

2021 Regular Session

HOUSE BILL NO. 260

BY REPRESENTATIVE GREGORY MILLER

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

LEGISLATION: Provides for technical corrections and revision of provisions of Title 36 of the Louisiana Revised Statutes

1 AN ACT

2 To amend and reenact R.S. 3:732(A) and 2054(A), R.S. 17:2048.61(B), R.S. 23:1294(A)(1),

3 R.S. 25:379(A), 379.2(B)(4), 380(A), 380.2(B)(4), 380.21(A), 380.23(B)(6),

4 380.51(A), 380.53(B)(6), 380.81(A), 380.83(B)(6), 380.91(A), 380.93(B)(6),

5 380.151(A), 380.153(B)(6), R.S. 36:4.1(C), (D), and (E), 109, 209, 309, 509, 629,

6 651, 686, 744, 801(introductory paragraph), 801.1(A), 802(introductory paragraph),

7 803(A)(1), 851(A), 901(A), and 921(A), R.S. 42:808(A)(6), R.S. 51:1253(3), and

8 Section 3 of Act No. 180 of the 2020 Regular Session of the Legislature, to enact

9 R.S. 36:4.1(B), and to repeal R.S. 36:4.1(F) and (G), 801.2, 801.5, 801.6, 801.7,

10 801.9, 801.12, 801.15, 801.16, 801.22, 802.1, 802.2, 802.3, 802.6, 802.7, 802.10,

11 802.12, 802.16, 802.19, 802.21, 851.1, 908, 909, 910, 911, 912, 913, 919.1, 919.6,

12 and 919.9, relative to providing corrections for Title 36 of the Louisiana Revised

13 Statutes of 1950; to provide for technical corrections; to provide for re-organization

14 of the structure of Title 36; and to provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 3:732(A) and 2054(A) are hereby amended and reenacted to read as
17 follows:

18 §732. Livestock Brand Commission

19 A. The Livestock Brand Commission is hereby created within the
20 Department of Agriculture and Forestry. Notwithstanding any provision of this Part

1 or of any other law to the contrary, the commission shall exercise and perform its
2 powers, duties, functions, and responsibilities as provided by ~~R.S. 36:629(D)(1)~~ R.S.
3 36:629(C). The commission shall be domiciled in Baton Rouge.

4 * * *

5 §2054. Creation and organization

6 A. The Louisiana Beef Industry Council is hereby created and shall be within
7 the Department of Agriculture and Forestry as provided for agencies transferred to
8 the department by ~~R.S. 36:629(E)~~ R.S. 36:629(D).

9 * * *

10 Section 2. R.S. 17:2048.61(B) is hereby amended and reenacted to read as follows:

11 §2048.61. Simulation Medical Training and Education Council for Louisiana;
12 creation; membership

13 * * *

14 B. There is hereby created in the Department of Education, under the
15 jurisdiction of the Board of Regents, the Simulation Medical Training and Education
16 Council for Louisiana, hereafter referred to as "council". The council shall be placed
17 under the Louisiana Health Works Commission and shall exercise and perform its
18 powers, duties, functions, and responsibilities in the manner provided for agencies
19 transferred in accordance with the provisions of ~~R.S. 36:801.5~~ R.S. 36:651(L).

20 * * *

21 Section 3. R.S. 23:1294(A)(1) is hereby amended and reenacted to read as follows:

22 §1294. Workers' Compensation Advisory Council

23 A.(1) The Workers' Compensation Advisory Council is hereby created
24 within the Louisiana Workforce Commission pursuant to ~~R.S. 36:309(C)(4)~~ R.S.
25 36:309(B).

26 * * *

27 Section 4. R.S. 25:379(A), 379.2(B)(4), 380(A), 380.2(B)(4), 380.21(A),
28 380.23(B)(6), 380.51(A), 380.53(B)(6), 380.81(A), 380.83(B)(6), 380.91(A), 380.93(B)(6),
29 380.151(A), and 380.153(B)(6) are hereby amended and reenacted to read as follows:

1 §379. Establishment and location; purpose and use

2 A. The facility known prior to June 6, 1991, as the Louisiana State Museum-
3 Shreveport is hereby renamed the Louisiana State Exhibit Museum. The Louisiana
4 State Exhibit Museum is established as a facility in the city of Shreveport under the
5 overall jurisdiction of the Department of State, as more specifically provided in this
6 Chapter and in ~~R.S. 36:801.6~~ R.S. 36:744(F).

7 * * *

8 §379.2. Duties and powers of the board

9 * * *

10 B. The board shall:

11 * * *

12 (4) Advise the secretary of state on all matters relating to the operations of
13 the Louisiana State Exhibit Museum and shall have such other functions as are
14 otherwise provided in this Chapter and ~~R.S. 36:801.6~~ R.S. 36:744(F).

