

2016 Regular Session

SENATE BILL NO. 148

BY SENATOR GATTI

STATE AGENCIES. Abolishes boards and commissions, authorities, districts, and like entities that are inactive. (8/1/16)

1 AN ACT

2 To amend and reenact R.S. 15:1110(B) and (C) and R.S. 48:1604(A)(2) and (C), and to
3 repeal R.S. 15:1110(D), Subpart B-1 of Part I of Chapter 1 of Title 17 of the
4 Louisiana Revised Statutes of 1950, comprised of R.S. 17:31 through 33, R.S.
5 25:941, Chapter 27 of Title 25 of the Louisiana Revised Statutes of 1950, comprised
6 of R.S. 25:1231 through 1237, Chapter 27-A of Title 25 of the Louisiana Revised
7 Statutes of 1950, comprised of R.S. 25:1238.1 through 1238.7, Subpart E of Part I
8 of Chapter 6, comprised of R.S. 33:2740.46 and Chapter 27-D of Title 33 of the
9 Louisiana Revised Statutes of 1950, comprised of R.S. 33:9039.51 through 9039.56,
10 Chapter 16 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S.
11 34:1851 through 1857, R.S. 36:209(Q) and (U), R.S. 40:2191, and Chapter 21 of
12 Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1811.1
13 through 1811.6, relative to boards, commissions, authorities, districts, and like
14 entities; to provide relative to the functional organization of state government by
15 abolishing certain boards, commissions, councils, authorities, districts, and like
16 entities; to remove references to certain abolished entities; to remove references to,
17 provisions for, and the powers, functions, and duties of the Task Force on Juvenile

1 Detention Standards and Licensing, the River Parishes Transit Authority, the State
 2 Advisory Commission on Teacher Education and Certification, Louisiana Historic
 3 Cemetery Trust Advisory Board, Alexandria Central Economic Development
 4 District, Concordia Parish Port Commission, Advisory Committee on Hospice Care,
 5 Northeast Louisiana Film Commission, Louisiana Bicentennial Commission, Battle
 6 of New Orleans Bicentennial Commission, and Interstate 10-12 Corridor District and
 7 Commission; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The legislature finds that abolishing, transferring, and consolidating
 10 certain boards, commissions, and other statutorily-created entities is in the public interest
 11 when such entities no longer serve a public purpose. Pursuant to the recommendations
 12 contained in the report from the Louisiana Legislative Auditor, titled "Boards, Commissions,
 13 and Like Entities, State of Louisiana, Annual Report to the Legislature, Fiscal Year Ended
 14 June 30, 2015, Issued April 6, 2016." It is the intent of the legislature to abolish transfer, and
 15 consolidate boards, commissions, and other statutorily-created entities as provided in this
 16 Act.

17 **Task Force on Juvenile Detention Standards and Licensing**

18 Section 2.(A) R.S. 15:1110(B) and (C) are hereby amended and reenacted to read as
 19 follows:

20 §1110. Detention standards; licensing; fees

21 * * *

22 B. On or before July 1, 2011, the Louisiana Juvenile Detention Association
 23 shall develop and recommend uniform standards for local juvenile detention
 24 facilities that comport with nationally recognized and accepted best practice
 25 standards for juvenile detention facilities. ~~In developing these standards, the~~
 26 ~~Louisiana Juvenile Detention Association shall seek input and guidance from the~~
 27 ~~Task Force on Juvenile Detention Standards and Licensing provided for in~~
 28 ~~Subsection D of this Section.~~

29 C. On or before January 1, 2012, the Department of Children and Family

1 Services shall develop and promulgate, in accordance with the provisions of the
 2 Administrative Procedure Act, rules governing the licensing of juvenile detention
 3 facilities consistent with the standards recommended by the Louisiana Juvenile
 4 Detention Association. ~~In developing these rules, the department shall seek input and
 5 guidance from the Task Force on Juvenile Detention Standards and Licensing
 6 provided for in Subsection D of this Section.~~

7 * * *

8 (B) R.S. 15:1110(D) is hereby repealed in its entirety.

9 **River Parishes Transit Authority**

10 Section 3. R.S. 48:1604(A)(2) and (C) are hereby amended and reenacted to read as
 11 follows:

12 §1604. Board of commissioners; membership, terms, vacancies

13 A.(1) * * *

14 (2) Each commissioner must be domiciled within the parish from which he
 15 is appointed, except for the one at-large member ~~appointed by the governor and the
 16 one at-large member~~ representing the workforce development board, who must be
 17 domiciled within the state.

18 * * *

19 C. All initial terms shall begin September 15, 1999. After the initial terms
 20 have expired, appointments shall be concurrent with the terms of the appointing
 21 authority, except that a vacancy shall be filled for the unexpired portion of the term
 22 by the authority which made the original appointment. ~~The at-large member
 23 appointed by the governor shall serve at his pleasure.~~ A member of the authority may
 24 be appointed by the appropriate authority to succeed himself.

25 * * *

26 **State Advisory Commission on Teacher Education and Certification**

27 Section 4. Subpart B-1 of Part I of Chapter 1 of Title 17 of the Louisiana Revised
 28 Statutes of 1950, comprised of R.S. 17:31 through 33, is hereby repealed in its entirety.

29 **Louisiana Historic Cemetery Trust Advisory Board**

1 Section 5. R.S. 25:941 is hereby repealed in its entirety.

2 **Northeast Louisiana Film Commission**

3 Section 6. Chapter 27-D of Title 33 of the Louisiana Revised Statutes of 1950,
4 comprised of R.S. 33:9039.51 through 9039.56, is hereby repealed in its entirety.

