

2023 Regular Session

SENATE BILL NO. 214

BY SENATOR MCMATH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ECONOMIC DEVELOP DEPT. Renames and reorganizes the Department of Economic Development as the Department of Commerce, moves the office of multimodal commerce from the Department of Transportation and Development to the Department of Commerce, and transfers powers, duties, and responsibilities with respect to multimodal commerce and corresponding department employees, equipment, facilities, funding, and statutory entities from the Department of Transportation and Development to the Department of Commerce. (7/1/24)

1 AN ACT

2 To amend and reenact R.S. 34:3471(1), (3) and (4), and 3475(A), R.S. 36:4(A)(2), the

3 section heading of 4.1, 8.1(C)(3), 101(A), (B), and (C)(1), 103, 104(A)(14), the

4 introductory paragraph of (B)(1)(a), and (B)(1)(b) and (9), the introductory

5 paragraph of 104.1(A) and 104.1(B)(4), 106(A) and (B), 107, 108(A) and (B), 109,

6 501(C)(1), 502(A) and (B), and 957, and R.S. 51:3136(A)(9), to enact R.S.

7 34:3475(C) and R.S. 36:110 and 111, and to repeal R.S. 36:108(B)(4), 508.3, 508.4,

8 and 509(A)(3), relative to the Department of Economic Development; to rename and

9 reorganize the department to the Department of Commerce; to transfer the office of

10 multimodal commerce from the Department of Transportation and Development to

11 the Department of Commerce; to transfer powers, duties, and responsibilities with

12 respect to multimodal commerce and corresponding department employees,

13 equipment, facilities, funding, and statutory entities from the Department of

14 Transportation and Development to the Department of Commerce; to provide for the

15 commissioner of multimodal commerce; to provide for the multimodal commerce

16 commission; and to provide for related matters.

17 Be it enacted by the Legislature of Louisiana:

1 Section 1. R.S. 34:3471(1), (3) and (4), and 3475(A) are hereby amended and
2 reenacted, and R.S. 34:3475(C) is hereby enacted to read as follows:

3 §3471. Definitions

4 As used in this Chapter, unless the context clearly indicates otherwise, the
5 following definitions shall apply:

6 (1) "Department" means the Department of ~~Transportation and Development~~
7 **Commerce**.

8 * * *

9 (3) "Joint committee" means the House Committee on ~~Transportation,~~
10 ~~Highways and Public Works~~ **Commerce** and the Senate Committee on
11 ~~Transportation, Highways and Public Works~~ **Commerce, Consumer Protection**
12 **and International Affairs**, functioning as a joint legislative committee.

13 (4) "Office" means the office of multimodal commerce within the
14 Department of ~~Transportation and Development~~ **Commerce**.

15 * * *

16 §3475. Projects undertaken by the office

17 A. After adoption of the office's recommendations by the joint committee, the
18 approved list of projects shall be forwarded to the office for implementation. The
19 approved list shall be implemented by the office by the use of funds appropriated;
20 ~~funding obligation authority, or pursuant to the cash management program as~~
21 ~~provided by R.S. 48:251(D)~~. Funding or funding obligation authority shall be
22 allocated to projects in accordance with the prioritized list of projects approved by
23 the joint committee. Funding obligation authority may be granted or authorized for
24 a project from funds appropriated or obligated for another project or projects within
25 the Waterway Dredging and Deepening Priority Program provided that such
26 authority does not impede such project or projects. Such funding obligation authority
27 shall be extinguished for a project at such time as funds are made available for
28 obligation for the project. The office shall not delete, add, or substitute any projects
29 for those approved by the joint committee, except as provided in R.S. 34:3476.

* * *

C. The office shall adopt rules in accordance with the Administrative Procedure Act to implement the provisions of this Section.

