

Regular Session, 2014

SENATE BILL NO. 239

BY SENATOR WALSWORTH

SUNSET LAW. Re-creates the Department of Environmental Quality. (6/30/14)

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AN ACT

To enact R.S. 49:191(7)(a) and to repeal R.S. 49:191(5)(h), relative to the Department of Environmental Quality, including provisions to provide for the re-creation of the Department of Environmental Quality and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Pursuant to R.S. 49:193, the Department of Environmental Quality and the statutory entities made a part of the department by law shall be re-created effective June 30, 2014, and all statutory authority therefor is continued in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 2. All statutory authority for the existence of the Department of Environmental Quality and the statutory entities made a part of the department as re-created by Section 1 of this Act shall cease as of July 1, 2019, pursuant to R.S. 49:191. However, the Department of Environmental Quality may be re-created prior to such date in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of

1 1950.

2 Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that
3 those provisions are in conflict with the provisions of this Act.

4 Section 4. R.S. 49:191(7)(a) 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 **(7) July 1, 2018:**

14 **(a) The Department of Environmental Quality and all statutory entities**
15 **made a part of the department by law.**

16 Section 5. R.S. 49:191(5)(h) is hereby repealed.

17 Section 6. This Act shall become effective on June 30, 2014; if vetoed by the
18 governor and subsequently approved by the legislature, this Act shall become effective on
19 June 30, 2014, 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 Heyward Jeffers.

DIGEST

Walsworth (SB 239)

Present law (Sunset law) provides that the Dept. of Environmental Quality and all the statutory entities made a part of that department by law shall begin to terminate their operations on July 30, 2014, and that all legislative authority for such entities shall cease as of July 1, 2015, unless the legislature enacts a bill authorizing the re-creation of the department and its statutory entities prior thereto.

Proposed law provides for the general re-creation of the Dept. of Environmental Quality and its statutory entities, effective June 30, 2014, for a four-year period.

Effective June 30, 2014.

(Adds R.S. 49:191(7)(a); repeals R.S. 49:191(5)(h))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Environmental Quality
to the engrossed bill

1. Changes the re-creation period from two years to four years.