) is placed within the  
 2 office on women's policy.

3 \* \* \*

4 H. The Intrastate Mutual Aid Subcommittee (R.S. 29:739) is placed within  
 5 the office of the governor and shall perform and exercise its powers, duties,  
 6 functions, and responsibilities as provided by law.

7 \* \* \*

8 L.(1) ~~The Office of Rural Development, as more specifically provided in~~  
 9 ~~office of rural development (R.S. 3:311 through 318, et seq.)~~ shall be placed within  
 10 the office of the governor and shall perform and exercise its powers, duties,  
 11 functions, and responsibilities as provided by law.

12 (2) ~~The Louisiana Broadband Advisory Council, as more specifically~~  
 13 ~~provided in R.S. 51:995.1 through 995.4, (R.S. 51:955.1 et seq.)~~ shall be placed  
 14 within the ~~Office of Rural Development~~ office of rural development in the office of  
 15 the governor and shall perform and exercise its powers, duties, functions, and  
 16 responsibilities as provided by law.

17 \* \* \*

18 N. The Louisiana Serve Commission, as more specifically provided for in  
 19 R.S. 49:1111 ~~through 1122~~ et seq., shall be placed within the office of the lieutenant  
 20 governor and shall exercise its powers, duties, and functions in accordance with the  
 21 provisions of R.S. 36:802.14.

22 \* \* \*

23 U. The Encore Louisiana Commission, as provided for in R.S. 51:1317  
 24 ~~through 1319~~ et seq., shall be placed within the office of the lieutenant governor and  
 25 shall exercise its powers, duties, and functions as provided by law.

26 \* \* \*

27 X. The Louisiana Council on the Social Status of Black Men and Boys, as  
 28 provided for in R.S. 49:1211 ~~through 1213~~ et seq., shall be placed within the office

1 of the lieutenant governor and shall exercise its powers, duties, and functions as  
2 provided by law.

3 \* \* \*

4 §4.1. Agencies transferred from the Department of Economic Development to the  
5 office of the governor; agencies placed within the office of the governor

6 \* \* \*

7 D. The following agencies, as defined in R.S. 36:3, are hereby transferred  
8 to and shall be placed within the office of the governor and shall perform and  
9 exercise their powers, duties, functions, and responsibilities as provided in R.S.  
10 36:803:

11 \* \* \*

12 (9) Louisiana Auctioneers Licensing Board (R.S. 37:3101 ~~through 3105 and~~  
13 ~~R.S. 37:3111~~ et seq.).

14 \* \* \*

15 (15) Louisiana State Polygraph Board (R.S. 37:2831 et seq.),  
16 notwithstanding the provisions of Chapter 36-A of Title 37 to the contrary.

17 ~~(18)~~ (16) The Louisiana ~~State~~ Board of Cosmetology (R.S. 37:561 ~~through~~  
18 ~~607~~ et seq.).

19 \* \* \*

20 §53. Transfer of boards, commissions, departments, and agencies to Department of  
21 State Civil Service

22 A. The state examiner of municipal fire and police civil service and the  
23 office of the state examiner of municipal fire and police civil service (~~R.S. 33:2471-~~  
24 ~~33:2508~~ Parts II and III of Chapter 5 of Title 33 of the Louisiana Revised Statutes  
25 of 1950 and other provisions of the constitution and law applicable to the state  
26 examiner and his office) are transferred to and hereafter shall be within the  
27 Department of State Civil Service, as provided in R.S. 36:801.

28 \* \* \*

1 §109. Transfer of boards, commissions, departments, and agencies to Department  
2 of Economic Development

3 \* \* \*

4 N. The Louisiana Economic Development Corporation and its board of  
5 directors (R.S. 51:2311=~~2312~~ et seq.) is are placed within the Department of  
6 Economic Development and shall exercise and perform ~~its~~ their duties, powers,  
7 functions, and responsibilities in the manner provided for agencies transferred in  
8 accordance with R.S. 36:801.

9 \* \* \*

10 §201. Department of Culture, Recreation and Tourism; creation; domicile;  
11 composition; purposes and functions

12 \* \* \*

13 C.(1) The Department of Culture, Recreation and Tourism shall be  
14 composed of the executive office of the secretary, the office of management and  
15 finance, the office of the state library, the office of the state museum, the office of  
16 state parks, the office of cultural development, the office of tourism, ~~the office of~~  
17 ~~litter reduction and public action~~, and such other offices as shall be created by law.

18 \* \* \*

19 §209. Transfer of boards, commissions, departments, and agencies to Department  
20 of Culture, Recreation and Tourism

21 B.(1) The following agencies, as defined by R.S. 36:3, are transferred to and  
22 hereafter shall be within the Department of Culture, Recreation and Tourism, as  
23 provided in Part II of Chapter 22 of this Title:

24 (a) The Wedell-Williams Memorial Aviation Museum (R.S. 25:871=~~874~~ et  
25 seq.)

26 \* \* \*

27 C. The following agencies, as defined in R.S. 36:3, are transferred to and  
28 hereafter shall be within the Department of Culture, Recreation and Tourism, as  
29 provided in Part III of Chapter 22 of this Title:

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.



1 (1) Louisiana Archaeological Survey and Antiquities Commission (R.S.  
2 41:1601-~~41:1613~~ et seq.)

3 \* \* \*

4 F. The Board of Commissioners of the State Library of Louisiana (R.S. 25:2=  
5 ~~4; R.S. 25:8-9~~ et seq.) is transferred to and hereafter shall be within the Department  
6 of Culture, Recreation and Tourism, as provided in R.S. 36:910.

7 \* \* \*

8 H. The following agencies, as defined by R.S. 36:3, are hereby abolished and  
9 their powers, duties, functions, and responsibilities are transferred to the secretary  
10 of the Department of Culture, Recreation and Tourism and hereafter shall be  
11 exercised and performed as provided in Part IV of Chapter 22 of this Title:

12 (1) State Art, Historical and Cultural Preservation Agency (~~R.S.~~  
13 ~~25:801(A)(B) and R.S. 25:802-812~~ R.S. 25:801 et seq.)

14 \* \* \*

15 (4) State Library of Louisiana (~~R.S. 25:1; R.S. 25:5-7; R.S. 25:10-17; R.S.~~  
16 ~~25:222-223; R.S. 25:451-455; R.S. 25:631-636~~ R.S. 25:1, 5-7, and 10-16)

17 (5) Toledo Bend Forest Scenic Drive Commission (R.S. 48:1401-~~1406~~ et  
18 seq.)

19 (6) Louisiana Art Commission (R.S. 25:301-~~306~~ et seq.)

20 \* \* \*

21 (10) Louisiana Historical Preservation and Cultural Commission (R.S.  
22 25:521-~~527~~ et seq.)

23 (11) Old Arsenal Museum Commission (R.S. 25:551-~~553~~ et seq.)

24 \* \* \*

25 J. The following agencies, as defined in ~~R.S. 36:3, are~~ Louisiana National  
26 Register Review Committee (R.S. 25:901 et seq.) is placed within the Department  
27 of Culture, Recreation and Tourism and shall exercise and perform ~~their~~ its powers,  
28 duties, functions, and responsibilities in the manner provided for agencies transferred  
29 in accordance with the provisions of Part III of Chapter 22 of this Title:

1                   ~~(2) The Louisiana National Register Review Committee (R.S. 25:901-~~  
2                   ~~25:902)~~

3                   ~~(3) The Council of 100 (Executive Order 78-10).~~

4                   K. The Louisiana Naval War Memorial Commission (R.S. 25:1000-~~1002~~ et  
5                   seq.) is placed within the Department of Culture, Recreation and Tourism and shall  
6                   exercise and perform its powers, duties, functions, and responsibilities in the manner  
7                   provided for agencies transferred in accordance with the provisions of R.S. 36:801.1.

8                   L. The Louisiana Folklife Commission (R.S. 25:821-~~R.S. 25:825~~ et seq.) is  
9                   placed within the Department of Culture, Recreation and Tourism and shall perform  
10                  and exercise its powers, duties, functions, and responsibilities in the manner provided  
11                  for agencies transferred in accordance with the provisions of Part III of Chapter 22  
12                  of this Title.

13                  M.(1) The Atchafalaya Trace Commission, as more specifically provided in  
14                  R.S. 25:1221 ~~through 1225~~ et seq., shall be placed within the Department of Culture,  
15                  Recreation and Tourism as provided for agencies transferred in accordance with R.S.  
16                  36:802.3.

17                  (3) The Atchafalaya Trace Heritage Area Development Zone Review Board,  
18                  as more specifically provided in R.S. 25:1226 ~~through 1226.6~~ et seq., shall be placed  
19                  within the Department of Culture, Recreation and Tourism as provided for agencies  
20                  transferred in accordance with Part III of Chapter 22 of this Title.

21                  N. The Kenner Naval Museum Commission (R.S. 25:1005-~~1005.3~~ et seq.)  
22                  is placed within the Department of Culture, Recreation and Tourism 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 R.S. 36:801.1.

