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## DIGEST

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HB 260 Original

2021 Regular Session

Gregory Miller

**Abstract:** Makes technical corrections to provisions of law in Title 36 of the La. Revised Statutes of 1950, and makes structural changes to the organization of Title 36.

Proposed law provides for technical corrections to provisions of law in Title 36 of the La. Revised Statutes of 1950. Examples of such technical corrections in proposed law are:

- (1) Standardizes internal citations within Title 36 of the La. Revised Statutes of 1950.
- (2) Removal of placeholder repeal notations and renumbering the remainder of the Section.
- (3) Updating citation references that refer to repealed or re-designated Sections of law.

### **Organizational Changes to Title 36**

When creating or placing an agency within one of the departments in the executive branch of the state government, present law defines the authority of that agency. Within present law, there are six different categories of authority, which are known as "transfer types" or "transfer type authority". Present law, Title 36, uses a "double cross-referencing" system to grant agencies authority within the executive branch. In the present law double cross-referencing system, a Section placing an agency within an executive branch department will contain a reference to the specific transfer type authority. Then, in the present law Sections governing the transfer types, there will be a reference to some, but not all, of the agencies that fall under this type.

Exceptions to the general transfer type authorities are governed by specific statutory Sections under present law. These "exception Sections" contain a reference to the general transfer type authority statute that the exception falls under. The Sections placing individual agencies with an exception to the general transfer type authority into its executive branch department will contain a reference to the exception Section, but not a reference to the general transfer type authority.

Proposed law removes the double cross-referencing system. Proposed law updates the individual agency statutes to always reference their general transfer type authority. If an agency has an exception to the general transfer type authority, then proposed law lists the exception in the Section placing the agency within its executive branch department.

Present law can grant authority to an agency that is not within the transfer type system. These agencies will have authority "as provided by law", and will have their own Sections granting the

agency individualized powers, duties, functions, and responsibilities within their respective Titles. Proposed law retains present law.

### **R.S. 36:744 and Museum Facilities**

Present law (R.S. 36:744) places certain museum facilities and their governing boards under the control of the Dept. of State, and defines the general powers, duties, functions, and responsibilities of the governing boards. The present law Sections defining these powers are located in the Chapter governing transfer type authority; however, the museum boards do not have authority derived from a transfer type or transfer type exception.

Present law (Title 25 generally) places certain museum facilities and their governing boards within the control of the Dept. of State. Present law (Title 25 generally) further defines the individual powers, duties, functions, and responsibilities of the individual governing boards.

Proposed law removes the references to the museum facilities from R.S. 36:744. Proposed law additionally removes the authority granting Sections from the Chapter on transfer type authority and adds it to the provision in R.S. 36:744 which defines the general powers, duties, functions, and responsibilities of the governing boards.

Proposed law retains present law individualized powers, duties, functions, and responsibilities found in Title 25.

### **DISPOSITION TABLE**

<b>Name of Agency</b>	<b><u>Present law</u> citation</b>	<b><u>Proposed law</u> citation</b>
<b>Governor's office</b>	<b>R.S. 36:4.1</b>	
Office of Financial Institutions	(C)(1)	(B)(1)
La. State Racing Comm.	(G)	(B)(2)
La. Cemetery Bd	(D)(1)	(C)(1)
State Bd of Certified Public Accountants of La.	(D)(2)	(C)(2)
State Bd of Architectural Examiners	(D)(3)	(C)(3)
La. Real Estate Comm.	(D)(4)	(C)(4)
La. State Bd of Home Inspectors	(D)(5)	(C)(5)