Section 2 R.S. 36:4(A)(2), the section heading of 4.1, 8.1(C)(3), 101(A), (B), and (C)(1), 103, 104(A)(14), the introductory paragraph of (B)(1)(a), and (B)(1)(b) and (9), the introductory paragraph of 104.1(A) and 104.1(B)(4), 106(A) and (B), 107, 108(A) and (B), 109, 501(C)(1), 502(A) and (B), and 957 are hereby amended and reenacted and R.S. 36:110 and 111 are hereby enacted to read as follows:

§4. Structure of executive branch of state government

A. In accordance with the provisions of Article IV, Section 1 and Article XIV, Section 6 of the Constitution of Louisiana, all offices, boards, commissions, agencies, and instrumentalities of the executive branch of state government, whether constitutional or statutory, and/or their functions, powers, duties, and responsibilities shall be allocated, either in the Act by which this Title was created or by legislation enacted subsequent thereto, within the departments listed in this Section, except as provided in Subsections B and C of this Section, and in order to comply with this constitutional mandate, the agencies of the executive branch of state government hereinafter enumerated, whether heretofore created by the constitution or by statute, and/or their functions, powers, duties, and responsibilities are allocated, in the manner hereinafter set forth in this Title, within the following designated departments:

* * *

(2) Department of ~~Economic Development~~ **Commerce**.

* * *

§4.1. Agencies transferred from the Department of ~~Economic Development~~ **Commerce** to the office of the governor; agencies placed within the office of the governor

* * *

§8.1. Litigation oversight; reports to the legislature

* * *

C. The provisions of this Section shall apply to any civil action filed by the following departments or offices, including offices and agencies thereof, collectively referred to in this Section as "agency":

* * *

(3) Department of ~~Economic Development~~ Commerce.

* * *

CHAPTER 3. DEPARTMENT OF ECONOMIC DEVELOPMENT COMMERCE

§101. Department of ~~Economic Development~~ Commerce; creation; domicile; composition; purposes and functions

A. (1) The Department of Economic Development is created and beginning July 1, 2024, shall be renamed the Department of Commerce and shall be restructured as provided in R.S. 36:110. The department shall be a body corporate with the power to sue and be sued. The domicile of the department shall be in Baton Rouge.

(2) Beginning July 1, 2024, any reference in this Chapter, this Title, or any other Title of the Louisiana Revised Statutes of 1950 to the "Department of Economic Development" shall mean the "Department of Commerce".

B. The Department of ~~Economic Development~~ Commerce, through its offices and officers, shall be responsible for fostering the growth of industry and other commercial enterprises and multimodal commerce in Louisiana that will contribute to the overall improvement of the economy of the state. The department shall promote the advantages of Louisiana to out-of-state business and industry, facilitate the expansion of existing enterprises, administer, provide for, plan, and facilitate multimodal transportation, aviation, railroad, public mass transit, public transportation, and water transportation systems, and coordinate with other state agencies and units of local government plans and programs aimed at developing optimum conditions for new and expanding industrial and commercial enterprises in Louisiana, including effective and efficient multimodal

1 **transportation systems for those enterprises.**

2 C.(1) The Department of ~~Economic Development~~ **Commerce** shall be
3 composed of the executive office of the secretary, the office of management and
4 finance, the office of ~~business~~ **economic** development, **the office of multimodal**
5 **commerce**, and such other offices as shall be created by law.

6 * * *

7 §103. Secretary of ~~economic development~~ **commerce**

8 There shall be a secretary of ~~economic development~~ **commerce**, who shall
9 be appointed by the governor with consent of the Senate and who shall serve at the
10 pleasure of the governor at a salary fixed by the governor, which salary shall not
11 exceed the amount approved for such position by the legislature while in session.
12 The secretary shall serve as the executive head and chief administrative officer of the
13 Department of ~~Economic Development~~ **Commerce** and shall have the responsibility
14 for the policies of the department, except as otherwise provided by this Title, and for
15 the administration, control, and operation of the functions, programs, and affairs of
16 the department; provided that the secretary shall perform his functions under the
17 general control and supervision of the governor.