25                  O. The New Orleans City Park Improvement Association and its board of  
26                  commissioners (Act No. 130 of 1896; Act No. 104 of 1934; Act No. 492 of 1958;  
27                  Act No. 405 of 1962; Act No. 865 of 1982; Act No. 569 of 1989; Act No. 13 of 1998  
28                  First Extraordinary Session; Act No. 395 of 2006) is transferred to the Department  
29                  of Culture, Recreation and Tourism and shall exercise and perform its powers,

1 duties, functions, and responsibilities as provided for agencies transferred in  
2 accordance with the provisions of R.S. 36:802.22.

3 \* \* \*

4 Q. The Louisiana Bicentennial Commission (R.S. 25:1231-~~1237~~ et seq.)  
5 shall be placed within the Department of Culture, Recreation and Tourism as  
6 provided for agencies transferred in accordance with R.S. 36:802.

7 \* \* \*

8 S. The Mississippi River Road Commission (R.S. 25:1251-~~1255~~ et seq.) is  
9 placed within the Department of Culture, Recreation and Tourism and shall exercise  
10 and perform its powers, functions, duties, and responsibilities as provided in R.S.  
11 36:802.17.

12 T. The Louisiana Historic Cemetery Trust Fund Advisory Board (R.S.  
13 25:940-~~943~~ et seq.) shall be placed within the Department of Culture, Recreation and  
14 Tourism as provided for agencies transferred in accordance with R.S. 36:802.

15 U. The Battle of New Orleans Bicentennial Commission (R.S. 25:1238.1-  
16 ~~1238.7~~ et seq.) shall be placed within the Department of Culture, Recreation and  
17 Tourism as provided for agencies transferred in accordance with R.S. 36:802.

18 \* \* \*

19 W. The following museums shall be placed within the office of the state  
20 museum of the Department of Culture, Recreation and Tourism and shall exercise  
21 their powers, duties, functions, and responsibilities as provided in R.S. 36:851.1.

22 \* \* \*

23 (2) The Louisiana Political Museum and Hall of Fame and its advisory board  
24 (R.S. 25:342(B)(3)(c), ~~R.S. 25:352~~, and 380.141 et seq.).

25 \* \* \*

26 X. The Louisiana Byways Commission (R.S. 56:1948.11 -~~1948.13~~ et seq.)  
27 is placed within the Department of Culture, Recreation and Tourism and shall

1 exercise and perform its powers, duties, functions, and responsibilities as provided  
2 for agencies transferred in accordance with R.S. 36:802.19.

3 \* \* \*

4 §239. Transfer of agencies and functions to Department of Environmental Quality

5 \* \* \*

6 B. The following agencies, as defined in R.S. 36:3, are hereby abolished and  
7 their powers, duties, functions, and responsibilities are transferred to the secretary  
8 of the Department of Environmental Quality and shall be exercised and performed  
9 as provided in Part IV of Chapter 22 of this Title:

10 (1) Governor's Council on Environmental Quality (R.S. 40:2351-~~40:2355~~ et  
11 seq.)

12 \* \* \*

13 (4) Environmental Control Commission (R.S. 30:2013-~~30:2017~~)

14 \* \* \*

15 (6) The Louisiana Litter Reduction and Public Action Commission,  
16 previously abolished by Act No. 1137 of the 2001 Regular Session, (R.S. 30:2521  
17 ~~through 2546~~ et seq.)

18 C. The Motor Fuels Underground Storage Tank Trust Fund Advisory Board  
19 is placed within the Department of Environmental Quality and shall exercise and  
20 perform its powers, duties, functions, and responsibilities as otherwise provided by  
21 law.

22 E. The Board of Certification and Training for Solid Waste Management  
23 System Operators (R.S. ~~37:3101-37:3111~~ 37:3151 et seq.) is placed within the  
24 Department of Environmental Quality and shall exercise and perform its powers,  
25 duties, functions, and responsibilities in the manner provided for agencies transferred  
26 in accordance with R.S. 36:803.

27 \* \* \*

28 §259. Transfer of agencies and functions to Department of Health and Hospitals

29 \* \* \*

1           D. The following agencies, as defined in R.S. 36:3, are placed within the  
2           Department of Health and Hospitals and shall perform and exercise their powers,  
3           duties, functions, and responsibilities as otherwise provided by law:

4           (1) Louisiana state office of rural health (R.S. 40:2195.1)

5           (2) Louisiana Council on Obesity Prevention and Management (R.S. 46:2611  
6           et seq.)

7           (3) Louisiana State Child Death Review Panel (R.S. 40:2019)

8           (4) Marriage and Family Therapy Advisory Committee (R.S. 37:1104)  
9           (Established by the Louisiana Licensed Professional Counselors Board of  
10          Examiners).

11          (5) Nursing Home Emergency Preparedness Review Committee (R.S.  
12          40:2009.25)

13          (6) Advisory Committee on Polysomnography (R.S. 37:2861 et seq.)

14          (7) Louisiana Birth Defects Surveillance System Advisory Board (R.S.  
15          40:31.41 et seq.)

16          (8) Prescription Monitoring Program Advisory Council (R.S. 40:1001 et  
17          seq.)

18          (9) Health Data Panel (R.S. 40:1300.111 et seq.)

19           E. The following agencies, as defined in R.S. 36:3, are transferred to and  
20           hereafter shall be within the Department of Health and Hospitals, as provided in R.S.  
21           36:803:

22           (1) Louisiana State Board of ~~Nurse Examiners~~ Nursing (R.S. 37:911-~~37:935~~  
23           et seq.)

24           (2) Louisiana State Board of Dentistry (~~R.S. 37:753-37:790~~ R.S. 37:751 et  
25           seq.)

26           (3) Louisiana State Board of ~~Board-Certified~~ Social Work Examiners (R.S.  
27           ~~37:2701-37:2718~~ et seq.)

28           (4) Louisiana State Board of Optometry Examiners (R.S. 37:1041-~~37:1067~~  
29           et seq.)

- 1 (5) Louisiana State Board of Examiners for Sanitarians (R.S. 37:2101=  
2 ~~37:2116~~ et seq.)
- 3 (6) Louisiana State Board of Practical Nurse Examiners (R.S. 37:961=~~37:979~~  
4 et seq.)
- 5 (7) Louisiana Board of Chiropractic Examiners (R.S. 37:2801=~~37:2818~~ et  
6 seq.)
- 7 (8) Louisiana State Board of Medical Examiners (R.S. 12:914; R.S. 37:611=  
8 ~~37:628~~ et seq.; R.S. 37:1261=~~37:1290~~ et seq.; ~~37:2401-37:2417~~)
- 9 (9) Louisiana State Board of Embalmers and Funeral Directors (R.S. 37:831=  
10 ~~37:851~~ et seq.)
- 11 (10) State Board of Examiners ~~for~~ of Psychologists (R.S. 37:2351=~~37:2368~~  
12 et seq.)
- 13 (11) Louisiana Board of Examiners for Speech-Language Pathology and  
14 Audiology (R.S. 37:2650 et seq.)
- 15 (12) ~~State Louisiana~~ Board of Veterinary ~~Medical Examiners~~ Medicine (R.S.  
16 37:1511=~~37:1532~~ et seq.)
- 17 (13) Board of Examiners for Nursing ~~Home~~ Facility Administrators (R.S.  
18 37:2501=~~37:2511~~ et seq.)
- 19 (14) Louisiana Board of Pharmacy (R.S. 37:1161=~~1250~~ et seq.; R.S.  
20 51:521=~~51:525~~ et seq.)
- 21 (16) Louisiana Board for Hearing Aid Dealers (R.S. 37:2441=~~37:2465~~ et  
22 seq.)
- 23 (17) Radiologic Technology Board of Examiners (R.S. 37:3200=~~37:3219~~ et  
24 seq.)
- 25 (20) Louisiana Physical Therapy Board (R.S. 37:2401=~~2424~~ et seq.)
- 26 (21) The Louisiana Licensed Professional Vocational Rehabilitation  
27 Counselors Board of Examiners (R.S. 37:3441=~~3452~~ et seq.)
- 28 \* \* \*
- 29 (23) The Addictive Disorder Regulatory Authority (R.S. 37:3389).

1 F. The following agencies, as defined in R.S. 36:3, previously abolished by  
2 the Executive Reorganization Act, and their powers, duties, functions, and  
3 responsibilities are transferred to the secretary of the Department of Health and  
4 Hospitals and shall be exercised and performed as provided in Part IV of Chapter 22  
5 of this Title:

6 \* \* \*

7 (9) Louisiana State Board of Health and the Louisiana Department of Health  
8 and all its subsidiary boards (~~R.S. 40:1-40:335~~ Such provisions of Title 40 of the  
9 Louisiana Revised Statutes of 1950 as are applicable to the abolished board and  
10 department)

11 (10) Louisiana Narcotics Rehabilitation Commission (R.S. 40:1051-~~40:1055~~  
12 et seq.)