State Licensing Bd for Contractors	(D)(6)	(C)(6)
Bd of Examiners of Certified Shorthand Reporters	(D)(8)	(C)(7)
La. Auctioneers Licensing Bd	(D)(9)	(C)(8)
State Bd of Examiners of interior Designers	(D)(10)	(C)(9)
La. Real Estate Appraisers Bd	(D)(11)	(C)(10)
State Boxing and Wrestling Comm.	(D)(12)	(C)(11)
La. Motor Vehicle Comm.	(D)(13)	(C)(12)
La. Used Motor Vehicle Comm.	(D)(14)	(C)(13)
La. State Polygraph Bd	(D)(15)	(C)(14)
La. Bd of Cosmetology	(D)(16)	(C)(15)
Department of Occupational Standards	(E)	(D)
<b>Economic Development</b>	<b>R.S. 36:109</b>	
Bd of Commerce and Industry	(F)	(A)
Office of entertainment industry development	(J)	(B)(1)
Office of international commerce & the La. Bd of International Commerce	(V)	(B)(2)
La. Military Advisory Council	(W)	(B)(3)
Department of Commerce & Industry	(G)(1)	(C)
La. Economic Development Corporation	(N)	(D)

<b>Culture, Recreation &amp; Tourism</b>	<b>R.S. 36:209</b>	
La. Archaeological Survey & Antiquities Comm.	(C)(1)	(A)(1)
State Parks & Recreation Comm.	(C)(2)	(A)(2)
Bd of Directors of the La. State Museum	(E)	(A)(3)
Bd of Commissioners of the State Library of La.	(F)	(A)(4)
La. State Arts Council	(G)	(A)(5)
La. National Register Review Committee	(J)	(A)(6)
La. Folklife Comm	(L)	(A)(7)
La. Tourism Development Comm.	(P)	(A)(8)
La. Civil Rights Museum Advisory Bd	(Z)	(A)(9)
State Art, Historical & Cultural Preservation Agency	(H)(1)	(B)(1)
Toledo Bend Forest Scenic Drive Comm.	(H)(5)	(B)(2)
La. Art Comm.	(H)(6)	(B)(3)
La. Historical Preservation & Cultural Comm.	(H)(10)	(B)(4)
Orleans Parish Landmarks Comm.	(H)(13)	(B)(5)
La. Naval War Memorial Comm.	(K)	(C)(1)
Kenner Naval Museum Comm.	(N)	(C)(2)

New Orleans City Park Improvement Association & its board of commissioners	(O)	(C)(3)
Council for the Development of French in La.	(R)	(C)(4)
La. Byways Comm.	(X)	(D)(1)
La. Seafood Promotion & Marketing Bd	(Y)	(D)(2)
Atchafalaya Trace Comm.	(M)(1)	(D)(3)
State Board of Library Examiners	(D)	(E)
<b>Workforce Commission</b>	<b>R.S. 36:309</b>	
Employment Security Board of Review	(B)(1)	(A)(1)
Louisiana Worker's Compensation Second Injury Board	(B)(2)	(A)(2)
The Louisiana Workforce Investment Council	(B)(3)	(A)(3)
Apprenticeship Council	(C)(1)	(B)(1)
Workers' Compensation Advisory Council	(C)(4)	(B)(2)
Board of Barber Examiners	(D)(1)	(C)(1)
State Plumbing Board	(D)(2)	(C)(2)
Louisiana Rehabilitation Services	(E)	(D)
Worker's compensation medical advisory council	(F)	(E)(1)
Blind Vendors Trust Fund Advisory Board	(G)	(E)(2)

<b>Transportation &amp; Development</b>	<b>R.S. 36:509</b>	
The Flood Control Project Evaluation Committee	(B)	(A)(1)
The Offshore Terminal Authority	(L)	(A)(2)
The Coastal Port Advisory Authority	(U)	(A)(3)
The Louisiana Professional Engineering and Land Surveying Board	(C)	(B)
The Department of Highways	(F)(2)	(C)(1)
Department of Public Works	(F)(3)	(C)(2)
The Board of Public Works	(F)(4)	(C)(3)
The State Board of Highways	(F)(5)	(C)(4)
Louisiana Expressway Authority	(F)(8)	(C)(5)
Larose-Lafitte Toll Road Authority	(F)(9)	(C)(6)
South Central Louisiana Toll Road Authority	(F)(10)	(C)(7)
The Mississippi River Bridge Authority	(F)(11)	(C)(8)
The Mississippi River Parkway Commission of Louisiana	(H)	(D)
The Louisiana Transportation Authority	(K)	(E)
The Sabine River Authority	(O)	(F)(1)
The Poverty Point Reservoir District	(Q)	(F)(2)
<b>Agriculture &amp; Forestry</b>	<b>R.S. 36:629</b>	

