

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 and
6 1294(A)(1), R.S. 24:36(C)(3), 513(A)(4) and (5)(a)(ii) and (F), R.S. 28:821(C) and
7 824(A) and (C), R.S. 32:123(B) and (D), 143(A)(5) and (6), 175(A), 213, 215, and
8 234(A)(1), R.S. 33:4169.1(G), R.S. 36:3(4), 4(B)(1)(aa) and (ee), (6)(a), and (18),
9 (F), (L), (N), (U), and (X), 4.1(D)(9) and (15), 53(A), 109(N), 201(C)(1),
10 209(B)(1)(a), (C)(1), (F), (H)(1), (4), (5), (6), (10), and (11), (J), (K), (L), (M), (N),
11 (O), (Q), (S), (T), (U), (W)(2), and (X), 239(B)(1), (4), and (6) and (E), 259(E),
12 (F)(9), (10), (16), (18), and (21), (G), (I)(5), (J)(1), and (L)(1), (M), (Q), (T), (U),
13 (W), (X), (BB)(1), (CC), and (GG), 309(B), (C)(1), and (D), 359(D), (J), (K), and
14 (L), 409(B), (C)(1), (2), (4), (5), and (8), (D), (E), (F), (G), (H), (J), (L), and (O),
15 459(B), (C), and (H), 474(B)(1)(a)(introductory paragraph) and (i), 475(A), 478(F),
16 (H)(3) and (4), 509(C), (F)(2), (3), and (8), (H), (K), (L), (M), (O), (Q), (R), (S), and
17 (T), 610(B)(1), (10), and (11), (E), (F), (H), (I), (K), (L), and (N), 629(C)(5), (6), and
18 (8), (D), (E), (F), (G), (H), (J), (K), (L), and (N), 643(A) and (C), 651(B), (C), (D),
19 (E), (H), (L), (M), (P), (U), (X), (Y), (Z), and (BB), 686(A)(2), (3), and (5), (B), and
20 (F), 706(B) and (C), 725(A), 744(E), (H), (I), (J), (Q), (T), and (U), 769(C), (D)(1),
21 (2), (4), and (6), (F), (H), (I), and (L), 802(introductory paragraph), 802.6, 802.9,
22 803(A)(1), 851(A), 901(A), 918, and 921(A), R.S. 37:3103(A)(3.1) and 3134, R.S.

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

20 Be it enacted by the Legislature of Louisiana:

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

23 §2004. Scrub bull defined

24 For the purpose of this Part the term "scrub bull" means any bull not entitled
 25 to pedigree or registration, as such terms are ordinarily understood in registry
 26 associations, societies, or companies recognized by the United States Department of
 27 Agriculture and approved by the Louisiana ~~State Livestock Sanitary Board~~ of
 28 Animal Health.

29 * * *

1 §4222. Federal and state cooperation; designated authority

2 * * *

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

11 * * *

12 §4674. Minimum ethanol and bio-diesel requirements

13 * * *

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

25 * * *

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

1 §1084. Regulation by Louisiana State Board of ~~Nurse Examiners~~ Nursing
 2 Professional nursing corporations shall be subject to the discipline of the
 3 Louisiana State Board of ~~Nurse Examiners~~ Nursing and to its authority to adopt rules
 4 and regulations governing the practice of nursing.

5 * * *

6 §1164. Regulation by Louisiana ~~State~~ Board of Veterinary ~~Medical Examiners~~
 7 Medicine

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

11 * * *

12 §1413. Regulation by the Louisiana State Board of ~~Certified~~ Social Work
 13 Examiners

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

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

18 §32. Judiciary Commission

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

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

23 §403.6. Reporting of neglect or abuse of animals

24 A. Any state or local law enforcement officer, or any employee of
 25 government or of a government contractor who in his professional capacity routinely
 26 investigates alleged abuse or neglect or sexual abuse of a child, or abuse or neglect
 27 of an adult under the provisions of R.S. 15:1507, who becomes aware of evidence
 28 of neglect or abuse of an animal shall report such incident to the law enforcement
 29 authority of the governing authority in which the incident has occurred or the local

1 animal welfare authority. The name and identifying information regarding the
 2 reporter of animal maltreatment shall be confidential.

3 * * *

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

7 §1808. Registration and licensure of postsecondary, academic degree-granting
 8 institutions

9 * * *

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

15 * * *

16 §2048.31. Allied health professionals training programs; student admittance;
 17 documentation; records; authorization to obtain criminal history record
 18 information

19 * * *

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

24 * * *

25 §2048.32. Allied health professionals training programs; expansion or
 26 establishment; salary of faculty members

27 * * *

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

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 ascribed to them in this Section except when the context clearly
 13 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 to
23 purchase tangible items such as equipment, technology, instructional materials, and
24 facility acquisition, upgrade, and repairs. Such equipment or other items shall
25 become the property of the state if the loan is not fully repaid by virtue of the school
26 ceasing to operate during the three years of automatic loan repayment as noted in
27 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 and 1294(A)(1) are hereby amended and reenacted to read as
15 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 §1294. Workers' Compensation Advisory Council

22 A.(1) The Workers' Compensation Advisory Council is hereby created
23 within the Louisiana Workforce Commission pursuant to R.S. ~~36:309(C)(5)~~
24 36:309(C)(4).

25 * * *

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

1 §36. Additional benefits payable to legislators; certain legislative personnel;
2 governor; lieutenant governor; political subdivision service credit; credit for
3 service previously rendered; additional contributions; computation of
4 benefits payable; membership

5 * * *

6 C.

7 * * *

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

22 * * *

23 §513. Powers and duties of legislative auditor; audit reports as public records;
24 assistance and opinions of attorney general; frequency of audits; subpoena
25 power

26 A.

27 * * *

1 period prescribed in ~~R.S. 24:513(A)(5)(i)~~ Item (i) of this Subparagraph, the entity
2 may ask the legislative auditor in writing for an extension of time to complete the
3 report. The legislative auditor may approve the request at his discretion, subject to
4 the approval of the Legislative Audit Advisory Council.