13 \* \* \*

14 (16) Anatomical Board (R.S. 17:2271-~~17:2280~~ et seq.)

15 (18) Board of Commissioners of the South Louisiana Health Services  
16 District (R.S. 28:241-~~28:249~~ et seq.)

17 \* \* \*

18 (21) Hospital Licensing Council (R.S. 40:2108-~~40:2113.3~~)

19 G. The State Board of Electrolysis Examiners (R.S. 37:3051-~~3077~~ et seq.)  
20 is placed within the Department of Health and Hospitals and shall exercise and  
21 perform its powers, duties, functions, and responsibilities in the manner provided for  
22 agencies transferred in accordance with the provisions of R.S. 36:803.

23 \* \* \*

24 I. The following agencies, as defined in R.S. 36:3, are placed within the  
25 Department of Health and Hospitals and shall exercise and perform their powers,  
26 duties, functions, and responsibilities in the manner provided for agencies transferred  
27 in accordance with the provisions of R.S. 36:802:

28 \* \* \*

1 (5) Water Supply and Sewerage Systems Certification Committee (R.S.  
2 40:1141=~~40:1151~~ et seq.)

3 J.(1) The Louisiana Emergency Response Network Board (R.S.  
4 40:2841=~~2846~~ et seq.) is placed within the Department of Health and Hospitals and  
5 shall exercise and perform its powers, duties, functions, and responsibilities in the  
6 manner provided for agencies transferred in accordance with R.S. 36:801.1.

7 \* \* \*

8 L.(1) The Louisiana ~~State Planning Council~~ Council on Developmental Disabilities  
9 Council (R.S. 28:750 et seq.) is placed within the Department of Health and  
10 Hospitals and shall exercise and perform its powers, duties, functions, and  
11 responsibilities in the manner provided for agencies transferred in accordance with  
12 the provisions of R.S. 36:801.1. The council shall have full appointing authority for  
13 all personnel purposes.

14 \* \* \*

15 M. The Ambulance Standards Committee of the Emergency Medical  
16 Services Task Force as established by the assistant secretary of the office of public  
17 health (~~R.S. 40:1232(A)(3) and (4)~~ R.S. 40:1235(A)(3) and (4)) is placed within the  
18 Department of Health and Hospitals and shall exercise and perform its powers,  
19 duties, functions, and responsibilities in the manner provided for agencies transferred  
20 with the provisions of Part III of Chapter 22 of this Title.

21 \* \* \*

22 Q. The Louisiana State Board of Examiners in Dietetics and Nutrition (R.S.  
23 37:3081=~~3093~~ et seq.) is placed within the Department of Health and Hospitals and  
24 shall exercise and perform its powers, duties, functions, and responsibilities in the  
25 manner provided for agencies transferred in accordance with R.S. 36:803.

26 \* \* \*

27 T. The Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board  
28 (R.S. 46:2631 ~~through 2635~~ et seq.) is hereby placed within the Department of  
29 Health and Hospitals and shall exercise and perform its powers, duties, functions,



1 and responsibilities in the manner provided for agencies transferred in accordance  
2 with the provisions of R.S. 36:802.

3 U. The Louisiana Access to Better Care Medicaid Insurance Demonstration  
4 Project Oversight Board (~~R.S. 46:160.8~~ R.S. 46:160.1 et seq.) is placed within the  
5 Department of Health and Hospitals and shall exercise and perform its powers,  
6 duties, functions, and responsibilities in the manner provided for agencies transferred  
7 in accordance with the provisions of Part III of Chapter 22 of this Title.

8 W. The Louisiana Board of Wholesale Drug Distributors (R.S. 37:3461=  
9 3482) et seq. shall be placed within the Department of Health and Hospitals and shall  
10 exercise and perform its powers, duties, functions, and responsibilities in the manner  
11 provided for agencies transferred in accordance with the provisions of R.S. 36:803.

12 X. The Advisory Committee on Hospice Care (~~R.S. 40:2191~~ R.S. 40:2190  
13 et seq.) is placed within the Department of Health and Hospitals and shall exercise  
14 and perform its powers, duties, functions, and responsibilities in the manner provided  
15 for agencies transferred as provided in Part III of Chapter 22 of this Title.

16 BB. The following agencies, as defined in R.S. 36:3, are placed within the  
17 Department of Health and Hospitals and shall perform and exercise their powers,  
18 duties, functions, and responsibilities in the manner provided for agencies transferred  
19 in accordance with the provisions of R.S. 36:914:

20 (1) Respiratory Care Advisory Committee (R.S. 37:3356 et seq.)

21 \* \* \*

22 CC. The Louisiana Board of Massage Therapy (R.S. 37:3551-~~3567~~ et seq.)  
23 is placed within the Department of Health and Hospitals and shall exercise and  
24 perform its powers, duties, functions, and responsibilities in the manner provided for  
25 agencies transferred in accordance with R.S. 36:803.

26 \* \* \*

27 GG. The Louisiana Emergency Medical Services Certification Commission  
28 (~~R.S. 40:1232.2~~ R.S. 40:1231 et seq.) is placed within the Department of Health and  
29 Hospitals and shall perform and exercise its powers, duties, functions, and

1 responsibilities in the manner provided for agencies transferred in accordance with  
2 R.S. 36:919.4.

3 \* \* \*

4 §309. Transfer of agencies to Louisiana Workforce Commission

5 \* \* \*

6 B. The following agencies, as defined by R.S. 36:3, are transferred to and  
7 hereafter shall be within the Louisiana Workforce Commission, as provided in R.S.  
8 36:802:

9 (1) Employment Security Board of Review (R.S. 23:~~1652~~; ~~1621~~-~~1636~~ 1621  
10 et seq. and particularly R.S. 36:1652).

11 (2) Louisiana Worker's Compensation Second Injury Board (R.S. 23:1371=  
12 ~~1379~~ et seq.).

13 (3) The Louisiana Workforce Investment Council (R.S. 23:2041 et seq. and  
14 2091 et seq.)

15 \* \* \*

16 C. The following agencies, as defined in R.S. 36:3, are transferred to and  
17 hereafter shall be within the Louisiana Workforce Commission, as provided in Part  
18 III of Chapter 22 of this Title:

19 (1) Apprenticeship Council (R.S. 23:381=~~392~~ et seq.).

20 \* \* \*

21 D. The following agencies, as defined in R.S. 36:3, are transferred to and  
22 hereafter shall be within the Louisiana Workforce Commission as provided in R.S.  
23 36:803:

24 (1) Board of Barber Examiners (R.S. 37:341=~~392~~ et seq.).

25 (2) State Plumbing Board (R.S. 37:1361=~~1379~~ et seq.).

26 \* \* \*

27 F. The worker's compensation medical advisory council (R.S. 23:1203.1) is  
28 placed within the Louisiana Workforce Commission and shall perform and exercise  
29 its powers, duties, functions, and responsibilities as provided by law.



1 §409. Transfer of agencies to Department of Public Safety and Corrections

2 \* \* \*

3 B. The Louisiana Highway Safety Commission (R.S. 48:1351-~~48:1357~~ et  
4 seq.) is transferred to the Department of Public Safety and Corrections and hereafter  
5 shall perform and exercise its powers, duties, functions, and responsibilities as  
6 provided in R.S. 36:801.

7 C. The following agencies, as defined by R.S. 36:3, are transferred to and  
8 hereafter shall be within the Department of Public Safety and Corrections, as  
9 provided in R.S. 36:802:

10 (1) Fire Prevention Board of Review (R.S. 40:1578.1-~~40:1578.5~~ et seq.)

11 (2) Fireman's Supplemental Pay Board (R.S. 33:2006-~~33:2009~~ et seq.)

12 \* \* \*

13 (4) Board of Parole (R.S. 15:572; R.S. 15:574.2-~~15:574.13~~ et seq.; R.S.  
14 46:1651-~~46:1656~~ et seq.)

15 (5) Board of Pardons (Article IV, Section 5(E) of the 1974 Louisiana  
16 Constitution; R.S. 15:572-~~15:574.1~~ et seq.)

17 (8) The Weights and Standards Police Force (R.S. 40:1379.8). The Weights  
18 and Standards Police Force shall perform the functions of the state related to the  
19 enforcement of R.S. 32:380 through 388, R.S. 32:388.1, R.S. 32:390, and R.S.  
20 47:718, and the provisions of Chapter 4 of Subtitle II of Title 47 relating to trucks,  
21 trailers, and semitrailers and Part V of Chapter 7 of Subtitle II of Title 47 of the  
22 Louisiana Revised Statutes of 1950 and the department's regulations adopted  
23 pursuant thereto.

24 \* \* \*

25 D. ~~The following agencies, as defined by R.S. 36:3, are~~ Louisiana State  
26 Board of Private Security Examiners (R.S. 37:3270 et seq.) is transferred to and shall  
27 be within the Department of Public Safety and Corrections, as provided in R.S.  
28 36:803-2.

