

2016 Regular Session

SENATE BILL NO. 148

BY SENATOR GATTI

STATE AGENCIES. Abolishes boards and commissions, authorities, districts, and like entities that are inactive. (8/1/16)

AN ACT

To amend and reenact R.S. 15:1110(B) and (C) and R.S. 48:1604(A)(2) and (C), and to repeal R.S. 15:1110(D), R.S. 17:31 through 33, R.S. 25:941, 1231 through 1237 and 1238.1 through 1238.7, R.S. 33:9039.51, R.S. 34:1101 through 1106 and 1851 through 1857, R.S. 36:209(Q) and 209(U), R.S. 40:2191, and 48:1811.2 through 1811.6, relative to boards, commissions, authorities, districts, and like entities; to provide relative to the functional organization of state government by abolishing certain boards, commissions, councils, authorities, districts, and like entities; to remove references to certain abolished entities; to remove references to, provisions for, and the powers, functions, and duties of the Task Force on Juvenile Detention Standards and Licensing, the River Parishes Transit Authority, the State Advisory Commission on Teacher Education and Certification, Louisiana Historic Cemetery Trust Advisory Board, the Board of Morgan City, Berwick Port Pilot Commissioners and Examiners, Concordia Parish Port Commission, Advisory Committee on Hospice Care, Northeast Louisiana Film Commission, Louisiana Bicentennial Commission, Battle of New Orleans Bicentennial Commission, and Interstate 10-12 Corridor District and Commission; and to provide for related matters.

1 Be it enacted by the Legislature of Louisiana:

2 Section 1. The legislature finds that abolishing, transferring, and consolidating  
3 certain boards, commissions, and other statutorily-created entities are in the public interest  
4 when such entities no longer serve a public purpose. Pursuant to the recommendations  
5 contained in the 2016 report from the Legislative Auditor, titled, "Boards, Commission, and  
6 Like Entities," period ending on June 30, 2015. It is the intent of the legislature to abolish,  
7 transfer, and consolidate boards, commissions, and other statutorily-created entities as  
8 provided in this Act.

9 **Task Force on Juvenile Detention Standards and Licensing**

10 Section 2.(A) R.S. 15:1110(B) and (C) are hereby amended and reenacted to read  
11 as follows:

12 §1110. Detention standards; licensing; fees

13 \* \* \*

14 B. On or before July 1, 2011, the Louisiana Juvenile Detention Association  
15 shall develop and recommend uniform standards for local juvenile detention  
16 facilities that comport with nationally recognized and accepted best practice  
17 standards for juvenile detention facilities. ~~In developing these standards, the~~  
18 ~~Louisiana Juvenile Detention Association shall seek input and guidance from the~~  
19 ~~Task Force on Juvenile Detention Standards and Licensing provided for in~~  
20 ~~Subsection D of this Section.~~

21 C. On or before January 1, 2012, the Department of Children and Family  
22 Services shall develop and promulgate, in accordance with the provisions of the  
23 Administrative Procedure Act, rules governing the licensing of juvenile detention  
24 facilities consistent with the standards recommended by the Louisiana Juvenile  
25 Detention Association. ~~In developing these rules, the department shall seek input and~~  
26 ~~guidance from the Task Force on Juvenile Detention Standards and Licensing~~  
27 ~~provided for in Subsection D of this Section.~~

28 \* \* \*

29 (B) R.S. 15:1110(D) is hereby repealed in its entirety.

1 **River Parishes Transit Authority**

2 Section 3. R.S. 48:1604(A)(2) and (C) are hereby amended and reenacted to  
3 read as follows:

4 §1604. Board of commissioners; membership, terms, vacancies

5 A.(1) \* \* \*

6 (2) Each commissioner must be domiciled within the parish from  
7 which he is appointed, except for the one at-large member ~~appointed by the~~  
8 ~~governor and the one at-large member~~ representing the workforce  
9 development board, who must be domiciled within the state.

10 \* \* \*

11 C. All initial terms shall begin September 15, 1999. After the initial  
12 terms have expired, appointments shall be concurrent with the terms of the  
13 appointing authority, except that a vacancy shall be filled for the unexpired  
14 portion of the term by the authority which made the original appointment.  
15 ~~The at-large member appointed by the governor shall serve at his pleasure.~~  
16 A member of the authority may be appointed by the appropriate authority to  
17 succeed himself.