18 §104. Powers and duties of the secretary of ~~economic development~~ **commerce**

19 A. In addition to the functions, powers, and duties otherwise vested in the
20 secretary by law, he shall:

21 * * *

22 (14) Notwithstanding other provisions in this Subsection, the secretary of the
23 Department of ~~Economic Development~~ **Commerce** may provide targeted economic
24 development efforts in priority economic development zones. ~~Such~~ **These** targeted
25 programs shall be in addition to programs already in existence or any programs that
26 may have been implemented in these areas by the department under normal
27 circumstances. "Priority economic development zone" means any parish listed as one
28 of the ten parishes with the highest unemployment rates in Louisiana and any
29 municipality listed as one of the twenty-five municipalities with the highest

1 unemployment rates in Louisiana as of July first of any given year and according to
2 statistics compiled by the Louisiana Workforce Commission.

3 * * *

4 B. The secretary shall have the authority to:

5 (1)(a) Except as otherwise specifically provided in R.S. 36:110, 801, and 803:

6 * * *

7 (b) All of the above are to be accomplished in accordance with applicable
8 civil service law, rules, and regulations, and with policies and rules of the
9 Department of ~~Economic Development~~ **Commerce**, and all are subject to budgetary
10 control and applicable laws.

11 * * *

12 (9) Establish and collect a verification report fee, as defined in R.S. 36:104.1,
13 as required for a Department of ~~Economic Development~~ **Commerce** incentive
14 program. The fee shall be established and collected as provided in R.S. 36:104.1, and
15 as may be further provided by rule promulgated in accordance with the
16 Administrative Procedure Act.

17 * * *

18 §104.1. Fee for independent certified public accountant or tax attorney verification
19 reports required for certain Department of ~~Economic Development~~
20 **Commerce** programs

21 A. In order to protect the integrity of its programs by ensuring that tax credits
22 are certified only for eligible expenditures, and to provide for uniformity in
23 expenditure verification reporting, the Department of ~~Economic Development~~
24 **Commerce** shall directly engage and assign an independent certified public
25 accountant, hereinafter referred to as "CPA" or tax attorney to prepare for the
26 department any required expense or expenditure verification report on a tax credit
27 applicant's cost report of expenditures or claimed expenditures for all of the
28 following programs:

29 * * *

1 B. For purposes of this Section, the term "certified public accountant", or
2 "CPA", shall mean a person who meets all of the following qualifications:

3 * * *

4 (4) Completes eight hours of continuing professional education in approved
5 Department of ~~Economic Development~~ **Commerce** tax credit attestation courses per
6 reporting cycle.

7 * * *

8 §106. Undersecretary; functions; office of management and finance

9 A. There shall be an undersecretary of the Department of ~~Economic~~
10 ~~Development~~ **Commerce** who shall be appointed by the governor with the consent
11 of the Senate and who shall serve at the pleasure of the governor, at a salary fixed by
12 the governor, which salary shall not exceed the amount approved for such position
13 by the legislature while in session. The undersecretary shall be directly responsible
14 to and shall perform his functions under the supervision and control of the secretary.

15 B. The undersecretary shall direct and be responsible for the functions of the
16 office of management and finance within the Department of ~~Economic Development~~
17 **Commerce**. In such capacity he shall be responsible for accounting and budget
18 control, procurement and contract management, data processing, management and
19 program analysis, personnel management, and grants management for the
20 department and all of its offices, including all agencies transferred to the Department
21 of ~~Economic Development~~ **Commerce**, except as otherwise specifically provided in
22 this Title. He shall employ, appoint, remove, assign, and promote such personnel as
23 is necessary for the efficient administration of the office of management and finance
24 and the performance of its powers, duties, functions, and responsibilities, in
25 accordance with applicable civil service laws, rules, and regulations, and with
26 policies and rules of the department, all subject to budgetary control and applicable
27 laws. The undersecretary shall exercise all powers and authority granted to him in
28 this Title subject to the overall direction and control of the secretary.

29 * * *

1 §107. Assistant secretaries

2 A. Each office within the Department of ~~Economic Development~~ Commerce,
3 except the office of management and finance ~~and~~, the office of entertainment
4 industry development, and the office of multimodal commerce, shall be under the
5 immediate supervision and direction of an assistant secretary. The office of
6 multimodal commerce shall be under the immediate supervision and direction
7 of a commissioner of multimodal commerce. The assistant secretary and the
8 commissioner of each such office shall be appointed by the governor with the
9 consent of the Senate. Each shall serve at the pleasure of the governor and shall be
10 paid a salary which shall be fixed by the governor, which salary shall not exceed the
11 amount approved for such position by the legislature while in session.