29 (1) ~~Repealed by Acts 2005, No. 428, §3, eff. July 1, 2005.~~

1                   ~~(2) Louisiana State Board of Private Security Examiners (R.S. 37:3270-~~  
2                   3298)

3                   E. The Louisiana Medical Advisory ~~Council~~ Board (R.S. 40:1351-~~40:1355~~  
4                   et seq.) is transferred to and hereafter shall be within the Department of Public Safety  
5                   and Corrections, as provided in Part III of Chapter 22 of this Title.

6                   F. The following agencies, as defined in R.S. 36:3, are hereby abolished and  
7                   their powers, duties, functions, and responsibilities are transferred to the secretary  
8                   of the Department of Public Safety and Corrections and hereafter shall be exercised  
9                   and performed as provided in Part IV of Chapter 22 of this Title:

10                   (1) Department of Public Safety (~~R.S. 40:1301-40:1471.22; R.S. 26:791-~~  
11                   ~~26:797; R.S. 32:401-32:427; 32:851-32:1043; 32:1301-32:1310; R.S. 47:531-47:540~~  
12                   Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950 and other statutes  
13                   that directly apply to said department)

14                   (2) State Fire Marshal (~~R.S. 40:1561-40:1592; 40:1601; 40:1621~~ Part III of  
15                   Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950 and other statutes  
16                   that directly apply to the state fire marshal)

17                   (3) The Interagency Recreation Board (R.S. 40:2501 ~~through 2505~~ et seq.;  
18                   R.S. 41:1081 ~~through 1088~~ et seq.)

19                   (4) Louisiana Criminal Justice Information System (R.S. 15:575 et seq.)

20                   (5) Louisiana State Board of Boiler Inspector Examiners (R.S. 23:41-~~23:49~~  
21                   et seq.)

22                   (6) The Department of Corrections (~~R.S. 15:572; 15:574.2-15:574.3; 15:821-~~  
23                   ~~15:840.1; 15:851-15:875; 15:892-15:894; 15:901-15:907; 15:1061-15:1071;~~  
24                   ~~15:1111; 15:1131-15:1135; 15:1151-15:1159; and R.S. 46:1651-46:1656~~ 15:821 et  
25                   seq. and other provisions of Title 15 of the Louisiana Revised Statutes of 1950 that  
26                   directly apply to said department)

27                   G. The Prison Enterprises Board (~~R.S. 15:1155~~ R.S. 15:1151 et seq.) is  
28                   placed within the Department of Public Safety and Corrections and shall exercise and

1 perform its powers, duties, functions, and responsibilities in the manner provided for  
2 agencies transferred in accordance with the provisions of R.S. 36:901, et seq.

3 H. The Liquefied Petroleum Gas Commission (Article VI, Section 28 of the  
4 1921 Louisiana Constitution made statutory by Article XIV, Section 16(A)(3) of the  
5 1974 Louisiana Constitution; ~~R.S. 40:1841-40:1850; R.S. 3:1351-3:1357~~ et seq. and  
6 1911 et seq.) is placed within the Department of Public Safety and Corrections and  
7 shall exercise and perform its powers, duties, functions, and responsibilities in the  
8 manner provided for agencies transferred in accordance with the provisions of R.S.  
9 36:802, except that any director or assistant director of the agency or similar  
10 personnel authorized by law shall continue to be appointed as otherwise provided by  
11 law.

12 I. The advisory board to the Liquefied Petroleum Gas Commission (R.S.  
13 40:1851(F)) is placed within the Department of Public Safety and Corrections and  
14 shall perform and exercise its powers, duties, functions, and responsibilities in the  
15 manner provided for agencies transferred in accordance with R.S. 36:901 et seq.

16 J.~~(H)~~ The Louisiana Manufactured Housing Commission (R.S. ~~51:911.26~~  
17 ~~51:911.21~~ et seq. and 911.51 et seq.) is placed within the office of the state fire  
18 marshal of the Department of Public Safety and Corrections and shall perform and  
19 exercise its powers, duties, functions, and responsibilities in accordance with the  
20 provisions of R.S. 36:803.1.

21 ~~(2) The Louisiana state administrative agency (R.S. 51:912.51 et seq.) is~~  
22 ~~placed within public safety services of the Department of Public Safety and~~  
23 ~~Corrections and shall perform and exercise all of its powers, duties, functions, and~~  
24 ~~responsibilities in accordance with the provisions of R.S. 51:912.51 et seq. Public~~  
25 ~~safety services shall assist the agency in the administration and implementation of~~  
26 ~~its powers, duties, functions, and responsibilities and the deputy secretary and the~~  
27 ~~undersecretary for public safety services shall perform and exercise their respective~~  
28 ~~powers, duties, functions, and responsibilities as necessary to so assist the agency.~~

29 \* \* \*

1 L. The Louisiana State Board of Private Investigator Examiners (R.S.  
2 37:3501-~~3525~~ et seq.) is placed within the Department of Public Safety and  
3 Corrections and shall perform and exercise its powers, duties, functions, and  
4 responsibilities as provided for agencies transferred in accordance with R.S. 36:803.

5 \* \* \*

6 O. The Louisiana Truck Center (R.S. 32:390.21-~~390.24~~ et seq.) is placed  
7 within the Department of Public Safety and Corrections as provided in R.S. 36:851.

8 P. The Reentry Advisory Council (R.S. 15:1199.4) is placed within the  
9 Department of Public Safety and Corrections and shall perform and exercise its  
10 powers, duties, functions, and responsibilities as provided by law.

11 Q. The task force to develop and implement an electronic media system for  
12 lien recordation and motor vehicle title information (R.S. 32:707.2) is placed within  
13 the Department of Public Safety and Corrections and shall perform and exercise its  
14 powers, duties, functions, and responsibilities as provided by law.

15 \* \* \*

16 §459. Transfer of agencies or their powers to Department of Revenue

17 \* \* \*

18 B. Public administrators for all parishes appointed pursuant to R.S. 9:1581  
19 (R.S. 9:1581-~~1590~~; R.S. 9:1551-~~1552~~ et seq. and other provisions of Title 9 of the  
20 Louisiana Revised Statutes of 1950 that apply to such administrators) shall be  
21 transferred to and hereafter shall be within the Department of Revenue, as provided  
22 in R.S. 36:802.

23 C. The Department of Revenue (R.S. 47:1501-~~1690~~ et seq. and ~~generally,~~  
24 other provisions of Title 47 of the Louisiana Revised Statutes of 1950 applicable to  
25 the former department) is hereby abolished and its powers, duties, functions, and  
26 responsibilities are transferred to the secretary of the Department of Revenue and  
27 hereafter shall be exercised and performed as provided in Part IV of Chapter 22 of  
28 this Title.





1 position by the legislature while in session. The deputy secretary of programs shall  
2 serve as acting secretary in the absence of the secretary.

3 \* \* \*

4 §478. Transfer of agencies and functions to Department of Children and Family  
5 Services

6 \* \* \*

7 F. The Louisiana Children's Trust Fund Board (~~R.S. 46:2404~~ R.S. 46:2401  
8 et seq.) is placed within the Department of Children and Family Services and shall  
9 exercise and perform its powers, duties, functions, and responsibilities in the manner  
10 provided by the provisions of R.S. 36:802.9.

11 H. The following agencies, as defined in R.S. 36:3, previously abolished by  
12 the Executive Reorganization Act and their powers, duties, functions, and  
13 responsibilities are transferred to the secretary of the Department of Children and  
14 Family Services and shall be exercised and performed as provided in Part IV of  
15 Chapter 22 of this Title:

16 \* \* \*

17 (3) State Department of Public Welfare (~~R.S. 46:51-46:115~~ Such provisions  
18 of Title 46 of the Louisiana Revised Statutes of 1950 as apply to the abolished  
19 department)

20 (4) State Board of Public Welfare (~~R.S. 46:53-46:54~~ Such provisions of Title  
21 46 of the Louisiana Revised Statutes of 1950 as apply to the abolished board)

22 \* \* \*

23 M. The Louisiana Advisory Council on Child Care and Early Education is  
24 placed within the Department of Children and Family Services and shall exercise and  
25 perform its powers, duties, functions, and responsibilities as provided in R.S.  
26 46:1401 et seq., particularly R.S. 46:1414.

27 \* \* \*

28 §509. Transfer of agencies to Department of Transportation and Development

29 \* \* \*

1 C. The Louisiana Professional Engineering and Land Surveying Board (R.S.  
2 37:681-704 et seq.) is transferred to and hereafter shall be within the Department of  
3 Transportation and Development, as provided in R.S. 36:803.