5 * * *

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

17 ~~(1)~~ (2) For the purpose of this Subsection, "private water supply system"
18 means any private water system which receives local or state assistance in any fiscal
19 year and does not have audited financial statements prepared by licensed certified
20 public accountants. Assistance shall include grants, loans, transfers of property,
21 awards, and direct appropriations of state or local public funds. Assistance shall not
22 include guarantees, membership dues, vendor contracts for goods and services
23 related to administrative support for a local or state assistance program, or benefits
24 to individuals.

25 ~~(2)~~ (3) The financial statements of a private water supply system shall be
26 audited or reviewed by licensed certified public accountants subject to Paragraphs
27 (A)(5) and ~~(A)(6)~~ (6) of this ~~Subsection~~ Section, but may be audited by the
28 legislative auditor pursuant to Paragraph (A)(4) of this Section. Any person
29 authorized to conduct an audit of a governmental entity pursuant to R.S. ~~37:88~~ 37:77

1 shall be permitted to audit the private water supply system subject to the approval
2 of the legislative auditor provided for in Paragraphs (A)(5) and ~~(A)(6)~~ (6) of this
3 Section.

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

6 * * *

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

9 §821. Findings and purpose

10 * * *

11 C. It is the intention of the legislature that the state of Louisiana adhere to
12 the principles contained in this Chapter in program planning, development, funding,
13 and implementation for persons with developmental disabilities and their families.
14 It is the further intention of the legislature that the Department of Health and
15 Hospitals work to implement the Community and Family Support System plan
16 developed by the Louisiana ~~State Planning Council on~~ Developmental Disabilities
17 Council pursuant to this Chapter.

18 * * *

19 §824. Community and Family Support System plan

20 A. The Louisiana ~~State Planning Council on~~ Developmental Disabilities
21 Council shall develop a plan to implement a Community and Family Support System
22 in accordance with the principles contained in this Chapter. The secretary of the
23 Department of Health and Hospitals shall allocate funds from existing resources to
24 provide staff support to the council for the development of the plan. The council
25 may appoint an advisory committee as necessary to assist in the development of the
26 plan. The advisory committee shall include representation of parents of children or
27 adults now residing in an intermediate care facility for people with developmental
28 disabilities.

29 * * *

1 C. The plan shall be coordinated with the plans of the Mental Retardation
 2 and Developmental Disabilities Services System (R.S. 28:380 et seq.), the
 3 Handicapped Infants and Toddlers Program (P.L. 99-457 Part H), the Child and
 4 Adolescent Service System Program (R.S. 28:801 et seq.), the Comprehensive
 5 Mental Health Plan Act of 1986 (P.L. 99-660), and other activities of the Louisiana
 6 ~~State Planning Council on~~ Developmental Disabilities Council (R.S. 28:750 et seq.).

7 * * *

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

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

11 * * *

12 B. Except when directed to proceed by a police officer or traffic-control
 13 signal, every driver and operator of a vehicle approaching a stop intersection
 14 indicated by a stop sign shall stop before entering the ~~cross-walk~~ crosswalk on the
 15 near side at a clearly marked stop line, but if none, then at the point nearest the
 16 intersecting roadway where the driver has a view of approaching traffic on the
 17 intersecting roadway before entering the intersection. After having stopped, the
 18 driver shall yield the ~~right-of-way~~ right-of-way to all vehicles which have entered the
 19 intersection from another highway or which are approaching so closely on said
 20 highway as to constitute an immediate hazard.

21 * * *

22 D. The driver or operator of a vehicle approaching a yield sign shall slow
 23 down to a speed reasonable for the existing conditions, or shall stop if necessary,
 24 before entering the ~~cross-walk~~ crosswalk on the near side of the intersection or, in the
 25 event there is no ~~cross-walk~~ crosswalk, at a clearly marked stop line, but if none, then
 26 at the point nearest the intersecting roadway where the driver has a view of
 27 approaching traffic on the intersecting roadway. Having slowed or stopped in this
 28 manner, the driver shall yield the ~~right-of-way~~ right-of-way to any pedestrian legally

1 crossing the roadway on which he is driving, and to any vehicle in the intersection
2 or approaching on another highway so closely as to constitute an immediate hazard.

3 * * *

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

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

8 * * *

9 (5) On a ~~cross-walk~~ crosswalk;

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

11 * * *

12 §175. Vehicles must yield at railroad grade crossings; exceptions; penalties for
13 violations

14 A. The driver or operator of a vehicle approaching a rail-highway grade
15 crossing identified by the presence of a railroad cross buck sign shall slow down to
16 a speed reasonable for the existing conditions, or shall stop if necessary, before
17 entering the ~~cross-walk~~ crosswalk on the near side of the intersection or, in the event
18 there is no ~~cross-walk~~ crosswalk, at a clearly marked stop line, or if none, then at the
19 point nearest the intersecting rail of such railroad where the driver or operator has
20 a clear view of any approaching train. The driver or operator shall listen and look
21 in both directions along such track for any approaching train and for signals
22 indicating the approach of a train. Having slowed or stopped in this manner, the
23 driver or operator shall yield the ~~right-of-way~~ right-of-way to any approaching train
24 and then shall proceed only upon exercising due care and upon being sure that it is
25 safe to proceed.

26 * * *

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

28 A. Every pedestrian crossing a roadway at any point other than within a
29 marked ~~cross-walk~~ crosswalk or within an unmarked ~~cross-walk~~ crosswalk at an

1 intersection shall yield the ~~right of way~~ right-of-way to all vehicles upon the
2 roadway.

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

6 * * *

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

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

10 * * *

11 §234. Flashing signals

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

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

19 * * *

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

21 §4169.1. Municipal and parish authority over collection and disposal of garbage and
22 trash; franchising, permitting, and licensing; assessment and collection of
23 service charge

24 * * *

25 G. The power to permit or regulate solid waste collection, transportation,
26 processing, recovery, and disposal, granted herein to parish and municipal governing
27 authorities, shall not preempt regulatory and licensing authority of the ~~Environmental~~
28 ~~Control Commission and the office of environmental affairs, Department of Natural~~

1 ~~Resources~~ secretary of the Department of Environmental Quality, pursuant to R.S.
2 30:2001, et seq.

