2018 Regular Session

SENATE BILL NO. 64

BY SENATOR MARTINY

PUBLIC SERVICE COMN. Re-creates the Department of Public Service. (6/30/18)

1   AN ACT

2   To enact R.S. 49:191(10)(c) and to repeal R.S. 49:191(8)(i), relative to the Department of

3   Public Service; to provide for the re-creation of the Department of Public Service

4   and all statutory entities made a part of the department by law; to provide for the

5   effective termination date for all statutory authority for the existence of such

6   statutory entities; and to provide for related matters.

7   Be it enacted by the Legislature of Louisiana:

8   Section 1. Pursuant to R.S. 49:193, the Department of Public Service and the

9   statutory entities made a part of the Department of Public Service by law shall be re-created

10 effective June 30, 2018, and all statutory authority therefor is continued in accordance with

11 the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

12   Section 2. Notwithstanding any provision of any previous Act of the legislature, all

13 statutory authority for the existence of the Department of Public Service and the statutory

14 entities made a part of the Department of Public Service, as re-created under the provisions

15 of Section 1 of this Act, shall cease as of July 1, 2023, pursuant to R.S. 49:191. However,

16 the Department of Public Service and the statutory entities made a part of the Department

17 of Public Service may be re-created prior to such date in accordance with the provisions of

1   Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

2   Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent those

3   provisions are in conflict with the provisions of this Act.

4   Section 4. R.S. 49:191(10)(c) is hereby enacted to read as follows:

5   §191.   Termination of legislative authority for existence of statutory entities;

6   phase-out period for statutory entities; table of dates

7   Notwithstanding any termination dates set by any previous Act of the

8   legislature, the statutory entities set forth in this Section shall begin to terminate their

9   operations on July first of each of the following years, and all legislative authority

10   for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of

11   July first of the following year, which shall be the termination date:

12   *   *   *

13   (10) July 1, 2022:

14   *   *   *

15   **(c) The Department of Public Service and all statutory entities made a**

16   **part of the department by law.**

17   Section 5. R.S. 49:191(8)(i) is hereby repealed in its entirety.

18   Section 6. This Act shall become effective on June 30, 2018; if vetoed by the

19   governor and subsequently approved by the legislature, this Act shall become effective on

20   June 30, 2018, or on the day following such approval by the legislature, whichever is later.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Michelle Ridge.

DIGEST
SB 64 Original   2018 Regular Session   Martiny

Present law provides that the Department of Public Service (department) and all the statutory
entities made a part of that department by law shall begin to terminate their operations on
July 1, 2018, and that all legislative authority for such entities shall cease as of July 1, 2019,
unless legislation is enacted that authorizes the re-creation of the department and its statutory
entities prior thereto.

Proposed law provides for the re-creation of the department and its statutory entities,
effective June 30, 2018, in accordance with the "Sunset" law. Supersedes the provision of
the "Sunset" law that sets out the procedure for review and re-creation and that requires a
separate bill to re-create each statutory entity within the department along with additional
provisions. July 1, 2023, is the new termination date, and termination would begin July 1,

Coding: Words which are ~~struck through~~ are deletions from existing law;
words in **boldface type and underscored** are additions.

2022, unless the department is re-created.

Effective June 30, 2018.

(Adds R.S. 49:191(10)(c); repeals R.S. 49:191(8)(i))