15 * * *

16 §380. Establishment and location; purpose and use

17 A. The Louisiana State Cotton Museum is established as a facility in the
18 parish of East Carroll under the overall jurisdiction of the Department of State, as
19 more specifically provided in this Chapter and in ~~R.S. 36:801.7~~ R.S. 36:744(F).

20 * * *

21 §380.2. Duties and powers of the board

22 * * *

23 B. The board shall:

24 * * *

25 (4) Advise the secretary of state on all matters relating to the operations of
26 the Louisiana State Cotton Museum and shall have such other functions as are
27 otherwise provided in this Chapter and ~~R.S. 36:801.7~~ R.S. 36:744(F).

28 * * *

1 §380.21. Establishment and location; purpose and use

2 A. The Louisiana State Oil and Gas Museum is established as a facility in
3 the parish of Caddo under the overall jurisdiction of the Department of State as more
4 specifically provided in this Chapter and in ~~R.S. 36:801.9~~ R.S. 36:744(F)

5 * * *

6 §380.23. Duties and powers of the board

7 * * *

8 B. The board shall:

9 * * *

10 (6) Perform such other functions as are otherwise provided in this Chapter
11 and ~~R.S. 36:801.9~~ R.S. 36:744(F).

12 * * *

13 §380.51. Establishment and location; purpose and use

14 A. The Louisiana Delta Music Museum is established as a facility in the
15 town of Ferriday, parish of Concordia, under the overall jurisdiction of the
16 Department of State as more specifically provided in this Chapter and in ~~R.S.~~
17 ~~36:801.12~~ R.S. 36:744(F).

18 * * *

19 §380.53. Duties and powers of the board

20 * * *

21 B. The board shall:

22 * * *

23 (6) Perform such other functions as are otherwise provided by this Chapter
24 and ~~R.S. 36:801.12~~ R.S. 36:744(F).

25 * * *

26 §380.81. Establishment and location; purpose and use

27 A. The Tioga Heritage Park and Museum, referred to in this Chapter as the
28 "museum", is established as a facility in the parish of Rapides under the overall

1 jurisdiction of the Department of State as more specifically provided in this Chapter
2 and in ~~R.S. 36:801.15~~ R.S. 36:744(F).

3 * * *

4 §380.83. Duties and powers of the board

5 * * *

6 B. The board shall:

7 * * *

8 (6) Perform such other functions as are otherwise provided by this Chapter
9 and ~~R.S. 36:801.15~~ R.S. 36:744(F).

10 * * *

11 §380.91. Establishment and location; purpose and use

12 A. The Mansfield Female College Museum is established as a facility in the
13 town of Mansfield, parish of DeSoto, under the overall jurisdiction of the
14 Department of State as more specifically provided in this Chapter and in ~~R.S.~~
15 ~~36:801.16~~ R.S. 36:744(F).

16 * * *

17 §380.93. Duties and powers of the board

18 * * *

19 B. The board shall:

20 * * *

21 (6) Perform such other functions as are otherwise provided by this Chapter
22 and ~~R.S. 36:801.16~~ R.S. 36:744(F).

23 * * *

24 §380.151. Establishment and location; purpose and use

25 A. The Germantown Colony Museum is established as a facility in the parish
26 of Webster, under the overall jurisdiction of the Department of State as more
27 specifically provided in this Chapter and in ~~R.S. 36:801.22~~ R.S. 36:744(F).

28 * * *

1 §380.153. Duties and powers of the board

2 * * *

3 B. The board shall:

4 * * *

5 (6) Perform such other functions as are otherwise provided by this Chapter
6 and ~~R.S. 36:801.22~~ R.S. 36:744(F).

7 * * *

8 Section 5. R.S.36:4.1(C), (D), and (E), 109, 209, 309, 509, 629, 651, 686, 744,
9 801(introductory paragraph), 801.1(A), 802(introductory paragraph), 803(A)(1), 851(A),
10 901(A), and 921(A) are hereby amended and reenacted and R.S. 36:4.1(B) is hereby enacted
11 to read as follows:

12 §4.1. Agencies transferred from the Department of Economic Development to the
13 office of the governor; agencies placed within the office of the governor

14 * * *

15 ~~€.~~ B. The following agencies are hereby placed within the office of the
16 governor and shall perform and exercise their powers, duties, functions, and
17 responsibilities as provided in R.S. 36:801.1:

18 (1) The Office of Financial Institutions (R.S. 6:101 et seq.) ~~is hereby placed~~
19 ~~within the office of the governor and shall perform and exercise its powers, duties,~~
20 ~~functions, and responsibilities as provided in R.S. 36:801.1.~~ (2) The Office of
21 Financial Institutions shall be a separate budget unit within the office of the
22 governor.

23 (2) The Louisiana State Racing Commission (R.S. 4:141 et seq.).