3 * * *

4 Section 11. R.S. 36:3(4), 4(B)(1)(aa) and (ee), (6)(a), and (18), (F), (L), (N), (U),
5 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),
6 (5), (6), (10), and (11), (J), (K), (L), (M), (N), (O), (Q), (S), (T), (U), (W)(2), and (X),
7 239(B)(1), (4), and (6) and (E), 259(E), (F)(9), (10), (16), (18), and (21), (G), (I)(5), (J)(1),
8 and (L)(1), (M), (Q), (T), (U), (W), (X), (BB)(1), (CC), and (GG), 309(B), (C)(1), and (D),
9 359(D), (J), (K), and (L), 409(B), (C)(1), (2), (4), (5), and (8), (D), (E), (F), (G), (H), (J), (L),
10 and (O), 459(B), (C), and (H), 474(B)(1)(a)(introductory paragraph), and (i), 475(A), 478(F),
11 (H)(3) and (4), 509(C), (F)(2), (3), and (8), (H), (K), (L), (M), (O), (Q), (R), (S), and (T),
12 610(B)(1), (10), and (11), (E), (F), (H), (I), (K), (L), and (N), 629(C)(5), (6), and (8), (D),
13 (E), (F), (G), (H), (J), (K), (L), and (N), 643(A) and (C), 651(B), (C), (D), (E), (H), (L), (M),
14 (P), (U), (X), (Y), (Z), and (BB), 686(A)(2), (3), and (5), (B), and (F), 706(B) and (C),
15 725(A), 744(E), (H), (I), (J), (Q), (T), and (U), 769(C), (D)(1), (2), (4), and (6), (F), (H), (I),
16 and (L), 802(introductory paragraph), 802.6, 802.9, 803(A)(1), 851(A), 901(A), 918, and
17 921(A) are hereby amended and reenacted and R.S. 36:4(B)(14) and (H), 4.1(D)(16),
18 239(C), 259(D), 309(F) and (G), 409(I), (P), and (Q), 459(D), 478(M), 629(R), 651(S), and
19 686(G) are hereby enacted to read as follows:

20 §3. Definitions

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

23 * * *

24 (4) "Deputy secretary" means the officer authorized to be appointed by the
25 secretary to serve as his principal administrative assistant. For the Department of
26 Public Safety and Corrections, the "deputy secretary for public safety services" and
27 the "deputy secretary for corrections services" shall be the officers of the department
28 appointed by the secretary to serve as the principal administrative assistants of the
29 secretary and references in any provision of law to the deputy secretary, where

1 reference is to a deputy secretary of the Department of Public Safety and
 2 Corrections, shall include these two officers. For the Louisiana Workforce
 3 Commission, the "deputy executive director" shall mean the officer authorized by the
 4 executive director to serve as his principal administrative assistant. For the
 5 Department of Children and Family Services, "deputy secretary" means the ~~officer~~
 6 officers appointed by the secretary to direct and be responsible for the functions of
 7 the division of programs and the division of operations within the office of children
 8 and family services.

9 * * *

10 §4. Structure of executive branch of state government

11 * * *

12 B. The office of the governor shall be in the executive branch of state
 13 government.

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

16 * * *

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

20 * * *

21 (ee) The Louisiana Commission on HIV, ~~and~~ AIDS and Hepatitis C (R.S.
 22 40:2018.1)

23 * * *

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

27 * * *

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

4 (a) The board of trustees of the Post Employment Benefits Trust Fund (R.S.
 5 39:100.111 et seq.)

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

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

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

10 * * *

11 (18) The Louisiana Tax Commission (R.S. 47:1831-~~1837~~ et seq.; R.S.
 12 47:1951-~~1998~~ et seq.) is placed within the office of the governor, division of
 13 administration and shall exercise and perform its powers, duties, functions, and
 14 responsibilities as provided for agencies transferred in accordance with the
 15 provisions of R.S. 36:801.1.

16 * * *

17 F. ~~The office on women's policy, as more specifically provided in (R.S.~~
 18 46:2521-2525;) shall be placed within the office of the governor. The Louisiana
 19 Women's Policy and Research Commission (R.S. 46:2525) is placed within the
 20 office on women's policy.

21 * * *

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

25 * * *

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

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

6 * * *

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

11 * * *

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

15 * * *

16 X. The Louisiana Council on the Social Status of Black Men and Boys, as
 17 provided for in R.S. 49:1211 ~~through 1213~~ et seq., shall be placed within the office
 18 of the lieutenant governor and shall exercise its powers, duties, and functions as
 19 provided by law.

20 * * *

21 §4.1. Agencies transferred from the Department of Economic Development to the
 22 office of the governor; agencies placed within the office of the governor

23 * * *

24 D. The following agencies, as defined in R.S. 36:3, are hereby transferred
 25 to and shall be placed within the office of the governor and shall perform and
 26 exercise their powers, duties, functions, and responsibilities as provided in R.S.
 27 36:803:

28 * * *

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

3 * * *

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

6 ~~(18)~~ (16) The Louisiana ~~State~~ Board of Cosmetology (R.S. 37:561 ~~through~~
7 ~~607~~ et seq.).

8 * * *

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

11 A. The state examiner of municipal fire and police civil service and the
12 office of the state examiner of municipal fire and police civil service (~~R.S. 33:2471-~~
13 ~~33:2508~~ Parts II and III of Chapter 5 of Title 33 of the Louisiana Revised Statutes
14 of 1950 and other provisions of the constitution and law applicable to the state
15 examiner and his office) are transferred to and hereafter shall be within the
16 Department of State Civil Service, as provided in R.S. 36:801.

17 * * *

18 §109. Transfer of boards, commissions, departments, and agencies to Department
19 of Economic Development

20 * * *

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

26 * * *

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

29 * * *

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

6 * * *

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

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

12 (a) The Wedell-Williams Memorial Aviation Museum (R.S. 25:871-874 et
13 seq.)