4 \* \* \*

5 F. The following agencies, as defined in R.S. 36:3, are hereby abolished, and  
6 their powers, duties, functions, and responsibilities are transferred to the secretary  
7 of the Department of Transportation and Development and hereafter shall be  
8 exercised and performed as provided in Part IV of Chapter 22 of this Title:

9 \* \* \*

10 (2) The Department of Highways (Article VI, Sections 19, 19.2, 19.3, 19.4,  
11 22(1) and 23 of 1921 Louisiana Constitution, made statutory by Article XIV, Section  
12 16(A)(3) of 1974 Louisiana Constitution; ~~R.S. 48:1-48:461.17; 48:756; 48:781-~~  
13 ~~48:786; 48:941-48:952; 48:1091-48:1106; 48:1161-48:1167; and any other laws~~  
14 applicable to said and such provisions of Title 48 of the Louisiana Revised Statutes  
15 of 1950 as apply to the abolished department)

16 (3) Department of Public Works (~~R.S. 38:1-38:19; R.S. 2:1-2:17; 2:81-2:87;~~  
17 ~~and any other laws applicable to said and such provisions of Title 38 of the Louisiana~~  
18 Revised Statutes of 1950 as apply to the abolished department)

19 \* \* \*

20 (8) Louisiana Expressway Authority (R.S. 48:1251-~~48:1281~~ et seq.)

21 \* \* \*

22 H. The Mississippi River Parkway Commission of Louisiana (R.S. 48:101-  
23 ~~103~~ et seq.) is placed within the Department of Transportation and Development and  
24 shall exercise and perform its powers, duties, functions, and responsibilities as  
25 provided for agencies transferred in accordance with the provisions of Part III of  
26 Chapter 22 of this Title.

27 K. The Louisiana Transportation Authority (R.S. 48:2071 ~~through 2083~~ et  
28 seq.) is placed within the Department of Transportation and Development and shall

1 perform and exercise its powers, duties, functions, and responsibilities in the manner  
2 provided for agencies transferred in accordance with the provisions of R.S. 36:801.

3 L. The Offshore Terminal Authority (R.S. 34:3101 et seq.) is transferred to  
4 and hereafter shall be within the Department of Transportation and Development, as  
5 provided by law.

6 M. The Mississippi River Bridge Authority (R.S. 48:1092 ~~-1092.1~~) is placed  
7 within the Department of Transportation and Development as provided in R.S.  
8 36:901.

9 O. The Sabine River Authority, state of Louisiana (Article XIV, Section 45  
10 of 1921 Louisiana Constitution, made statutory by Article XIV, Section 16(A)(10)  
11 of 1974 Louisiana Constitution; R.S. 38:2321~~-2337~~ et seq.) is placed within the  
12 Department of Transportation and Development and shall perform and exercise its  
13 powers, duties, functions, and responsibilities in the manner provided for agencies  
14 transferred in accordance with the provisions of R.S. 36:801.1.

15 Q. The Poverty Point Reservoir District (R.S. 38:3087.1~~-3087.15~~ et seq.) is  
16 placed within the Department of Transportation and Development and shall perform  
17 and exercise its powers, duties, functions, and responsibilities in the manner provided  
18 for agencies transferred in accordance with the provisions of R.S. 36:801.1.

19 R. The Allen Parish Reservoir District (R.S. 38:3087.171~~-3087.185~~ et seq.)  
20 is placed within the Department of Transportation and Development and shall  
21 perform and exercise its powers, duties, functions, and responsibilities in the manner  
22 provided for agencies transferred in accordance with the provisions of R.S. 36:801.1.

23 S. The Washington Parish Reservoir District (R.S. 38:3087.191~~-3087.205~~  
24 et seq.) is placed within the Department of Transportation and Development and  
25 shall perform and exercise its powers, duties, functions, and responsibilities in the  
26 manner provided for agencies transferred in accordance with the provisions of R.S.  
27 36:801.1.

28 T. The West Ouachita Parish Reservoir Commission (R.S. 38:3087.241~~-~~  
29 ~~3087.255~~ et seq.) is placed within the Department of Transportation and

1 Development and shall perform and exercise its powers, duties, functions, and  
2 responsibilities in the manner provided for agencies transferred in accordance with  
3 the provisions of R.S. 36:801.1.

4 \* \* \*

5 §610. Transfer of agencies and functions to Department of Wildlife and Fisheries

6 \* \* \*

7 B. The following agencies, as defined in R.S. 36:3, are transferred to and  
8 hereinafter shall be within the Department of Wildlife and Fisheries, as provided in  
9 R.S. 36:802.

10 (1) The Wildlife and Fisheries Commission (Article IX, Section 7 of 1974  
11 Louisiana Constitution; ~~R.S. 34:341-34:343~~; R.S. 56:1-56:28, ~~56:61-56:801~~;  
12 ~~56:1437; 56:1452; 56:1464-56:1464.4~~ et seq. and other provisions of the Louisiana  
13 Revised Statutes of 1950 that apply to the commission)

14 \* \* \*

15 (10) Louisiana Environmental Education Commission (~~R.S. 30:2503~~ R.S.  
16 30:2501 et seq.)

17 (11) The Louisiana Shrimp Task Force (R.S. 56:494)

18 \* \* \*

19 E. The Louisiana Seafood Promotion and Marketing Board, R.S. 56:578.1  
20 ~~through 578.10, et seq.~~ is placed within the Department of Wildlife and Fisheries and  
21 shall perform and exercise its duties, powers, functions, and responsibilities as  
22 provided for agencies transferred in accordance with the provisions of R.S. 36:802.5.

23 F. The Lake Fausse Point, Lake Dauterive, and Grande Avoille Cove  
24 Advisory Board (R.S. 56:796) is hereby placed within the Department of Wildlife  
25 and Fisheries and shall exercise its powers, duties, functions, and responsibilities as  
26 provided in R.S. 36:918.

27 \* \* \*

28 H. The Louisiana Artificial Reef Development Council (~~R.S. 56:639.6~~ R.S.  
29 56:639.1 et seq.) is placed within the Department of Wildlife and Fisheries and shall

1 exercise and perform its powers, duties, functions, and responsibilities in the manner  
2 provided for agencies transferred in accordance with Part III of Chapter 22 of this  
3 Title.

4 I. The Louisiana Fur Advisory Council (~~R.S. 56:266(C)~~ R.S. 56:266) is  
5 placed within the Department of Wildlife and Fisheries and shall exercise and  
6 perform its powers, duties, functions, and responsibilities in the manner provided for  
7 agencies transferred in accordance with Part III of Chapter 22 of this Title.

8 \* \* \*

9 K. The White Lake Property Advisory Board (R.S. 56:799.1-~~799.6~~ et seq.)  
10 is 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 R.S. 36:801.

13 L. The Louisiana Alligator Advisory Council (R.S. 56:278 and 279) is placed  
14 within the Department of Wildlife and Fisheries and shall exercise and perform its  
15 powers, duties, functions, and responsibilities in the manner provided for agencies  
16 transferred in accordance with Part III of Chapter 22 of this Title.

17 \* \* \*

18 N. The Oyster Seed Ground Vessel Permit Appeals Board (~~R.S. 56:433.1(C)~~  
19 R.S. 56:433.1) is placed within the Department of Wildlife and Fisheries and shall  
20 exercise and perform its powers, duties, functions, and responsibilities in the manner  
21 provided for agencies transferred in accordance with Part III of Chapter 22 of this  
22 Title.

23 \* \* \*

24 §629. Transfer of boards, commissions, departments, and agencies to the  
25 Department of Agriculture and Forestry

26 \* \* \*

1 C. The following agencies as defined by R.S. 36:3 are transferred to and  
 2 hereafter shall be within the Department of Agriculture and Forestry as provided in  
 3 R.S. 36:802.3:

4 \* \* \*

5 (5) Louisiana ~~State Livestock Sanitary Board of Animal Health~~ Board of Animal Health (~~R.S. 3:495-~~  
 6 ~~496, 3:561-566, 3:661-671, 3:1961-1971, 3:2004-2005, 3:2091-2099, 3:2171-2188,~~  
 7 ~~3:2221-2232, 3:2261-2264, 3:2341-2347, and 3:4222(C)~~ R.S. 3:2091 et seq. and  
 8 other provisions of Title 3 of the Louisiana Revised Statutes of 1950 that apply to the  
 9 board). Notwithstanding the provisions of R.S. 36:802.3, the Louisiana ~~State~~  
 10 ~~Livestock Sanitary Board of Animal Health~~ shall serve solely in an advisory capacity  
 11 with respect to the meat inspection program, as provided in R.S. 3:4222(C).

12 (6) Seed Commission (R.S. 3:1431-~~3:1448~~ et seq.)

13 (8) Louisiana Commission of Weights and Measures ~~Commission~~ (R.S.  
 14 ~~55:1-55:19~~ 3:4601 et seq.).

15 D. The following agencies, as defined by R.S. 36:3, are transferred to and  
 16 hereinafter shall be within the Department of Agriculture and Forestry, as provided  
 17 in R.S. 36:913:

18 (1) Livestock Brand Commission (R.S. 3:731-~~3:784~~ et seq.)

19 (2) Advisory Commission on Pesticides (R.S. 3:3211 et seq.)

20 E. The following agencies, as defined by R.S. 36:3, are transferred to and  
 21 hereinafter shall be within the Department of Agriculture and Forestry, as provided  
 22 in R.S. 36:802.1:

23 (1) Louisiana Egg Commission (R.S. 3:835-~~846~~ et seq.)