12 B. Except as otherwise expressly provided in this Title, the duties and
13 functions of each office and its assistant secretary or commissioner shall be
14 determined by the secretary, and all of such duties and functions shall be exercised
15 under the direct supervision and control of the secretary.

16 C. Except as otherwise provided in R.S. 36:801, each assistant secretary and
17 commissioner shall employ, appoint, remove, assign, and promote such personnel
18 as is necessary for the efficient administration of his office and its programs and the
19 performance of its powers, duties, functions, and responsibilities, in accordance with
20 applicable civil service laws, rules, and regulations, and with policies and rules of
21 the department, all subject to budgetary control and applicable laws.

22 D. Each assistant secretary and commissioner shall exercise all powers and
23 authority granted to him in this Title subject to the overall direction and control of
24 the secretary.

25 §108. Offices; purposes and functions

26 A. The purposes for which the offices of the Department of ~~Economic~~
27 ~~Development~~ Commerce are created shall be as set forth in this Section.

28 B. The office of ~~business~~ economic development shall perform the following
29 functions of the state:

* * *

§109. Transfer of boards, commissions, departments, and agencies to Department of

~~Economic Development~~ **Commerce**

A. The Board of Commerce and Industry (Article XIV, Section 14(b.2) of the 1921 Louisiana Constitution made statutory by Article XIV, Section 16(A)(10) of the 1974 Louisiana Constitution; R.S. 51:921 through 947; R.S. 47:3201 through 3205) is transferred to and hereafter shall be within the Department of ~~Economic Development~~ **Commerce**, in accordance with the provisions of R.S. 36:901, except that the Board of Commerce and Industry shall continue to exercise those powers, duties, and functions with respect to the granting of tax exemptions for new manufacturing establishments or extensions thereof which it is authorized by the Constitution of Louisiana or by law to exercise.

B. The following agencies are placed within the Department of ~~Economic Development~~ **Commerce** and shall perform and exercise their powers, duties, functions, and responsibilities as provided by law:

(1) The office of entertainment industry development (R.S. 51:938.1).

(2) The office of international commerce and the Louisiana Board of International Commerce (R.S. 51:3131 et seq.).

(3) The Louisiana Military Advisory Council (R.S. 29:61 et seq.).

C. The Department of Commerce and Industry (R.S. 51:921 through 938) is hereby abolished and its powers, duties, functions, and responsibilities are transferred to the secretary of the Department of ~~Economic Development~~ **Commerce** and hereafter shall be exercised and performed as provided in R.S. 36:921 et seq.

D. The Louisiana Economic Development Corporation and its board of directors (R.S. 51:2311 et seq.) are placed within the Department of ~~Economic Development~~ **Commerce** and shall exercise and perform their duties, powers, functions, and responsibilities in the manner provided for agencies transferred in accordance with R.S. 36:801.

§110. Office of multimodal commerce; functions; commissioner; deputy

1 commissioner; powers and duties; transition

2 A.(1) There is hereby created within the Department of Commerce, the
3 office of multimodal commerce, which shall administer the planning and
4 programming functions of the department related to strategic and intermodal
5 issues, aviation, commercial trucking, intercity public mass transit, railroad
6 expansion and development, port and water transportation systems, and related
7 matters, and any other special programs as may be directed by the governor.

8 (2) The office shall coordinate with Department of Transportation and
9 Development, office of planning on intermodal issues, and implement the master
10 plan as it relates to intermodal transportation.

11 (3) Notwithstanding Paragraph (1) of this Subsection, any powers, duties,
12 responsibilities and corresponding department employees, equipment, facilities,
13 and funding of the Department of Transportation and Development with
14 respect to federal programs on rail safety and the administration of federal rail
15 safety and hazard mitigation funds and the like shall remain with the office of
16 engineering of the Department of Transportation and Development.

