

---

The original instrument was prepared by Alan Miller. The following digest, which does not constitute a part of the legislative instrument, was prepared by Xavier Alexander.

---

DIGEST

SB 214 Engrossed

2023 Regular Session

McMath

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 (department).

Present law provides for the office of multimodal commerce (office) as an office within the Department of Transportation and Development (DOTD).

Proposed law moves the office to the department.

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 department.

Present law provides for the office to administer the planning and programming functions of the department 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 the office, 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 provides for a Port Construction and Development Priority Program within the office in the DOTD.

Proposed law moves the Port Construction and Development Priority Program to the department.

Present law provides for legislative oversight for the Port Construction and Development Priority Program 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 Port Construction and Development Priority Program to be performed by the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection and International Affairs meeting jointly.

Present law provides for a Waterway Dredging and Deepening Priority Program (WDDPP) within the office within DOTD.

Proposed law moves the WDDPP to the department.

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 Port Construction and Development Priority Program with funds appropriated for funding obligation authority, or pursuant to the cash management program as provided by present law.

Proposed law provides for implementation of projects as part of the Port Construction and Development Priority Program with funds appropriated.

Proposed law requires the department to adopt rules for implementation of projects as part of the Port Construction and Development Priority Program pursuant to the APA to implement provisions of proposed law.

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 the office to adopt rules for implementation of projects as part of the WDDPP pursuant to the APA to implement provisions of proposed 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 office of the department, 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. 34:3451(2) and (3), 3455(A), 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) (intro para), 109, 501(C)(1), 502(A) and (B), 957, and R.S. 51:3136(A)(9); adds R.S. 34:3455(C) and 3475(C) and R.S. 36:110 and 111; repeals R.S. 36:108(B)(4), 508.3, 508.4, and 509(A)(3))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Moves the Port Construction and Development Priority Program to the Dept. of Commerce.
2. Provides that the approved list of projects of the Port Construction and Development Priority Program shall be implemented with appropriated funds only.
3. Make technical changes.