24 ~~Ɖ.~~ C. The following agencies, ~~as defined in R.S. 36:3,~~ are hereby transferred
25 to and shall be placed within the office of the governor and shall perform and
26 exercise their powers, duties, functions, and responsibilities as provided in R.S.
27 36:803:

28 (1) The Louisiana Cemetery Board (R.S. 8:61 through 78).

1 (2) State Board of Certified Public Accountants of Louisiana (R.S. 37:71 et
2 seq.).

3 (3) State Board of Architectural Examiners (R.S. 37:141 et seq.).

4 (4) Louisiana Real Estate Commission (R.S. 37:1430 et seq.).

5 (5) Louisiana State Board of Home Inspectors (R.S. 37:1471 et seq.).

6 (6) State Licensing Board for Contractors (R.S. 37:2150 et seq.).

7 ~~(8)~~ (7) Board of Examiners of Certified Shorthand Reporters (R.S. 37:2551
8 et seq.).

9 ~~(9)~~ (8) Louisiana Auctioneers Licensing Board (R.S. 37:3101 et seq.).

10 ~~(10)~~ (9) State Board of Examiners of Interior Designers (R.S. 37:3171 et
11 seq.).

12 ~~(11)~~ (10) Louisiana Real Estate Appraisers Board (R.S. 37:3391 et seq.).

13 ~~(12)~~ (11) The State Boxing and Wrestling Commission (R.S. 4:61 et seq.).

14 ~~(13)~~ (12) Louisiana Motor Vehicle Commission (R.S. 32:1251 et seq.).

15 ~~(14)~~ (13) Louisiana Used Motor Vehicle Commission (R.S. 32:781 et seq.).

16 ~~(15)~~ (14) Louisiana State Polygraph Board (R.S. 37:2831 et seq.),
17 notwithstanding the provisions of Chapter 36-A of Title 37 to the contrary.

18 ~~(16)~~ (15) The Louisiana State Board of Cosmetology (R.S. 37:561 et seq.).

19 E. D. The Department of Occupational Standards (R.S. 37:1-15) is hereby
20 abolished and its powers, duties, functions, and responsibilities are transferred to the
21 governor, through the commissioner of administration, in the office of the governor
22 and hereafter shall be exercised and performed as provided in ~~Part IV of Chapter 22~~
23 ~~of this Title~~ R.S. 36:921 et seq.

24 F. E. Not later than the first day of January in each year, each entity
25 transferred or placed in the office of the governor pursuant to this Section shall
26 submit a copy of its proposed budget for the ensuing fiscal year to each chairman of
27 the House Committee on Commerce and the Senate Committee on Commerce,
28 Consumer Protection, and International Affairs, pursuant to R.S. 39:1335.

29 * * *

1 §109. Transfer of boards, commissions, departments, and agencies to Department
2 of Economic Development

3 ~~B. The following agencies are transferred to the Department of Economic~~
4 ~~Development and shall exercise their powers, duties, functions, and responsibilities~~
5 ~~in the manner provided in R.S. 36:801:~~

6 F. A. The Board of Commerce and Industry (Article XIV, Section 14(b.2)
7 of the 1921 Louisiana Constitution made statutory by Article XIV, Section 16(A)(10)
8 of the 1974 Louisiana Constitution; R.S. 51:921-946; R.S. 47:3201-3206) is
9 transferred to and hereafter shall be within the Department of Economic
10 Development, ~~as provided in R.S. 36:908~~ in accordance with the provisions of R.S.
11 36:901, except that the Board of Commerce and Industry shall continue to exercise
12 those powers, duties, and functions with respect to the granting of tax exemptions for
13 new manufacturing establishments or extensions thereof which it is authorized by the
14 Constitution of Louisiana or by law to exercise.

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

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

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

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

22 ~~G. C. The following agencies, as defined by R.S. 36:3, are Department of~~
23 ~~Commerce and Industry (R.S. 51:921-938) is hereby abolished and their its powers,~~
24 ~~duties, functions, and responsibilities are transferred to the secretary of the~~
25 ~~Department of Economic Development and hereafter shall be exercised and~~
26 ~~performed as provided in Part IV of Chapter 22 of this Title: R.S. 36:921 et seq.~~

27 ~~(1) Department of Commerce and Industry (R.S. 51:921-51:938)~~

1 ~~J. The office of entertainment industry development (R.S. 51:938.1) is~~
2 ~~placed within the Department of Economic Development and shall exercise and~~
3 ~~perform its functions, duties, and responsibilities as provided by law.~~

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

9 ~~V. The office of international commerce and the Louisiana Board of~~
10 ~~International Commerce (R.S. 51:3131 et seq.) are placed within the Department of~~
11 ~~Economic Development and shall exercise and perform their functions, duties, and~~
12 ~~responsibilities as provided by law.~~