14 * * *

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

18 (1) Louisiana Archaeological Survey and Antiquities Commission (R.S.
19 41:1601-41:1613 et seq.)

20 * * *

21 F. The Board of Commissioners of the State Library of Louisiana (R.S. 25:2=
22 ~~4~~; R.S. 25:8-9 et seq.) is transferred to and hereafter shall be within the Department
23 of Culture, Recreation and Tourism, as provided in R.S. 36:910.

24 * * *

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

1 (1) State Art, Historical and Cultural Preservation Agency (~~R.S.~~
2 ~~25:801(A)(B) and R.S. 25:802-812~~ R.S. 25:801 et seq.)

3 * * *

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

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

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

9 * * *

10 (10) Louisiana Historical Preservation and Cultural Commission (R.S.
11 ~~25:521-527~~ et seq.)

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

13 * * *

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

19 (~~2) The Louisiana National Register Review Committee (R.S. 25:901-~~
20 ~~25:902)~~)

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

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

26 L. The Louisiana Folklife Commission (R.S. 25:821-~~R.S. 25:825~~ et seq.) is
27 placed within the Department of Culture, Recreation and Tourism and shall perform
28 and exercise its powers, duties, functions, and responsibilities in the manner provided

1 for agencies transferred in accordance with the provisions of Part III of Chapter 22
2 of this Title.

3 M.(1) The Atchafalaya Trace Commission, as more specifically provided in
4 R.S. 25:1221 ~~through 1225~~ et seq., shall be placed within the Department of Culture,
5 Recreation and Tourism as provided for agencies transferred in accordance with R.S.
6 36:802.3.

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

11 N. The Kenner Naval Museum Commission (R.S. 25:1005-~~1005.3~~ et seq.)
12 is placed within the Department of Culture, Recreation and Tourism and shall
13 exercise and perform its powers, duties, functions, and responsibilities in the manner
14 provided for agencies transferred in accordance with the provisions of R.S. 36:801.1.

15 O. The New Orleans City Park Improvement Association and its board of
16 commissioners (Act No. 130 of 1896; Act No. 104 of 1934; Act No. 492 of 1958;
17 Act No. 405 of 1962; Act No. 865 of 1982; Act No. 569 of 1989; Act No. 13 of 1998
18 First Extraordinary Session; Act No. 395 of 2006) is transferred to the Department
19 of Culture, Recreation and Tourism and shall exercise and perform its powers,
20 duties, functions, and responsibilities as provided for agencies transferred in
21 accordance with the provisions of R.S. 36:802.22.

22 * * *

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

26 * * *

27 S. The Mississippi River Road Commission (R.S. 25:1251-~~1255~~ et seq.) is
28 placed within the Department of Culture, Recreation and Tourism and shall exercise

1 and perform its powers, functions, duties, and responsibilities as provided in R.S.
2 36:802.17.

3 T. The Louisiana Historic Cemetery Trust Fund Advisory Board (R.S.
4 25:940-943 et seq.) shall be placed within the Department of Culture, Recreation and
5 Tourism as provided for agencies transferred in accordance with R.S. 36:802.

6 U. The Battle of New Orleans Bicentennial Commission (R.S. 25:1238.1=
7 ~~1238.7~~ et seq.) shall be placed within the Department of Culture, Recreation and
8 Tourism as provided for agencies transferred in accordance with R.S. 36:802.

9 * * *

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

13 * * *

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

16 * * *

17 X. The Louisiana Byways Commission (R.S. 56:1948.11 ~~-1948.13~~ et seq.)
18 is placed within the Department of Culture, Recreation and Tourism and shall
19 exercise and perform its powers, duties, functions, and responsibilities as provided
20 for agencies transferred in accordance with R.S. 36:802.19.

21 * * *

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

23 * * *

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

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

3 * * *

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

5 * * *

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

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

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

18 * * *

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

20 * * *

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

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

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

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

1 (4) Marriage and Family Therapy Advisory Committee (R.S. 37:1104)

2 (Established by the Louisiana Licensed Professional Counselors Board of
3 Examiners).

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

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

7 (7) Louisiana Birth Defects Surveillance System Advisory Board (R.S.
8 40:31.41 et seq.)

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

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

12 E. The following agencies, as defined in R.S. 36:3, are transferred to and
13 hereafter shall be within the Department of Health and Hospitals, as provided in R.S.
14 36:803:

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

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

19 (3) Louisiana State Board of ~~Board-Certified~~ Social Work Examiners (R.S.
20 37:2701-~~37:2718~~ et seq.)

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

23 (5) Louisiana State Board of Examiners for Sanitarians (R.S. 37:2101-
24 37:2116 et seq.)

25 (6) Louisiana State Board of Practical Nurse Examiners (R.S. 37:961-~~37:979~~
26 et seq.)

27 (7) Louisiana Board of Chiropractic Examiners (R.S. 37:2801-~~37:2818~~ et
28 seq.)

1 (8) Louisiana State Board of Medical Examiners (R.S. 12:914; R.S. 37:611=
2 ~~37:628~~ et seq.; R.S. 37:1261-37:1290 et seq.; ~~37:2401-37:2417~~)

3 (9) Louisiana State Board of Embalmers and Funeral Directors (R.S. 37:831=
4 ~~37:851~~ et seq.)

5 (10) State Board of Examiners ~~for~~ of Psychologists (R.S. 37:2351=~~37:2368~~
6 et seq.)

7 (11) Louisiana Board of Examiners for Speech-Language Pathology and
8 Audiology (R.S. 37:2650 et seq.)

9 (12) ~~State Louisiana~~ Board of Veterinary ~~Medical Examiners~~ Medicine (R.S.
10 ~~37:1511-37:1532~~ et seq.)

11 (13) Board of Examiners for Nursing ~~Home~~ Facility Administrators (R.S.
12 ~~37:2501-37:2511~~ et seq.)

13 (14) Louisiana Board of Pharmacy (R.S. 37:1161=~~1250~~ et seq.; R.S.
14 51:521=~~51:525~~ et seq.)

15 (16) Louisiana Board for Hearing Aid Dealers (R.S. 37:2441=~~37:2465~~ et
16 seq.)