17 B. The office of multimodal commerce shall be vested with the powers,
18 duties, responsibilities, budgetary authority, and department employees,
19 equipment, facilities, and funding necessary to carry out the functions conferred
20 upon it by the provisions of Paragraphs (A)(1) and (2) of this Section.

21 C.(1) The office of multimodal commerce shall be under the supervision
22 of a commissioner of multimodal commerce, who shall administer all
23 department functions and duties for which the office of multimodal commerce
24 is responsible. The commissioner shall be appointed by the governor, subject to
25 Senate confirmation, and shall serve at the pleasure of the governor.

26 (2) The commissioner shall have authority, in accordance with applicable
27 rules and regulations of the civil service commission, to employ, appoint,
28 transfer, assign, and promote such personnel as is necessary for the efficient
29 administration of the office of multimodal commerce.

1 **(3) The commissioner shall receive an annual salary fixed by the**
2 **governor, which salary shall not exceed the amount approved for such position**
3 **by the legislature while in session, and shall be allowed his actual and necessary**
4 **traveling expenses incurred in the discharge of his official duties.**

5 **D. The powers, duties, responsibilities, budgetary authority, employees,**
6 **equipment, facilities, and funding of the office of multimodal commerce shall**
7 **be allocated among the following divisions of such office:**

8 **(1) Commercial trucking.**

9 **(2) Ports and waterways.**

10 **(3) Aviation.**

11 **(4) Freight and passenger rail development.**

12 **E.(1) Except as provided in Paragraph (2) of this Subsection, the powers,**
13 **duties, responsibilities and corresponding department employees, equipment,**
14 **facilities, and funding of the Department of Transportation and Development**
15 **with respect to the function of administering, managing, providing for,**
16 **planning, and facilitating multimodal transportation, aviation, railroads, public**
17 **mass transit, public transportation, and water transportation systems, and**
18 **related statutory entities made a part of such department, shall be transferred**
19 **to the office of multimodal commerce of the Department of Commerce, effective**
20 **July 1, 2024.**

21 **(2)(a) In order to avoid duplication and extra expense to government,**
22 **and in order to efficiently use existing expertise:**

23 **(i) The transfer of function provided for in Paragraph (1) of this**
24 **Subsection shall not include those employees, equipment, and facilities of the**
25 **Department of Transportation and Development which are concerned with**
26 **engineering and construction of projects, permitting, or the funding necessary**
27 **for costs related to such employees, equipment, and facilities, as determined by**
28 **the division of administration. However, the Department of Transportation and**
29 **Development shall provide the services and expertise of such employees,**

1 equipment, and facilities upon the request of the office of multimodal commerce
2 of the Department of Commerce.

3 (ii) The initial level of funding for the employees, equipment, facilities,
4 and funding transferred pursuant to this Subsection shall not exceed an amount
5 equal to the percentage that such funding bears to the total funding of the
6 Department of Transportation and Development in the fiscal year prior to the
7 transfer.

8 (b) Any powers, duties, responsibilities and corresponding department
9 employees, equipment, facilities, and funding of the Department of
10 Transportation and Development with respect to federal programs on rail
11 safety and the administration of federal rail safety and hazard mitigation funds
12 and the like shall remain with the Department of Transportation and
13 Development.

14 §111. Multimodal Commerce Advisory Commission

15 A. The Multimodal Commerce Advisory Commission is hereby
16 established within the office of multimodal commerce. It shall be composed of
17 the following:

18 (1) The commissioner of multimodal commerce, who shall be chair of the
19 commission.

20 (2) The secretary of the Department of Commerce, or his designee.

21 (3) The secretary of the Department of Transportation and Development,
22 or his designee.

23 (4) The chairs of the Senate and House committees on transportation,
24 highways, and public works, or their designees.

25 (5) The chairs of the Senate Committee on Commerce, Consumer
26 Protection and International Affairs and the House Committee on Commerce,
27 or their designees.

28 (6) A representative of the Ports Association of Louisiana selected by its
29 board of directors.