Structural Pest Control Commission	(C)(3)	(B)(1)
Louisiana Board of Animal Health	(C)(5)	(B)(2)
Louisiana Commission of Weights and Measures	(C)(8)	(B)(3)
The Louisiana Animal Control Advisory Task Force	(C)(9)	(B)(4)
The Louisiana Aquatic Chelonian Research and Promotion Board	(Q)	(B)(5)
Livestock Brand Commission	(D)(1)	(C)(1)
Louisiana Advisory Commission on Pesticides	(D)(2)	(C)(2)
Louisiana Egg Commission	(E)(1)	(D)(1)
Louisiana Rice Promotion Board	(E)(3)	(D)(2)
Louisiana Rice Research Board	(E)(4)	(D)(3)
Louisiana Soybean and Grain Research and Promotion Board	(E)(5)	(D)(4)
Louisiana Strawberry Marketing Board	(E)(6)	(D)(5)
Louisiana Beef Industry Council	(E)(7)	(D)(6)
Louisiana Crawfish Promotion and Research Board	(E)(8)	(D)(7)
The Louisiana Sweet Potato Advertising and Development Commission	(F)	(E)
The Dairy Stabilization Board	(G)	(F)

The Horticulture Commission of Louisiana	(I)	(G)
The Louisiana Agricultural Commodities Commission	(J)	(H)(1)
The Louisiana Agricultural Finance Authority	(K)	(H)(2)
The Dairy Industry Promotion Board	(L)	(I)
The Forestry Commission	(N)	(J)
The State Soil and Water Conservation Commission	(O)	(K)
The Louisiana Boll Weevil Eradication Commission	(P)	(L)(1)
The Agriculture Chemistry and Seed Commission	(H)	(L)(2)
The Board of Veterinary Medicine	(S)	(M)
<b>Education</b>	<b>R.S. 36:651</b>	
The La. Educational Television Authority	(C)	(B)(1)
The office of instructional technology	(U)	(B)(2)
The Board of Supervisors for the University of La. System	(D)(1)	(C)(1)
Board of Regents	(D)(2)	(C)(2)
Board of Supervisors of La. State University and Agricultural and Mechanical College	(D)(3)	(C)(3)
Board of Supervisors of Southern University and Agricultural and Mechanical College	(D)(4)	(C)(4)



Board of Supervisors of Community and Technical Colleges	(D)(5)	(C)(5)
Board of directors for the New Orleans Center for Creative Arts	(D)(8)	(C)(6)
Board of directors of Thrive Academy	(D)(9)	(C)(7)
Health Education Authority of Louisiana	(D)(10)	(C)(8)
Board of directors for the Jimmy D. Long, Sr. Louisiana School for Math, Science, and the Arts	(Q)	(C)(9)
Quality Science and Mathematics Council	(Y)	(C)(10)
Governor's Program for Gifted Children	(Z)	(C)(11)
State Board of Elementary and Secondary Education	(E)	(D)
Recovery School District	(F)	(E)(1)
La. Environmental Education Commission	(CC)	(E)(2)
College and Career Readiness Commission	(G)(2)	(F)(1)
Agricultural Education Commission	(G)(4)	(F)(2)
ABLE Account Advisory Council	(G)(5)	(F)(3)
Task Force on Student Proficiency	(P)	(F)(4)
Early Childhood Care and Education Commission	(G)(8)	(F)(5)
Cybersecurity Education Management Council	(G)(9)	(F)(6)