13 ~~W. The Louisiana Military Advisory Council (R.S. 29:61 et seq.) is placed~~
14 ~~within the Department of Economic Development and shall perform and exercise~~
15 ~~their powers, duties, functions, and responsibilities as provided by law.~~

16 * * *

17 §209. Transfer of boards, commissions, departments, and agencies to Department
18 of Culture, Recreation and Tourism

19 ~~B.(1) The following agencies, as defined by R.S. 36:3, are transferred to and~~
20 ~~hereafter shall be within the Department of Culture, Recreation and Tourism, as~~
21 ~~provided in Part II of Chapter 22 of this Title:~~

22 ~~(a) The Wedell-Williams Memorial Aviation Museum (R.S. 25:871 et seq.)~~

23 ~~(b) Confederate Memorial Hall (1921 Louisiana Constitution, Art. 18,~~
24 ~~Section 4, made statutory by 1974 Louisiana Constitution, Art. 14, Section 16)~~

25 ~~(c) Wildlife and Fisheries Museum in New Orleans~~

26 ~~(2) The Louisiana Cypress Sawmill Museum (R.S. 25:831 et seq.) is placed~~
27 ~~within the Department of Culture, Recreation and Tourism and shall exercise and~~
28 ~~perform its functions, duties, and responsibilities as provided in Part II of Chapter~~
29 ~~22 of this Title.~~

1 ~~(3) The Louisiana Civil Rights Museum (R.S. 25:841 et seq.) is placed~~
2 ~~within the Department of Culture, Recreation and Tourism and shall exercise and~~
3 ~~perform its functions, duties, and responsibilities as provided in Part II of Chapter~~
4 ~~22 of this Title.~~

5 ~~C. A. The following agencies, as defined in R.S. 36:3, are transferred to and~~
6 ~~hereafter shall be within the Department of Culture, Recreation and Tourism, as~~
7 ~~provided in Part III of Chapter 22 of this Title in accordance with the provisions of~~
8 ~~R.S. 36:901 et seq. except as otherwise provided by this Subsection:~~

9 (1) Louisiana Archaeological Survey and Antiquities Commission (R.S.
10 41:1601 et seq.).

11 (2) State Parks and Recreation Commission (R.S. 56:1681 et seq.).

12 ~~D. The State Board of Library Examiners (R.S. 25:222-25:223) is hereby~~
13 ~~transferred to and hereafter shall be within the Department of Culture, Recreation~~
14 ~~and Tourism, as provided in R.S. 36:803.~~

15 ~~E. (3) The Board of Directors of the Louisiana State Museum, previously the~~
16 ~~Board of Managers of the Louisiana State Museum (R.S. 25:341 et seq.) is~~
17 ~~transferred to and hereafter shall be within the Department of Culture, Recreation~~
18 ~~and Tourism as provided in R.S. 36:909. The board shall continue to exercise those~~
19 ~~powers, duties, and functions with respect to accessions, deaccessions, loans, and~~
20 ~~conservation of the buildings, collections, and exhibitions of the Louisiana State~~
21 ~~Museum which it is authorized by law to exercise, all in accordance with~~
22 ~~professional museum practices as established by the American Association of~~
23 ~~Museums, except as otherwise provided by law; and the members of the board shall~~
24 ~~continue to serve as trustees for the William Irby Trust.~~

25 ~~F. (4) The Board of Commissioners of the State Library of Louisiana (R.S.~~
26 ~~25:2 et seq.) is transferred to and hereafter shall be within the Department of Culture,~~
27 ~~Recreation and Tourism, as provided in R.S. 36:910. The board shall continue to~~
28 ~~select the state librarian in accordance with law.~~

1 G. ~~(5)~~ The Louisiana State Arts Council (R.S. 25:891 et seq.) ~~is transferred~~
2 ~~to and hereafter shall be within the Department of Culture, Recreation and Tourism,~~
3 ~~as provided in R.S. 36:911.~~ The council shall have authority to approve or
4 disapprove the awarding of grants pursuant to applications submitted to the
5 department for funding from funds made available from the National Endowment for
6 the Arts and such other funds as are made available to the council. The council shall
7 further have the authority necessary to administer the juried Louisiana native crafts
8 program, including the authority to appoint a crafts panel and to approve the use, and
9 disallow the continued use, of the logo assuring the quality of a Louisiana
10 craftperson's craft, as further provided in R.S. 25:897 through 900.

11 (6) The Louisiana National Register Review Committee (R.S. 25:901 et
12 seq.).

13 (7) The Louisiana Folklife Commission (R.S. 25:821 et seq.).