17 (17) Radiologic Technology Board of Examiners (R.S. 37:3200=~~37:3219~~ et
18 seq.)

19 (20) Louisiana Physical Therapy Board (R.S. 37:2401=~~2424~~ et seq.)

20 (21) The Louisiana Licensed Professional Vocational Rehabilitation
21 Counselors Board of Examiners (R.S. 37:3441=~~3452~~ et seq.)

22 * * *

23 (23) The Addictive Disorder Regulatory Authority (R.S. 37:3389).

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

29 * * *

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

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

7 * * *

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

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

11 * * *

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

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

17 * * *

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

22 * * *

23 (5) Water Supply and Sewerage Systems Certification Committee (R.S.
24 40:1141-~~40:1151~~ et seq.)

25 J.(1) The Louisiana Emergency Response Network Board (R.S.
26 40:2841-~~2846~~ et seq.) is placed within the Department of Health and Hospitals and
27 shall exercise and perform its powers, duties, functions, and responsibilities in the
28 manner provided for agencies transferred in accordance with R.S. 36:801.1.

29 * * *

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

7 * * *

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

14 * * *

15 Q. The Louisiana State Board of Examiners in Dietetics and Nutrition (R.S.
16 37:3081-~~3093~~ et seq.) is placed within the Department of Health and Hospitals and
17 shall exercise and perform its powers, duties, functions, and responsibilities in the
18 manner provided for agencies transferred in accordance with R.S. 36:803.

19 * * *

20 T. The Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board
21 (R.S. 46:2631 ~~through 2635~~ et seq.) is hereby placed within the Department of
22 Health and Hospitals and shall exercise and perform its powers, duties, functions,
23 and responsibilities in the manner provided for agencies transferred in accordance
24 with the provisions of R.S. 36:802.

25 U. The Louisiana Access to Better Care Medicaid Insurance Demonstration
26 Project Oversight Board (~~R.S. 46:160.8~~ R.S. 46:160.1 et seq.) is placed within the
27 Department of Health and Hospitals and shall exercise and perform 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 W. The Louisiana Board of Wholesale Drug Distributors (R.S. 37:3461=
2 3482) et seq. shall be placed within the Department of Health and Hospitals and shall
3 exercise and perform its powers, duties, functions, and responsibilities in the manner
4 provided for agencies transferred in accordance with the provisions of R.S. 36:803.

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

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

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

14 * * *

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

19 * * *

20 GG. The Louisiana Emergency Medical Services Certification Commission
21 (~~R.S. 40:1232.2~~ R.S. 40:1231 et seq.) is placed within the Department of Health and
22 Hospitals and shall perform and exercise its powers, duties, functions, and
23 responsibilities in the manner provided for agencies transferred in accordance with
24 R.S. 36:919.4.

25 * * *

26 §309. Transfer of agencies to Louisiana Workforce Commission

27 * * *

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

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

6 (2) Louisiana Worker's Compensation Second Injury Board (R.S. 23:1371=
 7 ~~1379~~ et seq.).

8 (3) The Louisiana Workforce Investment Council (R.S. 23:2041 et seq. and
 9 2091 et seq.)

10 * * *

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

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

15 * * *

16 D. 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 R.S.
 18 36:803:

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

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

21 * * *

22 F. The Worker's Compensation Medical Advisory Council (R.S. 23:1203.1)
 23 is placed within the Louisiana Workforce Commission and shall perform and
 24 exercise its powers, duties, functions, and responsibilities as provided by law.

25 G. The Blind Vendors Trust Fund Advisory Board is placed within the
 26 Louisiana Workforce Commission and shall perform and exercise its powers, duties,
 27 functions, and responsibilities as provided by law.

28 * * *

1 §359. Transfer of agencies and functions to Department of Natural Resources

2 * * *

3 D. The State Department of Conservation (Article V, Section 18 and Article
4 VI, Section 1(c) of 1921 Louisiana Constitution made statutory by Article XIV,
5 Section 16(A)(2) and (3) of 1974 Louisiana Constitution; ~~R.S. 30:1-30:63, 30:501-~~
6 ~~30:504, 30:521-30:528, 30:541-30:558, 30:571-30:580, 30:591-30:606, 30:691-~~
7 ~~30:692, 30:701-30:704~~ Part I of Chapter 1 of Subtitle I of Title 30 of the Louisiana
8 Revised Statutes of 1950 and other provisions of Title 30 that directly apply to the
9 department) is transferred to and hereafter shall be within the Department of Natural
10 Resources as provided in R.S. 36:806.

11 * * *

12 J. The Atchafalaya Basin Research and Promotion Board and the
13 Atchafalaya Basin Program ~~is~~ (R.S. 30:2000.1 et seq.) are placed within the
14 Department of Natural Resources and shall perform ~~its~~ their powers, duties,
15 functions, and responsibilities in the manner provided by law.

16 K. The Ground Water Resources Commission ~~as provided in~~ (R.S. 38:3097.1
17 ~~through 3097.6 et seq.~~) shall be placed within the office of conservation, Department
18 of Natural Resources, and shall exercise its powers, duties, functions, and
19 responsibilities as provided in R.S. 36:802.18.

20 L. The Ground Water Management Advisory Task Force (R.S. 38:3097.7)
21 shall be placed within the office of conservation, Department of Natural Resources,
22 and shall perform its powers, duties, functions, and responsibilities in the manner
23 provided by law.

24 * * *

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

26 * * *

27 B. The Louisiana Highway Safety Commission (R.S. 48:1351-~~48:1357~~ et
28 seq.) is transferred to the Department of Public Safety and Corrections and hereafter

1 shall perform and exercise its powers, duties, functions, and responsibilities as
2 provided in R.S. 36:801.

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

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

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

8 * * *

9 (4) Board of Parole (R.S. 15:572; R.S. 15:574.2~~=15:574.13~~ et seq.; R.S.
10 46:1651~~=46:1656~~ et seq.)