24 (3) Louisiana Rice Promotion Board (R.S. 3:3531-~~3538~~ et seq.)

25 (4) Louisiana Rice Research Board (R.S. 3:3541-~~3548~~ et seq.)

26 (5) Louisiana Soybean and Grain Research and Promotion Board (R.S.  
 27 ~~3:3551-3556~~ et seq.).

28 (6) Louisiana Strawberry Marketing Board (R.S. 3:730.1-~~730.8~~ et seq.)

29 (7) Louisiana Beef Industry Council (R.S. 3:2051-~~2063~~ et seq.)

1 (8) Louisiana Crawfish Promotion and Research Board (R.S. 3:556.1=  
2 ~~3:556.12~~ et seq.)

3 F. The Louisiana Sweet Potato Advertising and Development Commission  
4 (R.S. 3:1741=~~1748~~ et seq.) is hereby transferred to and hereafter shall be within the  
5 Department of Agriculture and Forestry as provided in R.S. 36:802.2.

6 G. The Dairy Stabilization Board (R.S. ~~3:4106~~ 3:4101 et seq.) is hereby  
7 transferred to and hereafter shall be within the Department of Agriculture and  
8 Forestry as provided in R.S. 36:801 until the second Monday in March of 1980, at  
9 which time the Dairy Stabilization Board shall be transferred as provided in Part III  
10 of Chapter 22 of this Title.

11 H. The Louisiana Feed, Fertilizer, and Agricultural Liming Commission  
12 (R.S. 3:~~1891~~ 1381 et seq.) is placed within the Department of Agriculture and  
13 Forestry and shall perform and exercise its powers, duties, functions, and  
14 responsibilities as provided by law.

15 \* \* \*

16 J. The Louisiana Agricultural Commodities Commission (R.S. 3:3401=~~3425~~  
17 et seq.) hereafter shall be within the Department of Agriculture and Forestry as  
18 provided under R.S. 36:802.6.

19 K. The Louisiana Agricultural Finance Authority (R.S. 3:261 ~~through R.S.~~  
20 ~~3:283.1~~ et seq.) is established within the Department of Agriculture and Forestry and  
21 hereafter shall exercise and perform its powers, duties, functions, and responsibilities  
22 in the manner provided for agencies transferred in accordance with R.S. 36:802.6.

23 L. The Dairy Industry Promotion Board (R.S. 3:4151=~~4162~~ et seq.) hereafter  
24 shall be within the Department of Agriculture and Forestry as provided in R.S.  
25 36:802.7.

26 \* \* \*

27 N. The Forestry Commission (Article IX, Section 8(B) and (C) of the  
28 Constitution of Louisiana, ~~R.S. 3:4271-4365~~ and Chapter 28 of Title 3 of the





1 of management and finance, references to an "assistant secretary" shall refer to an  
2 assistant deputy superintendent, ~~except that references in Chapters 22 and 24 of this~~  
3 ~~Title to the "secretary", "the undersecretary", or an "assistant secretary" shall mean~~  
4 ~~the chairman as provided in R.S. 17:3022(A), for any agency transferred under the~~  
5 ~~provisions of R.S. 36:651(K).~~

6 C. The Louisiana Educational Television Authority (R.S. 17:2501-~~17:2506~~  
7 et seq.) is transferred to and hereafter shall be within the Department of Education  
8 as provided in R.S. 36:801.

9 D. The following agencies, as defined by R.S. 36:3, are transferred to and  
10 hereafter shall be within the Department of Education as provided in R.S. 36:801.1:

11 (1) The Board of Supervisors for the University of Louisiana System (Article  
12 VIII, Section 6 of the 1974 Louisiana Constitution; R.S. 17:1831 et seq. and R.S.  
13 ~~17:1806, 3201 et seq., and 3351 et seq.~~ and other provisions of Title 17 of the  
14 Louisiana Revised Statutes of 1950 that apply to the board.)

15 (2) Board of Regents (Article VIII, Section 5 of the 1974 Constitution; R.S.  
16 17:3121-~~17:3133~~ et seq. and other provisions of Title 17 of the Louisiana Revised  
17 Statutes that apply to the board.)

18 (3) Board of Supervisors of Louisiana State University and Agricultural and  
19 Mechanical College (Article VIII, Section 7 of the 1974 Constitution; R.S. 17:1453;  
20 ~~17:1455-1456, 17:2181-17:2193, 17:3121-17:3133~~ et seq. and 3201 et seq. and other  
21 provisions of the Louisiana Revised Statutes that apply to the board.)

22 (4) Board of Supervisors of Southern University and Agricultural and  
23 Mechanical College (Article VIII, Section 7 of the 1974 Constitution; R.S. 17: ~~3121-~~  
24 ~~17:3133~~ 1851 et seq. and 3201 et seq. and other provisions of Title 17 of the  
25 Louisiana Revised Statutes of 1950 that apply to the board.)

26 (5) The Board of Supervisors of Community and Technical Colleges (Article  
27 VIII, Section 7.1 of the 1974 Louisiana Constitution; R.S. 17:1871 et seq. and 3201  
28 et seq. and other provisions of Title 17 of the Louisiana Revised Statutes of 1950 that  
29 apply to the board.)



1 functions, and responsibilities in the manner provided for agencies transferred under  
2 the provisions of Part III of Chapter 22 of this Title.

3 \* \* \*

4 S. The following agencies are placed within the Department of Education  
5 and shall perform and exercise their powers, duties, functions, and responsibilities  
6 as provided by law:

7 (1) Statewide Articulation and Transfer Council (R.S. 17:3162)

8 (2) Process Technology Advisory Board (R.S. 17:3398.2)

9 (3) Louisiana Tuition Trust Authority (R.S. 17:3091 et seq.)

10 (4) Governing board of the Louisiana Cancer Research Center of L.S.U.  
11 Health Sciences Center in New Orleans/Tulane Health Sciences Center (R.S.  
12 40:1922 et seq.)

13 (5) Louisiana State University Health Sciences Center Health Maintenance  
14 Organization (R.S. 22:2181 et seq.)

15 U.~~(4)~~ The office of instructional technology (R.S. 17:3921-~~3921.4~~ et seq.)  
16 is placed within the Department of Education and shall exercise and perform its  
17 powers, duties, functions, and responsibilities in accordance with the provisions of  
18 R.S. 36:801.

19 \* \* \*

20 X. The State Advisory Commission on Teacher Education and Certification  
21 (R.S. 17:31-~~17:33~~ et seq.) is placed within the Department of Education 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 Part III of  
24 Chapter 22 of this Title.

25 Y. The Quality Science and Mathematics Council (R.S. 17:371-~~377~~ et seq.)  
26 is placed within the Department of Education and shall exercise and perform its  
27 powers, duties, functions, and responsibilities in the manner provided for agencies  
28 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~~ R.S. 22:2336-2347).

18                       (3) The Governing Committee of the Louisiana Insurance Underwriting Plan  
19 (~~R.S. 22:1434-1435~~ R.S. 22:2322-2334).

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.).

1 (2) The Advisory Committee of the Louisiana Consortium of Insurance and  
2 Financial Services (~~R.S. 22:2144~~ R.S. 22:2141 et seq.).

3 \* \* \*

4 F. The Louisiana Mandated Health Benefits Commission (R.S. 22:2186=  
5 ~~2186.1~~ et seq.) is hereby placed within the Department of Insurance and shall  
6 exercise its powers, duties, functions, and responsibilities in the same manner as  
7 agencies transferred in the manner provided in R.S. 36:802.

8 G. The board of review for public fire protection grading (R.S. 22:1461) is  
9 hereby placed within the Department of Insurance and shall exercise its powers,  
10 duties, functions, and responsibilities in the manner provided by law.

11 \* \* \*

12 §706. Transfer of boards, commissions, and agencies to Department of Justice

13 \* \* \*

14 B. The Law Enforcement Officers and Firemen's Survivor Benefit Review  
15 Board (R.S. 33:1947, ~~1981, and 2201~~ and other provisions of law applicable to the  
16 board) is placed within the Department of Justice and shall perform and exercise its  
17 powers, duties, functions, and responsibilities as provided by law.

18 C. The Governor's Consumer Protection Division (R.S. 51:1401 ~~through~~  
19 ~~1418~~ et seq.) is hereby abolished and its powers, duties, functions, and  
20 responsibilities are transferred to the Department of Justice and hereafter shall be  
21 exercised and performed as provided in Part IV of Chapter 22 of this Title.

22 \* \* \*

23 §725. Transfer of Public Service Commission

24 A. The Public Service Commission (Article IV, Section 21 of 1974  
25 Louisiana Constitution; ~~R.S. 45:171-45:194; R.S. 45:251-45:265; R.S. 45:301-~~  
26 ~~45:303; R.S. 45:307-45:315; R.S. 45:321; R.S. 45:351-45:357; R.S. 45:1161-~~  
27 ~~45:1205; R.S. 45:1500-45:1504~~ R.S. 45:1161 et seq. and other provisions of Title 45  
28 of the Louisiana Revised Statutes of 1950 that apply to the commission) shall be  
29 transferred to and hereafter shall be within the Department of Public Service, as

1 provided in R.S. 36:801.1, with all powers and duties enumerated in the constitution  
2 or by law. This transfer shall be effective on or before December 31, 1977, as  
3 provided in Chapter 24 of this Title.