1 (7) A representative of the Louisiana Association of Waterway Operators
2 and Shipyards selected by its board of directors.

3 (8) The president of the Louisiana Airport Managers and Associates, or
4 his designee.

5 (9) A representative of the Louisiana Motor Transport Association
6 selected by its board of directors.

7 (10) A representative of the Louisiana Railroad Association selected by
8 its board of directors.

9 (11) The chairman of the Louisiana Board of International Commerce,
10 or his designee.

11 (12) The chairman of the board of the Offshore Marine Service
12 Association, or his designee.

13 (13) A Louisiana representative of the Southern Rail Commission
14 appointed by the governor.

15 (14) A representative at-large selected by the president of the Senate.

16 (15) A representative at-large selected by the speaker of the House of
17 Representatives.

18 B. The Multimodal Commerce Advisory Commission serve in an
19 advisory capacity to the commissioner.

20 C. A majority of the members of the commission shall constitute a
21 quorum for the purpose of taking any action, and actions of the commission
22 may be taken by an affirmative vote of the members of the commission present.

23 D. Members of the commission shall serve without compensation, except
24 per diem or expenses reimbursement to which they may be individually entitled
25 as members of the constituent organizations.

26 * * *

27 §501. Department of Transportation and Development; creation; domicile;
28 composition; purposes and functions

29 * * *

1 C.(1) The Department of Transportation and Development shall be composed
 2 of the executive office of the secretary, the office of management and finance, the
 3 office of engineering, the office of planning, the office of operations, ~~the office of~~
 4 ~~multimodal commerce~~, and such other offices as shall be created by law.

5 * * *

6 §502. Officers of the department; compensation for one office only

7 A.(1) The officers of the department shall be the secretary, undersecretary,
 8 deputy secretary, chief engineer, assistant secretary of planning, ~~commissioner of~~
 9 ~~multimodal commerce~~, and assistant secretary of operations, each of whom shall be
 10 selected and shall perform functions as provided in this Title.

11 (2) The secretary, undersecretary, deputy secretary, assistant secretary of
 12 planning, assistant secretary of operations, executive director of the Offshore
 13 Terminal Authority, ~~commissioner of multimodal commerce~~, and such other
 14 positions which may be authorized by the State Civil Service Commission or the
 15 state constitution shall be the only unclassified positions in the Department of
 16 Transportation and Development. All other positions in the department shall be in
 17 the classified state service. The secretary shall fill such positions as in his opinion
 18 and judgment are necessary to the operation of the department in accordance with
 19 applicable rules and regulations of the State Civil Service Commission and
 20 applicable law.

21 B. No person serving as a secretary, undersecretary, deputy secretary, chief
 22 engineer, assistant secretary of planning, assistant secretary of operations,
 23 ~~commissioner of multimodal commerce~~, or in any other office in the department
 24 shall receive any additional salary from the state other than that salary which he
 25 receives by virtue of serving in any one of such offices. Any statewide elected
 26 official appointed to serve as a secretary or deputy secretary shall not receive any
 27 additional salary from the state other than that salary which he receives as a
 28 statewide elected official.

29 * * *

1 §957. Effective date of certain transfers and abolitions; continued merger and
2 consolidation within departments

3 A. The transfer or abolition of each agency transferred or abolished by this
4 Title, which agency or the functions thereof are transferred to one of the following
5 departments, shall be effective upon the effective date of this Part: the Department
6 of State Civil Service, the Department of ~~Economic Development~~ **Commerce**, the
7 Department of Culture, Recreation and Tourism, the Louisiana Workforce
8 Commission, the Department of Natural Resources, the Department of Public Safety
9 and Corrections, the Department of Revenue, the Department of Transportation and
10 Development, and the Department of Wildlife and Fisheries.

11 Section 3. R.S. 51:3136(A)(9) is hereby amended and reenacted to read as follows:

12 §3136. Membership of board

13 A. The board shall consist of the following members:

14 * * *

15 (9) The commissioner of the office of multimodal commerce in the
16 Department of ~~Transportation and Development~~ **Commerce** or his designee.