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

13 (8) The Weights and Standards Police Force (R.S. 40:1379.8). The Weights
14 and Standards Police Force shall perform the functions of the state related to the
15 enforcement of R.S. 32:380 through 388, R.S. 32:388.1, R.S. 32:390, and R.S.
16 47:718, and the provisions of Chapter 4 of Subtitle II of Title 47 relating to trucks,
17 trailers, and semitrailers and Part V of Chapter 7 of Subtitle II of Title 47 of the
18 Louisiana Revised Statutes of 1950 and the department's regulations adopted
19 pursuant thereto.

20 * * *

21 D. The following ~~agencies, as defined by R.S. 36:3, are~~ Louisiana State
22 Board of Private Security Examiners (R.S. 37:3270 et seq.) is transferred to and shall
23 be within the Department of Public Safety and Corrections, as provided in R.S.
24 36:803~~;~~.

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

26 (2) ~~Louisiana State Board of Private Security Examiners (R.S. 37:3270-~~
27 ~~3298)~~

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

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

8 (1) Department of Public Safety (~~R.S. 40:1301-40:1471.22; R.S. 26:791-~~
9 ~~26:797; R.S. 32:401-32:427; 32:851-32:1043; 32:1301-32:1310; R.S. 47:531-47:540~~
10 Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950 and other statutes
11 that directly apply to said department)

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

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

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

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

20 (6) The Department of Corrections (R.S. ~~15:572; 15:574.2-15:574.3; 15:821-~~
21 ~~15:840.1; 15:851-15:875; 15:892-15:894; 15:901-15:907; 15:1061-15:1071;~~
22 ~~15:1111; 15:1131-15:1135; 15:1151-15:1159; and R.S. 46:1651-46:1656~~ 15:821 et
23 seq. and other provisions of Title 15 of the Louisiana Revised Statutes of 1950 that
24 directly apply to said department)

25 G. The Prison Enterprises Board (~~R.S. 15:1155~~ R.S. 15:1151 et seq.) is
26 placed within the Department of Public Safety and Corrections and shall exercise and
27 perform its powers, duties, functions, and responsibilities in the manner provided for
28 agencies transferred in accordance with the provisions of R.S. 36:901, et seq.

1 H. The Liquefied Petroleum Gas Commission (Article VI, Section 28 of the
2 1921 Louisiana Constitution made statutory by Article XIV, Section 16(A)(3) of the
3 1974 Louisiana Constitution; R.S. 40:1841-40:1850; R.S. 3:1351-3:1357 et seq. and
4 1911 et seq.) is placed within the Department of Public Safety and Corrections and
5 shall exercise and perform its powers, duties, functions, and responsibilities in the
6 manner provided for agencies transferred in accordance with the provisions of R.S.
7 36:802, except that any director or assistant director of the agency or similar
8 personnel authorized by law shall continue to be appointed as otherwise provided by
9 law.

10 I. The advisory board to the Liquefied Petroleum Gas Commission (R.S.
11 40:1851(F)) is placed within the Department of Public Safety and Corrections and
12 shall perform and exercise its powers, duties, functions, and responsibilities in the
13 manner provided for agencies transferred in accordance with R.S. 36:901 et seq.

14 J.(†) The Louisiana Manufactured Housing Commission (R.S. 51:911.26
15 51:911.21 et seq. and 911.51 et seq.) is placed within the office of the state fire
16 marshal of the Department of Public Safety and Corrections and shall perform and
17 exercise its powers, duties, functions, and responsibilities in accordance with the
18 provisions of R.S. 36:803.1.

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

27 * * *

28 L. The Louisiana State Board of Private Investigator Examiners (R.S.
29 37:3501-3525 et seq.) is placed within the Department of Public Safety and

1 Corrections and shall perform and exercise its powers, duties, functions, and
2 responsibilities as provided for agencies transferred in accordance with R.S. 36:803.

3 * * *

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

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

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

13 * * *

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

15 * * *

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

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

1 D. The Louisiana Bio-Fuel Panel (R.S. 3:3712) is placed within the
 2 Department of Revenue and shall perform and exercise its powers, duties, functions,
 3 and responsibilities as provided by law.

4 * * *

5 H. The Uniform Electronic Local Return and Remittance Advisory
 6 Committee ~~as provided for in~~ (R.S. 47:337.23) is placed within the Department of
 7 Revenue and shall exercise and perform its powers, duties, functions, and
 8 responsibilities as provided for agencies transferred in accordance with the
 9 provisions of R.S. 36:901.

10 * * *

11 §474. Powers and duties of the secretary of the Department of Children and Family
 12 Services

13 * * *

14 B. The secretary shall have authority to:

15 (1)(a) Except as otherwise specifically provided in R.S. 36:801 and R.S.
 16 ~~36:803~~ 36:802.9:

17 (i) Employ, appoint, remove, assign, and promote such personnel as is
 18 necessary for the efficient administration of the department and the performance of
 19 its powers, duties, functions, and responsibilities and such other personnel, ~~who are~~
 20 ~~not assigned to an office~~, as may be necessary for the efficient administration ~~of the~~
 21 ~~department and for~~ and the performance of the responsibilities, powers, duties, and
 22 functions of agencies transferred to it;

23 * * *

24 §475. Deputy secretaries

25 A. There shall be a deputy secretary of programs and a deputy secretary of
 26 operations, ~~who~~ each of whom shall be appointed by the secretary with consent of
 27 the Senate and ~~who~~ shall serve at the pleasure of the secretary at a salary fixed by the
 28 secretary, which salary shall not exceed the amount approved for ~~such~~ the respective

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 * * *

28 K. The Louisiana Transportation Authority (R.S. 48:2071 ~~through 2083~~ et
29 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 Reservoir Commission (R.S. 38:3087.241~~-3087.255~~
29 et seq.) is placed within the Department of Transportation and Development and

1 shall perform and exercise its powers, duties, functions, and responsibilities in the
2 manner provided for agencies transferred in accordance with the provisions of R.S.
3 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 a deputy assistant 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 (6) Louisiana Systemic Initiatives Program Council (R.S. 17:~~2757~~ 2751 et
2 seq.).

3 (8) The New Orleans Center for Creative Arts and its board of directors (R.S.
4 17:1970.21 ~~=1970.27~~ et seq.).