4 \* \* \*

5 §744. Transfer of boards, commissions, and agencies to the Department of State

6 \* \* \*

7 E. The Archives and Records Commission and the Archives and Records  
8 Service (R.S. 25:127 and R.S. 44:404-~~429~~ et seq.) are hereby abolished and their  
9 powers, duties, functions, and responsibilities are transferred to the secretary of state  
10 and hereafter shall be exercised and performed as provided in Part IV of Chapter 22  
11 of this Title.

12 \* \* \*

13 H. The Old State Capitol ~~is and the Advisory Board of the Old State Capitol~~  
14 are transferred to and placed within the Department of State as provided in ~~Part II of~~  
15 ~~Chapter 22 of this Title~~ R.S. 25:371 et seq. and R.S. 36:919.1.

16 I. The Regional Museum Governing Board of the Louisiana State Exhibit  
17 Museum (~~R.S. 25:379.1~~ R.S. 25:379 et seq.) is placed within the Department of State  
18 and shall perform and exercise its powers, duties, functions, and responsibilities in  
19 the manner provided for agencies transferred in accordance with the provisions of  
20 R.S. 36:801.6.

21 J. The Louisiana State Exhibit Museum (R.S. 25:379 et seq.) is transferred  
22 to and placed within the Department of State as provided in R.S. 36:801.6.

23 \* \* \*

24 Q. The Eddie G. Robinson Museum Commission (R.S. 25:1241-~~1246~~ et  
25 seq.) is placed in the Department of State as provided in R.S. 36:919.6.

26 \* \* \*

27 T. The Louisiana Military Museum and its governing board (R.S. 25:380.61  
28 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 \* \* \*

27 (4) Louisiana School Employees' Retirement System (~~R.S. 17:881-17:993~~  
28 R.S. 11:1101 et seq.)

29 \* \* \*

1 (6) Teachers' Retirement System of Louisiana (~~R.S. 17:571-17:764~~ R.S.  
2 11:701 et seq.)

3 \* \* \*

4 F. The following agencies, as defined by R.S. 36:3 are hereby abolished and  
5 their powers, duties, functions, and responsibilities are transferred and shall be  
6 exercised and performed within the Department of the Treasury to the extent and in  
7 the manner as otherwise provided by law:

8 (2) State Bond and Tax Board (R.S. 39:641-~~39:645~~ et seq.; R.S. 39:871)

9 H. The State Medical Disability Board (~~R.S. 42:700.1~~ R.S. 11:219 and other  
10 provisions of Title 11 of the Louisiana Revised Statutes of 1950 that apply to the  
11 board) is placed within the Department of Treasury and shall exercise and perform  
12 its powers, duties, functions, and responsibilities in the manner provided for agencies  
13 transferred in accordance with the provisions of R.S. 36:802.

14 I. The Louisiana Deferred Compensation Commission (R.S. 42:1301=  
15 ~~42:1310~~ et seq.) is placed within the Department of Treasury and shall exercise and  
16 perform its powers, duties, functions, and responsibilities in the manner provided for  
17 agencies transferred in accordance with the provisions of R.S. 36:801.1.

18 \* \* \*

19 L. The Public Retirement Systems' Actuarial Committee (~~R.S. 11:82, 101 et~~  
20 ~~seq., and 121 et seq.~~) R.S. 11:121 et seq. and other provisions of Title 11 of the  
21 Louisiana Revised Statutes of 1950 that apply to the board) is placed within the  
22 Department of the Treasury and shall exercise and perform its powers, duties,  
23 functions, and responsibilities as provided by law.

24 \* \* \*

25 §802. Transfer; retention of policymaking and rulemaking functions

26 The agencies transferred by the provisions of R.S. 36:209(Q), ~~239(E),~~  
27 ~~259(B),~~ 259(T), 309(B), ~~359(B),~~ 409(C), 459(B), ~~509(B),~~ 610(B), 629(I), and 769(C)  
28 shall continue to be composed and selected as provided by law, and each shall  
29 continue to exercise all of the powers, duties, functions, and responsibilities provided



1 or authorized for each by the constitution or laws which are in the nature of  
2 policymaking, rulemaking, licensing, regulation, enforcement, or adjudication and  
3 also shall continue to exercise all advisory powers, duties, functions, and  
4 responsibilities provided by law. Such powers, duties, functions, and responsibilities  
5 shall be exercised independently of the secretary and any assistant secretary, except  
6 that:

7 \* \* \*

8 §802.6. Transfer; certain appointive authority retained

9 The agencies placed in the Department of Agriculture and Forestry by R.S.  
10 36:629(J); and (K); ~~and (R)~~ shall exercise and carry out all powers, duties, functions,  
11 and responsibilities as provided in R.S. 36:802, except that each agency, subject to  
12 the approval of the commissioner of agriculture and forestry, shall appoint its own  
13 director and assistant director.

14 \* \* \*

15 §802.9. Transfer; Children's Trust Fund Board

16 The Louisiana Children's Trust Fund Board (R.S. 46:2404) shall exercise its  
17 powers, duties, functions, and responsibilities in the manner provided for agencies  
18 transferred in accordance with R.S. 36:802, except the board shall appoint the  
19 executive director of the Louisiana Children's Trust Fund Board subject to the  
20 approval of the secretary of the Department of Children and Family Services ~~and the~~  
21 ~~assistant secretary of the office of community services~~. The executive director shall  
22 serve as secretary to the board. The authority granted to the board by the provisions  
23 of R.S. 36:802 shall specifically include but not be limited to the authority to adopt  
24 the comprehensive state plan for prevention of child abuse and neglect.

25 \* \* \*

26 §803. Transfer; licensing agencies

27 A.(1) Each of the agencies transferred by the provisions of R.S. 36:4.1(D),  
28 R.S. 36:209(D), R.S. 36:259(E), R.S. 36:309(D), R.S. 36:409(D), ~~R.S. 36:478(F)~~, and  
29 R.S. 36:509(C), all of which are charged by law with the responsibility for the

1 regulation, examination, certification, and/or licensing of persons in this state, and  
2 the enforcement of the laws relating thereto, shall continue to be composed and  
3 selected as provided by law, and each shall continue to exercise all of the powers,  
4 duties, functions, and responsibilities provided or authorized for each by the  
5 constitution or laws which are in the nature of policymaking, rulemaking,  
6 certification, licensing, regulation, enforcement, or adjudication and also shall  
7 continue to exercise all advisory powers, duties, functions, and responsibilities  
8 provided by law.

9 \* \* \*

10 §851. Transfer; merger and consolidation of functions

11 A. The powers, duties, functions, responsibilities, programs, and operations  
12 as vested by the constitution and laws of this state, of each of the agencies transferred  
13 by the provisions of ~~R.S. 36:209(B), R.S. 36:209(I), R.S. 36:259(C), R.S. 36:409(D)~~  
14 ~~and (O), R.S. 36:478(J), and R.S. 36:610(D)~~, R.S. 36:209(B), 259(C), 409(O), and  
15 610(D) upon and after the date of each such transfer shall be exercised by and be  
16 under the administration and control of the secretary of the department to which each  
17 is transferred, except for those functions of each which are required to be performed  
18 and administered by the undersecretary of each department, as heretofore provided  
19 for each by this Title.

20 \* \* \*

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

22 A. The functions, powers, duties, responsibilities, programs, and operations  
23 of each of the agencies transferred by the provisions of ~~R.S. 36:109(D), R.S.~~  
24 ~~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.~~  
25 ~~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),~~  
26 ~~and R.S. 36:744(D)~~ R.S. 36:209(C), 309(C), 409(E), 651(G), and 744(D) on the date  
27 of each such transfer shall vest in and thereafter be the responsibility of the secretary  
28 of the department to which the transfer is made and shall be administered by the  
29 secretary in accordance with the powers vested in him by this Title and the

1 applicable laws pertaining to each agency, except for those functions of each which  
 2 are required to be performed and administered by the undersecretary of the  
 3 department as heretofore provided for each by this Title. Each agency thus  
 4 transferred shall continue in existence, the members thereof shall continue in office  
 5 and hereafter shall be selected in the manner provided by law for each, and each  
 6 agency hereafter shall serve solely in an advisory capacity to the secretary with  
 7 respect to policies concerning matters within the purview of each as originally  
 8 created.

9 \* \* \*

10 §918. Transfer, Lake Fausse Point, Lake Dauterive, and Grande Avoille Cove  
 11 Advisory Board

12 The Lake Fausse Point, Lake Dauterive, and Grande Avoille Cove Advisory  
 13 Board is placed within the Department of Wildlife and Fisheries and shall exercise  
 14 its powers, duties, functions, and responsibilities as provided in this Part. In addition  
 15 the board may solicit, receive, and expend funds as authorized by law.