14 (8) The Louisiana Tourism Development Commission (R.S. 51:1251 et seq.
15 and R.S. 48:271). The commission shall continue to exercise those powers, duties,
16 and functions with respect to financial assistance to eligible tourist promotion
17 agencies; it shall nominate applicants for the position of assistant secretary of the
18 office of tourism for the governor's consideration for appointment; it shall review
19 and advise on the selection of promotions and advertising contracts; and it shall
20 make recommendations to and approve the annual plan for tourism marketing, all as
21 provided by law.

22 (9) The Louisiana Civil Rights Museum Advisory Board (R.S. 25:841 et
23 seq.). The board shall exercise and perform its powers, duties, functions, and
24 responsibilities in accordance with accepted standards of museum operations and
25 practices as established by the American Association of Museums.

26 H. B. The following agencies, ~~as defined by R.S. 36:3,~~ are hereby abolished
27 and their powers, duties, functions, and responsibilities are transferred to the
28 secretary of the Department of Culture, Recreation and Tourism and hereafter shall

1 be exercised and performed as provided in ~~Part IV of Chapter 22 of this Title~~ R.S.
2 36:921 et seq.:

3 (1) State Art, Historical and Cultural Preservation Agency (R.S. 25:801 et
4 seq.)

5 ~~(4) State Library of Louisiana (R.S. 25:1, 5-7, and 10-16)~~

6 ~~(5)~~ (2) Toledo Bend Forest Scenic Drive Commission (R.S. 48:1401 et seq.)

7 ~~(6)~~ (3) Louisiana Art Commission (R.S. 25:301 et seq.)

8 ~~(10)~~ (4) Louisiana Historical Preservation and Cultural Commission (R.S.
9 25:521 et seq.)

10 ~~(13)~~ (5) Orleans Parish Landmarks Commission (R.S. 25:381-382)

11 ~~J. The Louisiana National Register Review Committee (R.S. 25:901 et seq.)~~

12 ~~is placed within the Department of Culture, Recreation and Tourism and shall~~
13 ~~exercise and perform its powers, duties, functions, and responsibilities in the manner~~
14 ~~provided for agencies transferred in accordance with the provisions of Part III of~~
15 ~~Chapter 22 of this Title.~~

16 ~~K. C. The following agencies are hereby placed within the Department of~~
17 ~~Culture, Recreation and Tourism and shall exercise and perform their powers, duties,~~
18 ~~functions, and responsibilities in accordance with the provisions of R.S. 36:801.1:~~

19 (1) The Louisiana Naval War Memorial Commission (R.S. 25:1000 et seq.)
20 ~~is placed within the Department of Culture, Recreation and Tourism and shall~~
21 ~~exercise and perform its powers, duties, functions, and responsibilities in the manner~~
22 ~~provided for agencies transferred in accordance with the provisions of R.S. 36:801.1.~~

23 ~~L. The Louisiana Folklife Commission (R.S. 25:821 et seq.) is placed within~~
24 ~~the Department of Culture, Recreation and Tourism and shall perform and exercise~~
25 ~~its powers, duties, functions, and responsibilities in the manner provided for agencies~~
26 ~~transferred in accordance with the provisions of Part III of Chapter 22 of this Title.~~

27 ~~M.(1) The Atchafalaya Trace Commission, as more specifically provided in~~
28 ~~R.S. 25:1221 et seq., shall be placed within the Department of Culture, Recreation~~
29 ~~and Tourism as provided for agencies transferred in accordance with R.S. 36:802.3.~~

1 ~~N. (2) The Kenner Naval Museum Commission (R.S. 25:1005 et seq.) is~~
2 ~~placed within the Department of Culture, Recreation and Tourism and shall exercise~~
3 ~~and perform its powers, duties, functions, and responsibilities in the manner provided~~
4 ~~for agencies transferred in accordance with the provisions of R.S. 36:801.1.~~

5 ~~Ø. (3) The New Orleans City Park Improvement Association and its board~~
6 ~~of commissioners (Act No. 130 of 1896; Act No. 104 of 1934; Act No. 492 of 1958;~~
7 ~~Act No. 405 of 1962; Act No. 865 of 1982; Act No. 569 of 1989; Act No. 13 of 1998~~
8 ~~First Extraordinary Session; Act No. 395 of 2006) is transferred to the Department~~
9 ~~of Culture, Recreation and Tourism and shall exercise and perform its powers,~~
10 ~~duties, functions, and responsibilities as provided for agencies transferred in~~
11 ~~accordance with the provisions of R.S. 36:801.1.~~

12 ~~P. The Louisiana Tourism Development Commission (R.S. 51:1251 et seq.~~
13 ~~and R.S. 48:271) is hereby transferred to and shall hereafter be within the~~
14 ~~Department of Culture, Recreation and Tourism, as provided in R.S. 36:912.~~