State Department of Education (abolished)	(H)	(G)
Advisory Commission on Proprietary Schools	(L)	(J)
Statewide Articulation and Transfer Council	(T)(1)	(K)(1)
Process Technology Advisory Board	(T)(2)	(K)(2)
Louisiana Tuition Trust Authority	(T)(3)	(K)(3)
Governing board of the Louisiana Cancer Research Center of LSU Health Sciences Center in New Orleans/Tulane Health Science Center	(T)(4)	(K)(4)
Louisiana State University Health Sciences Center Health Maintenance Organization	(T)(5)	(K)(5)
La. STEM Advisory Council	(T)(6)	(K)(6)
Advisory Council on HBCUs	(T)(7)	(K)(7)
La. Hall of Fame for the Arts election board	(O)	(K)(8)
La. Fire and Emergency Training Commission	(S)	(K)(9)
La. Health Works Commission	(AA)(1)	(L)(1)(a)
Nursing Supply and Demand Council	(AA)(2)	(L)(1)(b)
Simulation Medical Training and Education Council for La.	(AA)(3)	(L)(1)(c)
La. Student Financial Assistance Commission (abolished)	(BB)	(M)

<b>Insurance</b>	<b>R.S. 36:686</b>	
Board of Directors of the Property Insurance Association of La.	(A)(1)	(A)(1)
Governing Committee of the La. Joint Reinsurance Plan	(A)(2)	(A)(2)
Governing Committee of the La. Insurance Underwriting Plan	(A)(3)	(A)(3)
Governing Committee of the La. Automobile Insurance Plan	(A)(4)	(A)(4)
Board of Directors of the La. Citizens Property Insurance Corporation	(A)(5)	(A)(5)
Board of Directors of the La. Consortium of Insurance and Financial Services	(B)(1)	(B)(1)
Advisory Committee of the Louisiana Consortium of Insurance and Financial Services	(B)(2)	(B)(2)
The Louisiana Property and Casualty Insurance Commission	(C)(2)	(C)(1)
The Louisiana Mandated Health Benefits Commission	(F)	(C)(2)
The Louisiana Health Care Commission	(D)	(D)
The Board of Directors of the Louisiana Automobile Theft and Insurance Fraud Prevention Authority	(E)	(E)
The board of review for public fire protection grading	(G)	(F)

<b>State</b>	<b>R.S. 36:744</b>	
State Board of Election Supervisors	(C)	(B)
La. Historical Records Advisory Board	(D)	(C)(1)
Advisory Board of the Old State Capitol	(F)	(C)(2)
Eddie G. Robinson Museum Commission	(Q)	(C)(3)
Advisory Board of the La. State Archives	(DD)	(C)(4)
State Archives and Records Commission and the State Archives and Records Service	(E)	(D)(1)
Old State Capitol Memorial Commission	(G)	(D)(2)
Office of commissioner of elections	(R)	(E)
Governing board of the La. Delta Music Museum	(S)	(F)(1)(a)
Governing board of the Tioga Heritage Park and Museum	(V)	(F)(1)(b)
Governing board of the Mansfield Female College Museum	(W)	(F)(1)(c)
Governing board of the Germantown Colony Museum	(BB)	(F)(1)(d)
Regional Museum Governing Board of the Louisiana State Exhibit Museum	(I)	(F)(1)(e)
Governing Board of the La. State Cotton Museum	(L)	(F)(1)(f)

Governing Board of the La. State Oil and Gas Museum	(N)	(F)(1)(g)
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(Amends R.S. 3:732(A) and 2054(A), R.S. 17:2048.61(B), R.S. 23:1294(A)(1), R.S. 25:379(A), 379.2(B)(4), 380(A), 380.2(B)(4), 380.21(A), 380.23(B)(6), 380.51(A), 380.53(B)(6), 380.81(A), 380.83(B)(6), 380.91(A), 380.93(B)(6), 380.151(A), 380.153(B)(6), R.S. 36:4.1(C), (D), and (E), 109, 209, 309, 509, 629, 651, 686, 744, 801(intro. para.), 801.1(A), 802(intro. para.), 803(A)(1), 851(A), 901(A), and 921(A), R.S. 42:808(A)(6), R.S. 51:1253(3), and §3 of Act No. 180 of the 2020 R.S.; Adds R.S. 36:4.1(B); Repeals R.S. 36:4.1(F) and (G), 801.2, 801.5, 801.6, 801.7, 801.9, 801.12, 801.15, 801.16, 801.22, 802.1, 802.2, 802.3, 802.6, 802.7, 802.10, 802.12, 802.16, 802.19, 802.21, 851.1, 908, 909, 910, 911, 912, 913, 919.1, 919.6, and 919.9)