16 \* \* \*

17 §921. Transfer, merger and consolidation of functions

18 A. The powers, duties, functions, responsibilities, programs, and operations  
 19 as vested by the constitution and laws of the state; of each of the agencies abolished  
 20 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),~~  
 21 ~~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),~~  
 22 ~~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),~~  
 23 ~~R.S. 36:651(K), R.S. 36:744(E), and R.S. 36:769(E),~~ 109(G), 209(H), 259(F),  
 24 409(F), 459(C), 509(F), 610(C), 651(H) and (K), 744(E), and 769(E) upon and after  
 25 the date of each such abolition shall be exercised and performed by and be under the  
 26 administration and control of the secretary of the department to which such powers,  
 27 duties, functions, and responsibilities are transferred. The secretary shall assign  
 28 those functions of each which are required to be performed and administered by the



1 the Louisiana ~~State Livestock Sanitary~~ Board of Animal Health and who are  
2 registered with that board as required by R.S. 3:2100.

3 \* \* \*

4 Section 13. R.S. 39:1593.1(B) is hereby amended and reenacted to read as follows:

5 §1593.1. Group purchasing

6 \* \* \*

7 B. Prior to the award of ~~the~~ such contract, the proposed contract shall be  
8 approved by the commissioner of administration provided he determines the total  
9 cost to be less than the state procurement prices and that the contract is in the best  
10 interest of the state.

11 \* \* \*

12 Section 14. R.S. 40:2009.1(C)(2)(d) is hereby amended and reenacted to read as  
13 follows:

14 §2009.1. Rules and regulations; nursing home advisory committee

15 \* \* \*

16 C.

17 \* \* \*

18 (2) Ex officio members of the committee shall be:

19 \* \* \*

20 (d) The chairman of the Louisiana Board of Examiners for Nursing ~~Home~~  
21 Facility Administrators.

22 \* \* \*

23 Section 15. R.S. 42:17(A)(9), 66(C), 1119(C)(3), and 1123(12) and (14) are hereby  
24 amended and reenacted to read as follows:

25 §17. Exceptions to open meetings

26 A. A public body may hold an executive session pursuant to R.S. 42:16 for  
27 one or more of the following reasons:

28 \* \* \*

1 (9) The portion of any meeting of the Second Injury Board during which  
2 records or matters regarding the settlement of a workers' compensation claim are  
3 required to be considered or discussed by the board with its staff in order to grant  
4 prior written approval as required by R.S. ~~23:1378(A)(8)~~ 23:1378(A)(6).

5 \* \* \*

6 §66. Exemptions

7 \* \* \*

8 C. Nothing in this Part shall be construed to prohibit a municipal officer or  
9 employee from holding another municipal office or employment as authorized by  
10 ~~Subsection C of Section 381 of Title 33 of the Louisiana Revised Statutes of 1950~~  
11 R.S. 33:381(C).

12 \* \* \*

13 §1119. Nepotism

14 \* \* \*

15 C.

16 \* \* \*

17 (3) The provisions of the Section shall not apply to pilots appointed by the  
18 governor pursuant to R.S. 34:943, 34:992, ~~34:1043~~ 34:1044, and 34:1072.

19 \* \* \*

20 §1123. Exceptions

21 This Part shall not preclude:

22 \* \* \*

23 (12) Any tenant of a housing authority, as defined in R.S. ~~40:382~~ 40:384,  
24 from serving on the board of commissioners of that housing authority.

25 \* \* \*

26 (14) Persons employed by public school systems to provide special  
27 education and related services pursuant to R.S. 17:1941 et seq. to ~~exceptional~~  
28 ~~children, as defined by R.S. 17:1943(1)~~ a student with an exceptionality as defined  
29 in R.S. 17:1942 from performing, on a private fee basis and outside of school hours,

1 those same special education and related services for their own students or any other  
2 persons eligible to receive such services from their school system during school  
3 hours, provided that the child's parents or guardian are advised, in writing, of the  
4 procedures through which their child may be evaluated for eligibility to receive such  
5 services for free through the school system. With respect to any child already  
6 receiving such services for free through the school system, the notice shall explain  
7 the procedures through which the child's eligibility to receive additional services for  
8 free from the school system may be reviewed.

9 \* \* \*

10 Section 16. R.S. 56:1699(C)(introductory paragraph) is hereby amended and  
11 reenacted to read as follows:

12 §1699. Chicot State Park, special facilities camp for handicapped; creation; advisory  
13 committee; programs; use

14 \* \* \*

15 C. The office for citizens with developmental disabilities of the Department  
16 of Health and Hospitals, in coordination with the Louisiana ~~State Planning Council~~  
17 ~~on~~ Developmental Disabilities Council, shall be responsible for all programmatic  
18 functions of such park facility, including but not limited to the following:

19 \* \* \*

20 Section 17. R.S. 17:3138, Chapter 10 of Title 25 of the Louisiana Revised Statutes  
21 of 1950, comprised of R.S. 25:571 through 576, and R.S. 25:802(3), (4), (10), and (11), R.S.  
22 35:396, R.S. 36:4.1(D)(18), 53(E), 109(A), 209(A), (H)(9) and (14), and (AA), 239(A) and  
23 (B)(3) and (5), 259(A), (C)(24), (E)(22), (F)(8),(15), and (19), and (I)(4), 309(A) and (C)(3),  
24 359(A), 408(B)(3), 409(A) and (J)(2), 459(A), 478(A), (B), and (H)(8), (9), (10), and (11),  
25 509(A), (E), (F)(1), and (G), 610(A), 629(A) and (C)(4), 650(B), 651(A), (K), (N), and (V),  
26 744(A), 769(A), (D)(3) and (5), (E), and (K), 802.4, 802.8, R.S. 37:3601, and Act No. 16 of  
27 the 1960 Regular Session of the Legislature are hereby repealed in their entirety.

28 Section 18. Chapter 30 of Title 40 of the Louisiana Revised Statutes of 1950,  
29 comprised of R.S. 40:2801 through 2803, is hereby repealed in its entirety.

1 Section 19. It is the intent of the legislature in enacting this Act that the Acts that  
 2 originated as House Bills Nos. 94, 372, 373, 565, 626, and 640 and Senate Bills Nos. 62, 87,  
 3 249, 314, 315, and 384, all of which re-create departments of the executive branch of state  
 4 government and statutory entities made a part of such departments by law, shall not  
 5 supersede the provisions of this Act, and such Acts shall not have the effect of continuing  
 6 any statutory authority repealed by this Act.

7 Section 20.(A) Sections 1 through 17 and Section 19 of this Act and this Section  
 8 shall become effective on July 1, 2012; if this Act is vetoed by the governor and  
 9 subsequently approved by the legislature, Sections 1 through 17 and Section 19 of this Act  
 10 and this Section shall become effective on July 1, 2012, or on the day following such  
 11 approval by the legislature, whichever is later.

12 (B) Section 18 of this Act shall become effective on September 1, 2012.

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#### 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)]

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Danahay

HB No. 954

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

Proposed law 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.

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

(Amends R.S. 3:2004, 4222(C), and 4674(F), R.S. 12:1084, 1164, and 1413, R.S. 13:32, 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(1)(e) and (2)(b)(i) and (ii), 3991(F), 3995(B), and 4001(A) and (C)(1), (2), and (4), R.S. 23:43, 1203.1(F)(intro. para.), 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. 32:123(B) and (D), 143(A)(5) and (6), 175(A), 213, 215, and 234(A)(1), 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), (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)(intro. para.) and (i), 475(A), 478(F), (H)(3) and (4), 509(C), (F)(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), and (8), (D), (E), (F), (G), (H), (J), (K), (L), and (N), 643(A) and (C), 651(B), (C), (D), (E), (H), (L), (M), (P), (U), (X), (Y), (Z), and (BB), 686(A)(2), (3), and (5), (B), and (F), 706(B) and (C), 725(A), 744(E), (H), (I), (J), (Q), (T), and (U), 769(C), (D)(1), (2), (4), and (6), (F), (H), (I), and (L), 802(intro. para.), 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)(intro. para.); 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. 25:571-576, 802(3), (4), (10), and (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, R.S. 40:2801-2803, and Act No. 16 of the 1960 R.S.)

#### Summary of Amendments Adopted by House

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

1. Makes further technical changes including:
  - (a) Corrects citations.
  - (b) Changes "cross-walk" and "cross walk" to "crosswalk" in Title 32.
  - (c) Repeals present law provisions for West Florida Commission which was terminated by law on Sept. 23, 2011.
  - (d) Removes error in proposed law that would have included deputy secretary for youth services (who reports directly to the governor) in provisions for deputy secretaries that report to the secretary.
  - (e) Provides that "sunset bills" from this legislative session will not continue any legislative authority repealed by the Act.

##### House Floor Amendments to the engrossed bill.

1. Makes further technical changes.