15 ~~R. (4) The Council for the Development of French in Louisiana (R.S. 25:651~~
16 ~~et seq.) is placed within the Department of Culture, Recreation and Tourism and~~
17 ~~shall exercise and perform its powers, duties, functions, and responsibilities in the~~
18 ~~manner provided for agencies transferred in accordance with the provisions of R.S.~~
19 ~~36:801.1.~~

20 ~~V. The Edward Douglass White Historic Site (R.S. 25:380.10 et seq.) is~~
21 ~~placed within the office of the state museum of the Department of Culture,~~
22 ~~Recreation and Tourism as provided in R.S. 36:801.8 and R.S. 25:380.10 et seq.~~

23 ~~W. The following museums shall be placed within the office of the state~~
24 ~~museum of the Department of Culture, Recreation and Tourism and shall exercise~~
25 ~~their powers, duties, functions, and responsibilities as provided in R.S. 36:851.1:~~

26 ~~(1) The Natchitoches Parish Old Courthouse Museum (R.S.~~
27 ~~25:342(B)(3)(h)).~~

28 ~~(2) The Louisiana Political Museum and Hall of Fame (R.S. 25:342(B)(3)(c),~~
29 ~~352, and 380.141 et seq.).~~

1 §309. Transfer of agencies to Louisiana Workforce Commission

2 ~~B. A.~~ A. The following agencies, ~~as defined by R.S. 36:3,~~ are transferred to and
3 hereafter shall be within the Louisiana Workforce Commission, as provided in R.S.
4 36:802:

5 (1) Employment Security Board of Review (R.S. 23:1621 et seq. and
6 particularly R.S. 23:1652).

7 (2) Louisiana Worker's Compensation Second Injury Board (R.S. 23:1371
8 et seq.).

9 (3) The Louisiana Workforce Investment Council (R.S. 23:2041 et seq. and
10 2091 et seq.)

11 ~~C. B.~~ B. The following agencies, ~~as defined in R.S. 36:3,~~ are transferred to and
12 hereafter shall be within the Louisiana Workforce Commission, as provided in ~~Part~~
13 ~~III of Chapter 22 of this Title~~ R.S. 36:901 et seq.:

14 (1) Apprenticeship Council (R.S. 23:381 et seq.)

15 ~~(4) (2)~~ (2) Workers' Compensation Advisory Council (R.S. 23:1294).

16 ~~D. C.~~ C. The following agencies, ~~as defined in R.S. 36:3,~~ are transferred to and
17 hereafter shall be within the Louisiana Workforce Commission as provided in R.S.
18 36:803:

19 (1) Board of Barber Examiners (R.S. 37:341 et seq.)

20 (2) State Plumbing Board (R.S. 37:1361 et seq.)

21 ~~E. D.~~ D. The powers, duties, functions, and responsibilities relating to Louisiana
22 Rehabilitation Services (R.S. 23:3001 et seq.) are hereby transferred to the Louisiana
23 Workforce Commission to be exercised and performed by the executive director, in
24 accordance with provisions of ~~Part IV of Chapter 22 of this Title~~ R.S. 36:921 et seq.

25 F. E. The following agencies are transferred to and hereafter shall be within
26 the Louisiana Workforce Commission and shall perform and exercise their powers,
27 duties, functions, and responsibilities as provided by law:

1 (1) The worker's compensation medical advisory council (R.S. 23:1203.1)
2 ~~is placed within the Louisiana Workforce Commission and shall perform and~~
3 ~~exercise its powers, duties, functions, and responsibilities as provided by law.~~

4 ~~G.~~ (2) The Blind Vendors Trust Fund Advisory Board (R.S. 23:3044) ~~is~~
5 ~~placed within the Louisiana Workforce Commission and shall perform and exercise~~
6 ~~its powers, duties, functions, and responsibilities as provided by law.~~

7 * * *

8 §509. Transfer of agencies to Department of Transportation and Development

9 A. The following agencies are hereby transferred to the Department of
10 Transportation and Development and shall exercise and perform their powers, duties
11 functions, and responsibilities as provided by law:

12 ~~B.~~ (1) The Flood Control Project Evaluation Committee (R.S. 38:90.1 et
13 ~~seq.) is placed within the Department of Transportation and Development and shall~~
14 ~~exercise and perform its powers, duties, functions, and responsibilities as provided~~
15 ~~by law.~~

16 (2) The Offshore Terminal Authority (R.S. 34:3101 et seq.).

17 (3) The Coastal Port Advisory Authority (R.S. 34:3551 et seq.) shall be
18 placed within the office of multimodal planning, Department of Transportation and
19 Development.

20 ~~C.~~ B. The Louisiana Professional Engineering and Land Surveying Board
21 (R.S. 37:681 et seq.) is transferred to and hereafter shall be within the Department
22 of Transportation and Development, as provided in R.S. 36:803.