17 * * *

18 Section 4. R.S. 36:108(B)(4), 508.3, 508.4, and 509(A)(3) are hereby repealed.

19 Section 5. The Louisiana State Law Institute is directed to change all references
20 necessary to reflect the renaming of the "Department of Economic Development" to the
21 "Department of Commerce" and the "secretary of economic development" to the "secretary
22 of commerce" throughout the Louisiana Revised Statutes of 1950, as provided by Section
23 1 of this Act.

24 Section 6. This Act shall become effective on July 1, 2024.

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

SB 214 Original DIGEST 2023 Regular Session McMath

Present law provides for a Waterway Dredging and Deepening Priority Program (WDDPP) within the office of multimodal commerce (OMC) in the Dept. of Transportation and Development (DOTD).

Proposed law moves the WDDPP to the Dept. of Commerce (DC).

Present law provides for legislative oversight for the WDDPP to be performed by the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways and Public Works functioning as a joint legislative committee.

Proposed law provides for legislative oversight for the WDDPP to be performed by the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection and International Affairs functioning as a joint legislative committee.

Present law provides for implementation of projects as part of the WDDPP with funds appropriated for funding obligation authority, or pursuant to the cash management program as provided by present law.

Proposed law requires OMC to adopt rules for implementation of projects as part of the WDDPP pursuant to the APA to implement provisions of proposed law.

Present law provides for the structure of state government and creates a Dept. of Economic Development (DED).

Proposed law renames the Dept. of Economic Development as the Department of Commerce.

Present law provides for the OMC as an office within DOTD.

Proposed law moves the OMC to DC.

Present law provides for an office of business development within the DED.

Proposed law renames the office of business development as the office of economic development within the DC.

Present law provides for the OMC to administer the planning and programming functions of the DC related to strategic and intermodal issues, aviation, commercial trucking, intercity public mass transit, railroad expansion and development, port and water transportation systems, and related matters, and any other special programs as may be directed by the governor.

Proposed law retains present law.

Present law provides for a commissioner of OMC, who shall be appointed by the governor, subject to Senate confirmation, and serve at the pleasure of the governor.

Proposed law retains present law.

Present law requires that the powers, duties, responsibilities, budgetary authority, employees, equipment, facilities, and funding of the office of multimodal commerce shall be allocated among the following divisions of such office:

- (1) Commercial trucking.
- (2) Ports and waterways.
- (3) Aviation.
- (4) Freight and passenger rail development.

Proposed law retains present law.

Proposed law requires that, except as provided in proposed law, the powers, duties, responsibilities and corresponding department employees, equipment, facilities, and funding of the DOTD with respect to the function of administering, managing, providing for, planning, and facilitating multimodal transportation, aviation, railroads, public mass transit, public transportation, and water transportation systems, and related statutory entities made a part of such department, be transferred to the OMC of the DC, on July 1, 2024.

Proposed law requires any powers, duties, responsibilities and corresponding department employees, equipment, facilities, and funding of the DOTD with respect to federal programs on rail safety and the administration of federal rail safety and hazard mitigation funds and the like remain with the DOTD.

Present law creates a Multimodal Commerce Advisory Commission to advise the commissioner.

Proposed law retains present law.

Proposed law directs the La. State Law Institute to change all references necessary to reflect the renaming of the "Department of Economic Development" to the "Department of Commerce" and the "secretary of economic development" to the "secretary of commerce" throughout the Louisiana Revised Statutes of 1950.

Effective July 1, 2024.

(Amends R.S. 34:3471(1), (3) and (4), and 3475(A), R.S. 36:4(A)(2), 4.1(section heading), 8.1(C)(3), 101(A), (B), and (C)(1), 103, 104(A)(14), (B)(1)(a)(intro para) and (b) and (9), 104.1(A)(intro para) and (B)(4), 106(A) and (B), 107, 108(A) and (B), 109, 501(C)(1), 502(A) and (B), 957, and R.S. 51:3136(A)(9); adds R.S. 34:3475(C) and R.S. 36:110 and 111; repeals R.S. 36:108(B)(4), 508.3, 508.4, and 509(A)(3))