

Regular Session, 2010

HOUSE BILL NO. 156

BY REPRESENTATIVE ARNOLD

SUNSET LAW: Re-creates certain entities transferred to or placed within the office of the governor

1 AN ACT

2 To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(f), relative to certain agencies
3 within the office of the governor, including provisions to provide for the re-creation
4 of such agencies; to provide for the effective termination date for all statutory
5 authority for the existence of such statutory entities; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Pursuant to R.S. 49:193, the agencies transferred to the office of the
9 governor pursuant to R.S. 36:4.1, to wit: the Louisiana State Board of Cosmetology, the
10 Office of Financial Institutions, the Louisiana State Racing Commission, the Louisiana
11 Cemetery Board, the State Board of Certified Public Accountants of Louisiana, the State
12 Board of Architectural Examiners, the Louisiana Real Estate Commission, the Louisiana
13 State Board of Home Inspectors, the State Licensing Board for Contractors, the Board of
14 Examiners of Certified Shorthand Reporters, the Louisiana Auctioneers Licensing Board,
15 the State Board of Examiners of Interior Designers, the Louisiana Real Estate Appraisers
16 Board, the State Boxing and Wrestling Commission, the Louisiana Motor Vehicle
17 Commission, the Louisiana Used Motor Vehicle Commission, the Polygraph Board, and the
18 Small Business Entrepreneurship Commission shall be re-created effective June 30, 2010,
19 and all statutory authority therefor is continued in accordance with the provisions of Part XII
20 of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

1 Section 2. All statutory authority for the existence of the aforementioned agencies
2 and the statutory entities made a part of them as re-created by Section 1 of this Act shall
3 cease as of July 1, 2015, pursuant to R.S. 49:191. However, the aforementioned agencies
4 may be re-created prior to such date in accordance with the provisions of Part XII of Chapter
5 1 of Title 49 of the Louisiana Revised Statutes of 1950.

6 Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that
7 those provisions are in conflict with the provisions of this Act.

8 Section 4. R.S. 49:191(5)(b) is hereby enacted to read as follows:

9 §191. Termination of legislative authority for existence of statutory entities; phase-
10 out period for statutory entities; table of dates

11 Notwithstanding any termination dates set by any previous Act of the
12 legislature, the statutory entities set forth in this Section shall begin to terminate their
13 operations on July first of each of the following years, and all legislative authority
14 for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of
15 July first of the following year, which shall be the termination date:

16 * * *

17 (5) July 1, 2014:

18 * * *

19 (b) Those entities transferred to or placed within the office of the governor
20 pursuant to R.S. 36:4.1.

21 Section 5. R.S. 49:191(3)(f) is hereby repealed in its entirety.

22 Section 6. This Act shall become effective on June 30, 2010; if vetoed by the
23 governor and subsequently approved by the legislature, this Act shall become effective on
24 June 30, 2010, or on the day following such approval by the legislature, whichever is later.

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)]

Arnold

HB No. 156

Abstract: Re-creates various agencies within the office of the governor.

Present law requires, under the "sunset" law, that the following agencies shall begin to terminate their operations on July 1, 2010:

- (1) La. State Board of Cosmetology.
- (2) Office of Financial Institutions.
- (3) La. State Racing Commission.
- (4) La. Cemetery Board.
- (5) State Board of Certified Public Accountants of La.
- (6) State Board of Architectural Examiners.
- (7) La. Real Estate Commission.
- (8) La. State Board of Home Inspectors.
- (9) State Licensing Board for Contractors.
- (10) Board of Examiners of Certified Shorthand Reporters.
- (11) La. Auctioneers Licensing Board.
- (12) State Board of Examiners of Interior Designers.
- (13) La. Real Estate Appraisers Board.
- (14) State Boxing and Wrestling Commission.
- (15) La. Motor Vehicle Commission.
- (16) La. Used Motor Vehicle Commission.
- (17) Polygraph Board.
- (18) Small Business Entrepreneurship Commission.

Present law provides that all legislative authority for such entities shall cease as of July 1, 2011, unless legislation is enacted which authorizes the re-creation of those entities prior thereto.

Proposed law provides for re-creation of those agencies, effective June 30, 2010, in accordance with the "sunset" law. Supersedes the provisions of the "sunset" law which sets out the procedure for review and re-creation and which requires a separate bill to re-create each statutory entity within those agencies along with additional provisions. July 1, 2015,

is the new termination date, and termination will begin July 1, 2014, unless the agency is again re-created.

Effective June 30, 2010.

(Adds R.S. 49:191(5)(b); Repeals R.S. 49:191(3)(f))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Commerce to the original bill.

1. Deleted the Manufactured Housing Commission from the list of agencies being re-created.