23 ~~F.~~ C. The following agencies, ~~as defined in R.S. 36:3,~~ are hereby abolished,
24 and their powers, duties, functions, and responsibilities are transferred to the
25 secretary of the Department of Transportation and Development and hereafter shall
26 be exercised and performed as provided in ~~Part IV of Chapter 22 of this Title~~ R.S.
27 36:921 et seq.:

28 (2) (1) The Department of Highways (Article VI, Sections 19, 19.2, 19.3,
29 19.4, 22(1), and 23 of 1921 Louisiana Constitution, made statutory by Article XIV,

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1 Section 16(A)(3) of 1974 Louisiana Constitution and such provisions of Title 48 of
2 the Louisiana Revised Statutes of 1950 as apply to the abolished department)

3 ~~(3)~~ (2) Department of Public Works (R.S. 38:1 and such provisions of Title
4 38 of the Louisiana Revised Statutes of 1950 as apply to the abolished department)

5 ~~(4)~~ (3) The Board of Public Works (R.S. 38:7; 38:16)

6 ~~(5)~~ (4) The State Board of Highways (Article VI, Sections 19, 19.2, 19.3,
7 19.4, 22(1), and 23 of the 1921 Louisiana Constitution, made statutory by Article
8 XIV, Section 16(A)(3) of the 1974 Louisiana Constitution, and such provision of
9 Title 48 of the Louisiana Revised Statutes of 1950 as directly relate to said board)

10 ~~(8)~~ (5) Louisiana Expressway Authority (R.S. 48:1251 et seq.)

11 ~~(9)~~ (6) Larose-Lafitte Toll Road Authority (Act No. 335 of 1964 Regular
12 Session)

13 ~~(10)~~ (7) South Central Louisiana Toll Road Authority (Act No. 35 of 1969
14 Regular Session)

15 ~~(11)~~ (8) The Mississippi River Bridge Authority.

16 ~~H.~~ D. The Mississippi River Parkway Commission of Louisiana (R.S. 48:101
17 et seq.) is placed within the Department of Transportation and Development and
18 shall exercise and perform its powers, duties, functions, and responsibilities as
19 provided for agencies transferred in accordance with the provisions of ~~Part III of~~
20 ~~Chapter 22 of this Title~~ R.S. 36:901 et seq.

21 ~~K.~~ E. The Louisiana Transportation Authority (R.S. 48:2071 et seq.) is
22 placed within the Department of Transportation and Development and shall perform
23 and exercise its powers, duties, functions, and responsibilities in the manner provided
24 for agencies transferred in accordance with the provisions of R.S. 36:801.

25 ~~L.~~ ~~The Offshore Terminal Authority (R.S. 34:3101 et seq.) is transferred to~~
26 ~~and hereafter shall be within the Department of Transportation and Development, as~~
27 ~~provided by law.~~

1 ~~Θ. F.~~ The following agencies are placed within the Department of
2 Transportation and Development and shall perform and exercise their powers, duties,
3 functions, and responsibilities in accordance with the provisions of R.S. 36:801.1:

4 (1) The Sabine River Authority, state of Louisiana (Article XIV, Section 45
5 of 1921 Louisiana Constitution, made statutory by Article XIV, Section 16(A)(10)
6 of 1974 Louisiana Constitution; R.S. 38:2321 et seq.) ~~is placed within the~~
7 ~~Department of Transportation and Development and shall perform and exercise its~~
8 ~~powers, duties, functions, and responsibilities in the manner provided for agencies~~
9 ~~transferred in accordance with the provisions of R.S. 36:801.1.~~

10 ~~Θ. (2)~~ The Poverty Point Reservoir District (R.S. 38:3087.1 et seq.) is placed
11 ~~within the Department of Transportation and Development and shall perform and~~
12 ~~exercise its powers, duties, functions, and responsibilities in the manner provided for~~
13 ~~agencies transferred in accordance with the provisions of R.S. 36:801.1.~~

14 ~~U.~~ The Coastal Port Advisory Authority (R.S. 34:3551 et seq.) shall be
15 ~~placed within the office of multimodal planning, Department of Transportation and~~
16 ~~Development, and shall perform its duties, functions, and responsibilities in the~~
17 ~~manner provided by law.~~

18 * * *

19 §629. Transfer of boards, commissions, departments, and agencies to the
20 Department of Agriculture and Forestry

21 ~~B. A.~~ For purposes of this Chapter, references in Chapters 22 and 24 of this
22 Title to "secretary" shall refer to the commissioner of agriculture and forestry,
23 references to the "undersecretary" shall refer to the assistant commissioner for
24 management and finance, references to an "assistant secretary" shall refer to an
25 assistant commissioner, except the assistant commissioner for management and
26 finance.