5 **Alexandria Central Economic Development District**

6 Section 7. Subpart E of Part I of Chapter 6 of Title 33 of the Louisiana Revised
7 Statutes of 1950, comprised of R.S. 33:2740.46 is hereby repealed in its entirety.

8 **Concordia Parish Port Commission**

9 Section 8. Chapter 16 of Title 34 of the Louisiana Revised Statutes of 1950,
10 comprised of R.S. 34:1851 through 1857, is hereby repealed in its entirety.

11 **Advisory Committee on Hospice Care**

12 Section 9. R.S. 40:2191 is hereby repealed in its entirety.

13 **Interstate 10-12 Corridor District and Commission**

14 Section 10. Chapter 21 of Title 48 of the Louisiana Revised Statutes of 1950,
15 comprised of R.S. 48:1811.1 through 1811.6, is hereby repealed in its entirety.

16 **Louisiana Bicentennial Commission**

17 Section 11. Chapter 27 of Title 25 of the Louisiana Revised Statutes of 1950,
18 comprised of R.S. 25:1231 through 1237, is hereby repealed in its entirety.

19 Section 12. R.S. 36:209(Q) is hereby repealed in its entirety.

20 **Battle of New Orleans Bicentennial Commission**

21 Section 13. Chapter 27-A of Title 25 of the Louisiana Revised Statutes of 1950,
22 comprised of R.S. 25:1238.1 through 1238.7, is hereby repealed in its entirety.

23 Section 14. R.S. 36:209(U) is hereby repealed in its entirety.

24 Section 15. The property and funds, if any, of the entities abolished by this Act
25 whose functions are not transferred to another entity or official shall be the property of the
26 state and the state treasurer shall provide for the deposit of such funds in the state treasury
27 to the credit of the state general fund, after deposit in the Bond Security and Redemption
28 Fund as otherwise provided by law.

The original instrument was prepared by J. Ashley Mitchell Carter. The following digest, which does not constitute a part of the legislative instrument, was prepared by Linda Nugent.

DIGEST

Proposed law provides for the abolition of certain boards, commissions, authorities, and like entities; in some cases also abolishes the functions and responsibilities of the entity; in other cases provides that some other person or entity is responsible for the functions and responsibilities of the abolished entity, all as follows:

Task Force on Juvenile Detention Standards and Licensing: Present law provides that the Louisiana Juvenile Detention Association shall develop and recommend uniform standards for local juvenile detention facilities that comport with nationally recognized and accepted best practice standards for juvenile detention facilities and they shall seek input and guidance from the Task Force on Juvenile Detention Standards and Licensing. It also determines the composition of the Task Force. Proposed law abolishes the task force and its members.

State Advisory Commission on Teacher Education and Certification: Present law determines the composition of the commission, where the commission will be domiciled; the compensation of the members, and the powers and duties. Proposed law abolishes the commission.

The Louisiana Historic Cemetery Trust Advisory Board: Present law creates the board, states that they shall meet two times per year, and determines its composition. Proposed law abolishes the board.

Alexandria Central Economic Development District: Present law creates the district and provides for its governance, activities, and revenues. Proposed law abolishes the district.

Concordia Parish Port Commission: Present law determines the composition of the commission, named the leadership positions of the commission, states the rights and powers of the commission, and renders authority to the commission to issue bonds. Proposed law abolishes the commission.

Advisory Committee on Hospice Care: Present law determines the composition of the committee, establishes the terms of the members, and leadership positions. Proposed law abolishes the committee.

The Interstate 10-12 Corridor District and Commission: Present law determines the composition of the commission, the territorial jurisdiction and the purpose which is to facilitate and promote economic development in terms of the creation of jobs and business expansion and the improvement of quality of life for the communities located in or near the district. Proposed law abolishes the commission.

Louisiana Bicentennial Commission: Present law determines the composition of the commission and the purpose for which it was established. Proposed law abolishes the commission.

Battle of New Orleans Bicentennial Commission: Present law determines the composition of the commission and the purpose for which it was established. Proposed law abolishes the commission.

Northeast Louisiana Film Commission: Present law determines the composition of the commission and the purpose for which it was established. Proposed law abolishes the commission.

River Parishes Transit Authority: Present law provides that each commissioner has to be domiciled in the parish that he is appointed to represent with the exception of the at-large member who is appointed by the governor and the at-large member who represents the workforce board. Proposed law removes the designation of the governor's appointment of the at-large member.

Effective August 1, 2016.

(Amends R.S. 15:1110(B) and (C) and R.S. 48:1604(A)(2) and (C); repeals R.S. 15:1110(D), R.S. 17:31-33, R.S. 25:941, 1231-1237 and 1238.1-1238.7, R.S. 33:2740.46 and 9039.51-56, R.S. 34:1851-1857, R.S. 36:209(Q) and (U), R.S. 40:2191, and R.S. 48:1811.2-1811.6)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the engrossed bill

1. Amends the River Parishes Transit Authority.
2. Repeals the Louisiana Bicentennial Commission.
3. Repeals the Battle of New Orleans Bicentennial Commission.
4. Repeals the Northeast Louisiana Film Commission.

Senate Floor Amendments to engrossed bill

1. Removes Board of Morgan City, Berwick Port Pilot Commissioners and Examiners from the bill.
2. Repeals the Alexandria Central Economic Development District.
3. Technical amendments.