5 E. The State Board of Elementary and Secondary Education (Article VIII,
6 Section 3 of 1974 Louisiana Constitution; R.S. 17:1~~=17:14~~; R.S. 17:274.1; R.S.
7 17:341~~=17:347~~; R.S. 17:351; R.S. 17:391.1~~=17:391.10~~; R.S. 17:411; R.S. 17:416.2;
8 R.S. 17:420.1 et seq. and other provisions of Title 17 of the Louisiana Revised
9 Statutes of 1950 that apply to the board) is hereby transferred to and hereafter shall
10 be within the Department of Education as provided in R.S. 36:801.2.

11 * * *

12 H. The State Department of Education (R.S. 17:24 as provided in Acts 1975,
13 No. 274) is hereby abolished and its powers, duties, functions, and responsibilities
14 are transferred to the superintendent of education of the Department of Education
15 and hereafter shall be exercised and performed as provided in Part IV of Chapter 22
16 of this Title.

17 * * *

18 L. The Advisory Commission on Proprietary Schools (R.S. 17:3141.1~~=~~
19 ~~3141.19~~ et seq.) is placed within the Department of Education and shall exercise and
20 perform its powers, duties, functions, and responsibilities in the manner provided in
21 R.S. 36:801.5.

22 M. The Council of the Louisiana Universities Marine Consortium for
23 Research and Education (R.S. 17:3451~~=17:3456~~ et seq.) shall be within the
24 Department of Education as provided in R.S. 36:801.4.

25 * * *

26 P. The Task Force on Student Proficiency (R.S. 17:24.4~~(I)~~) is placed within
27 the Department of Education and shall exercise and perform its powers, duties,

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 X. The State Advisory Commission on Teacher Education and Certification
20 (R.S. 17:31-~~17:33~~ et seq.) is placed within the Department of Education and shall
21 exercise and perform its powers, duties, functions, and responsibilities in the manner
22 provided for agencies transferred in accordance with the provisions of Part III of
23 Chapter 22 of this Title.

24 Y. The Quality Science and Mathematics Council (R.S. 17:371-~~377~~ et seq.)
25 is placed within the Department of Education and shall exercise and perform its
26 powers, duties, functions, and responsibilities in the manner provided for agencies
27 transferred under the provisions of R.S. 36:801.1.

28 Z. The Governor's Program for Gifted Children (R.S. 17:1989.1-~~1989.8~~ et
29 seq.) is placed within the Department of Education and shall exercise and perform

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

3 * * *

4 BB. The Louisiana Student Financial Assistance Commission (R.S. 17:3021=
5 ~~3048.7~~ et seq.) is placed within the Board of Regents and shall exercise and perform
6 its powers, duties, functions, and responsibilities in the manner provided for agencies
7 transferred in accordance with the provisions of R.S. 36:801.1.

8 * * *

9 §686. Transfer of agencies to the Department of Insurance

10 A. The following agencies are transferred to the Department of Insurance
11 and shall exercise their powers, duties, functions, and responsibilities in the manner
12 provided in R.S. 36:801.1:

13 * * *

14 (2) The Governing Committee of the Louisiana Joint Reinsurance Plan (~~R.S.~~
15 ~~22:1406.3-1406.4~~ R.S. 22:2336-2347).

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

18 * * *

19 (5) The Board of Directors of the Louisiana Citizens Property Insurance
20 Corporation (~~R.S. 22:2294~~ R.S. 22:2291 et seq.).

21 B. The following agencies are transferred to the Department of Insurance
22 and shall exercise their powers, duties, functions, and responsibilities in the manner
23 provided in R.S. 36:801:

24 (1) The Board of Directors of the Louisiana Consortium of Insurance and
25 Financial Services (~~R.S. 22:2143~~ R.S. 22:2141 et seq.).

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

28 * * *

1 F. The Louisiana Mandated Health Benefits Commission (R.S. 22:2186=
2 ~~2186.1~~ et seq.) is hereby placed within the Department of Insurance and shall
3 exercise its powers, duties, functions, and responsibilities in the same manner as
4 agencies transferred in the manner provided in R.S. 36:802.

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

8 * * *

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

10 * * *

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

15 C. The Governor's Consumer Protection Division (R.S. 51:1401 ~~through~~
16 ~~1418~~ et seq.) is hereby abolished and its powers, duties, functions, and
17 responsibilities are transferred to the Department of Justice and hereafter shall be
18 exercised and performed as provided in Part IV of Chapter 22 of this Title.

19 * * *

20 §725. Transfer of Public Service Commission

21 A. The Public Service Commission (Article IV, Section 21 of 1974
22 Louisiana Constitution; R.S. ~~45:171-45:194; R.S. 45:251-45:265; R.S. 45:301-~~
23 ~~45:303; R.S. 45:307-45:315; R.S. 45:321; R.S. 45:351-45:357; R.S. 45:1161-~~
24 ~~45:1205; R.S. 45:1500-45:1504~~ R.S. 45:1161 et seq. and other provisions of Title 45
25 of the Louisiana Revised Statutes of 1950 that apply to the commission) shall be
26 transferred to and hereafter shall be within the Department of Public Service, as
27 provided in R.S. 36:801.1, with all powers and duties enumerated in the constitution

1 or by law. This transfer shall be effective on or before December 31, 1977, as
2 provided in Chapter 24 of this Title.

3 * * *

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

5 * * *

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

11 * * *

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

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

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

22 * * *

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

25 * * *

26 T. The Louisiana Military Museum and its governing board (R.S. 25:380.61
27 et seq.) are placed within the Department of State as provided in R.S. 36:801.13.

1 U. The Jean Lafitte Marine Fisheries Museum and its governing board (R.S.
2 25:380.71 et seq.) are placed within the Department of State as provided in R.S.
3 36:801.14.