18 \* \* \*

19 **State Advisory Commission on Teacher Education and Certification**

20 Section 4. R.S. 17:31 through 33 are hereby repealed in their entirety.

21 **Louisiana Historic Cemetery Trust Advisory Board**

22 Section 5. R.S. 25:941 is hereby repealed in its entirety.

23 **Northeast Louisiana Film Commission**

24 Section 6. R.S. 33:9039.51 is hereby repealed in its entirety.

25 **Board of Morgan City, Berwick Port Pilot Commissioners and Examiners**

26 Section 7. R.S. 34:1101 through 1106 are hereby repealed in their entirety.

27 **Concordia Parish Port Commission**

28 Section 8. R.S. 34:1851 through 1857 are hereby repealed in their entirety.

29 **Advisory Committee on Hospice Care**

1 Section 9. R.S. 40:2191 is hereby repealed in its entirety.

2 **Interstate 10-12 Corridor District and Commission**

3 Section 10. R.S. 48:1811.2 through 1811.6 are hereby repealed in their entirety.

4 **Louisiana Bicentennial Commission**

5 Section 11. R.S. 25:1231 through 1237 are hereby repealed in their entirety.

6 Section 12. R.S. 36:209(Q) is hereby repealed in its entirety.

7 **Battle of New Orleans Bicentennial Commission**

8 Section 13. R.S. 25:1238.1 through 1238.7 are hereby repealed in their entirety.

9 Section 14. R.S. 36:209(U) is hereby repealed in its entirety.

10 Section 15. The property and funds, if any, of the entities abolished by this Act  
 11 whose functions are not transferred to another entity or official shall be the property of the  
 12 state and the state treasurer shall provide for the deposit of such funds in the state treasury  
 13 to the credit of the state general fund, after deposit in the Bond Security and Redemption  
 14 Fund as otherwise provided by law.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by J. Ashley Mitchell Carter.

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DIGEST

SB 148 Engrossed

2016 Regular Session

Gatti

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

Task Force on Juvenile Detention Standards and Licensing: Present law provides that the Louisiana Juvenile Detention Association shall develop and recommend uniform standards for local juvenile detention facilities that comport with nationally recognized and accepted best practice standards for juvenile detention facilities and they shall seek input and guidance from the Task Force on Juvenile Detention Standards and Licensing. It also determines the composition of the Task Force. Proposed law abolishes the task force and its members.

State Advisory Commission on Teacher Education and Certification: Present law determines the composition of the commission, where the commission will be domiciled; the compensation of the members, and the powers and duties. Proposed law abolishes the commission.

The Louisiana Historic Cemetery Trust Advisory Board: Present law creates the board, states that they shall meet two times per year, and determines its composition. Proposed law abolishes the board.

Board of Morgan City, Berwick Port Pilot Commissioners and Examiners: Present law determines the composition of the commission, determines the means of removing

commissioners. Proposed law abolishes the commission.

Concordia Parish Port Commission: Present law determines the composition of the commission, named the leadership positions of the commission, states the rights and powers of the commission, and renders authority to the commission to issue bonds. Proposed law abolishes the commission.

Advisory Committee on Hospice Care: Present law determines the composition of the committee, establishes the terms of the members, and leadership positions. Proposed law abolishes the committee.

The Interstate 10-12 Corridor District and Commission: Present law determines the composition of the commission, the territorial jurisdiction and the purpose which is to facilitate and promote economic development in terms of the creation of jobs and business expansion and the improvement of quality of life for the communities located in or near the district. Proposed law abolishes the commission.

Louisiana Bicentennial Commission: Present law determines the composition of the commission and the purpose for which it was established. Proposed law abolishes the commission.

Battle of New Orleans Bicentennial Commission: Present law determines the composition of the commission and the purpose for which it was established. Proposed law abolishes the commission.

Northeast Louisiana Film Commission: Present law determines the composition of the commission and the purpose for which it was established. Proposed law abolishes the commission.

River Parishes Transit Authority: Present law provides that each commissioner has to be domiciled in the parish that he is appointed to represent with the exception of the at-large member who is appointed by the governor and the at-large member who represents the workforce board. Proposed law removes the designation of the governor's appointment of the at-large member.

Effective August 1, 2016.

(Amends R.S. 15:1110(B) and (C) and R.S. 48:1604(A)(2) and (C), and Repeals R.S. 15:1110(D), R.S. 17:31 through 33, R.S. 25:941, 1231 through 1237 and 1238.1 through 1238.7, R.S. 33:9039.51, R.S. 34:1101 through 1106 and 1851 through 1857, R.S. 36:209(Q) and 209(U), R.S. 40:2191, and 48:1811.2 through 1811.6)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the engrossed bill

1. Amends the River Parishes Transit Authority.
2. Repeals the Louisiana Bicentennial Commission.
3. Repeals the Battle of New Orleans Bicentennial Commission.
4. Repeals the Northeast Louisiana Film Commission.