4 * * *

5 §769. Transfer of boards, commissions, departments, and agencies to Department
6 of the Treasury

7 * * *

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

10 (1) State Bond Commission, including the powers, duties, functions, and
11 responsibilities of any agencies which have been previously transferred to the State
12 Bond Commission (Article VII, Section 8 of the Constitution of 1974; ~~R.S. 39:451-~~
13 ~~39:456; R.S. 39:465.1-39:465.8; R.S. 39:466.11-39:466.13; 39:871; 39:1361-~~
14 ~~39:1366; 39:1401-39:1410; R.S. 47:1801-47:1808~~ Chapter 11 of Subtitle III of Title
15 39 of the Louisiana Revised Statutes of 1950 and other provisions of the Louisiana
16 Revised Statutes of 1950 that apply to the commission.)

17 (2) Interim Emergency Board (Const. Art. VII, §7; R.S. 39:461-~~461.8~~ et seq.)

18 D. The following agencies, as defined by R.S. 36:3, and the boards of each,
19 except the Board of Supervisors of Louisiana State University and Agricultural and
20 Mechanical College, are transferred to and shall be within the Department of the
21 Treasury, as provided in R.S. 36:801.3:

22 (1) Louisiana State Employees' Retirement System (~~R.S. 42:541-42:699~~ R.S.
23 11:401 et seq.)

24 (2) ~~State Police Retirement Fund (R.S. 40:1421-40:1444)~~ State Police
25 Pension and Retirement System (R.S. 11:1301 et seq.)

26 * * *

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

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

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

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

17 * * *

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

23 * * *

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

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

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

6 * * *

7 §802.6. Transfer; certain appointive authority retained

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

13 * * *

14 §802.9. Transfer; Children's Trust Fund Board

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

24 * * *

25 §803. Transfer; licensing agencies

26 A.(1) Each of the agencies transferred by the provisions of R.S. 36:4.1(D),
27 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
28 R.S. 36:509(C), all of which are charged by law with the responsibility for the
29 regulation, examination, certification and/or licensing of persons in this state, and the

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

7 * * *

8 §851. Transfer; merger and consolidation of functions

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

18 * * *

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

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

1 department as heretofore provided for each by this Title. Each agency thus
2 transferred shall continue in existence, the members thereof shall continue in office
3 and hereafter shall be selected in the manner provided by law for each, and each
4 agency hereafter shall serve solely in an advisory capacity to the secretary with
5 respect to policies concerning matters within the purview of each as originally
6 created.

7 * * *

8 §918. Transfer, Lake Fausse Point, Lake Dauterive, and Grande Avoille Cove
9 Advisory Board

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

14 * * *

15 §921. Transfer, merger and consolidation of functions

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

29 * * *

1 Section 12. R.S. 37:3103(A)(3.1) and 3134 are hereby amended and reenacted to
2 read as follows:

3 §3103. Definitions of terms

4 A. As used in this Chapter, these terms shall have the definitions ascribed to
5 them, unless the context indicates otherwise:

6 * * *

7 (3.1) "Auction house", "auction company", and "auction business" are
8 synonymous and interchangeable terms and mean any entity, whether a sole
9 proprietorship, partnership, limited liability partnership, limited liability company,
10 corporation, or any other legal entity defined by the board, which arranges, manages,
11 sponsors, advertises, or carries out two or more auctions within any twelve-month
12 period and which regularly represents that goods are sold at auction. However, a
13 public livestock auction business which exclusively auctions livestock and which is
14 regulated as a public livestock market by the Louisiana ~~State Livestock Sanitary~~
15 Board of Animal Health pursuant to R.S. 3:2091 et seq. shall not be defined as an
16 auction business for purposes of this Chapter. "Auction house," "auction company,"
17 and "auction business" shall not mean an entity which sells property through an
18 Internet-based trading platform unless such entity's activities constitute an "auction"
19 as defined in Paragraph (3) of this Subsection.

20 * * *

21 §3134. Livestock auctioneers

22 The provisions of this Chapter shall not apply to and the board shall not have
23 jurisdiction over auctioneers who are engaged in the auction business exclusively as
24 an employee or agent of a Louisiana public livestock market which is regulated by
25 the Louisiana ~~State Livestock Sanitary~~ Board of Animal Health and who are
26 registered with that board as required by R.S. 3:2100.

27 * * *

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

1 §1593.1. Group purchasing

2 * * *

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

7 * * *

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

10 §2009.1. Rules and regulations; nursing home advisory committee

11 * * *

12 C.

13 * * *

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

15 * * *

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

18 * * *

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

21 §17. Exceptions to open meetings

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

24 * * *

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

29 * * *

1 §66. Exemptions

2 * * *

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

7 * * *

8 §1119. Nepotism

9 * * *

10 C.

11 * * *

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

14 * * *

15 §1123. Exceptions

16 This Part shall not preclude:

17 * * *

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

20 * * *

21 (14) Persons employed by public school systems to provide special
22 education and related services pursuant to R.S. 17:1941 et seq. to ~~exceptional~~
23 ~~children, as defined by R.S. 17:1943(1)~~ a student with an exceptionality as defined
24 in R.S. 17:1942 from performing, on a private fee basis and outside of school hours,
25 those same special education and related services for their own students or any other
26 persons eligible to receive such services from their school system during school
27 hours, provided that the child's parents or guardian are advised, in writing, of the
28 procedures through which their child may be evaluated for eligibility to receive such
29 services for free through the school system. With respect to any child already

1 receiving such services for free through the school system, the notice shall explain
2 the procedures through which the child's eligibility to receive additional services for
3 free from the school system may be reviewed.

4 * * *

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

7 §1699. Chicot State Park, special facilities camp for handicapped; creation; advisory
8 committee; programs; use

9 * * *

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

14 * * *

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

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

25 Section 19. It is the intent of the legislature in enacting this Act that the Acts that
26 originated as House Bills Nos. 94, 372, 373, 565, 626, and 640 and Senate Bills Nos. 62, 87,
27 249, 314, 315, and 384, all of which re-create departments of the executive branch of state
28 government and statutory entities made a part of such departments by law, shall not

1 supersede the provisions of this Act, and such Acts shall not have the effect of continuing
2 any statutory authority repealed by this Act.

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

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

DIGEST

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

Danahay

HB No. 954

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

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 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.