27 ~~Є. B.~~ The following agencies as defined by R.S. 36:3 are transferred to and
28 hereafter shall be within the Department of Agriculture and Forestry as provided in
29 ~~R.S. 36:802.3~~ R.S. 36:802, except that they shall continue to appoint their own

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1 director and assistant director or personnel to fill comparable positions as authorized
2 by law:

3 ~~(3)~~ (1) Structural Pest Control Commission (R.S. 3:3361 et seq.).

4 ~~(5)~~ (2) Louisiana Board of Animal Health (R.S. 3:2091 et seq. and other
5 provisions of Title 3 of the Louisiana Revised Statutes of 1950 that apply to the
6 board). Notwithstanding the provisions of ~~R.S. 36:802.3~~ this Subsection, the
7 Louisiana Board of Animal Health shall serve solely in an advisory capacity with
8 respect to the meat inspection program, as provided in R.S. 3:4222(C).

9 ~~(8)~~ (3) Louisiana Commission of Weights and Measures (R.S. 3:4601 et
10 seq.).

11 ~~(9)~~ (4) The Louisiana Animal Control Advisory Task Force (R.S. 3:2364).

12 (5) The Louisiana Aquatic Chelonian Research and Promotion Board (R.S.
13 3:559.21 et seq.).

14 ~~D. C.~~ D. C. The following agencies, ~~as defined by R.S. 36:3,~~ are transferred to and
15 hereinafter shall be within the Department of Agriculture and Forestry, as provided
16 in ~~R.S. 36:913~~ R.S. 36:901 et seq., except that the agencies shall continue to appoint
17 their own directors and assistant directors or personnel to fill comparable positions
18 as provided by law:

19 (1) Livestock Brand Commission (R.S. 3:731 et seq.)

20 (2) Louisiana Advisory Commission on Pesticides (R.S. 3:3211 et seq.)

21 ~~E. D.~~ E. D. The following agencies, ~~as defined by R.S. 36:3,~~ are transferred to and
22 hereinafter shall be within the Department of Agriculture and Forestry, as provided
23 in ~~R.S. 36:802.1~~ R.S. 36:802, except that the commissioner of agriculture shall return
24 all funds that he collects for the agency, including proceeds from assessments and
25 license fees, to the agency less the actual cost of collecting the assessment or license
26 fee. Each such agency shall continue to control its own funds subject to the
27 budgetary review of the commissioner of agriculture and the deputy commissioner
28 for management and finance. In addition, each of the agencies provided for in this

1 Paragraph shall continue to appoint its own director and assistant director or
2 personnel to fill comparable positions as authorized by law:

3 (1) Louisiana Egg Commission (R.S. 3:835 et seq.)

4 ~~(3)~~ (2) Louisiana Rice Promotion Board (R.S. 3:3531 et seq.)

5 ~~(4)~~ (3) Louisiana Rice Research Board (R.S. 3:3541 et seq.)

6 ~~(5)~~ (4) Louisiana Soybean and Grain Research and Promotion Board (R.S.
7 3:3551 et seq.).

8 ~~(6)~~ (5) Louisiana Strawberry Marketing Board (R.S. 3:730.1 et seq.)

9 ~~(7)~~ (6) Louisiana Beef Industry Council (R.S. 3:2051 et seq.)

10 ~~(8)~~ (7) Louisiana Crawfish Promotion and Research Board (R.S. 3:556.1 et
11 seq.)

12 F. E. The Louisiana Sweet Potato Advertising and Development
13 Commission (R.S. 3:1741 et seq.) is hereby transferred to and hereafter shall be
14 within the Department of Agriculture and Forestry as provided in ~~R.S. 36:802.2~~ R.S.
15 36:802, except that the commissioner of agriculture shall return all funds that he
16 collects for the agency, including proceeds from assessments and license fees, to the
17 agency less the actual cost of collecting the assessment or license fee. The Louisiana
18 Sweet Potato Advertising and Development Commission shall continue to control
19 its own funds subject to the budgetary review of the commissioner of agriculture and
20 the deputy commissioner for management and finance. In addition, the commission
21 shall continue to employ its own director and such other personnel as is necessary
22 to carry out its functions as provided by law.

23 G. F. The Dairy Stabilization Board (R.S. 3:4101 et seq.) is hereby
24 transferred to and hereafter shall be within the Department of Agriculture and
25 Forestry as provided in ~~R.S. 36:801 until the second Monday in March of 1980, at~~
26 ~~which time the Dairy Stabilization Board shall be transferred as provided in Part III~~
27 ~~of Chapter 22 of this Title~~ R.S. 36:901 et seq.

1 ~~H. The Agricultural Chemistry and Seed Commission (R.S. 3:1381 et seq.)~~
2 ~~is placed within the Department of Agriculture and Forestry and shall perform and~~
3 ~~exercise its powers, duties, functions, and responsibilities as provided by law.~~

4 ~~F. G. The Horticulture Commission of Louisiana (R.S. 3:3801 ~~et seq.~~) is~~
5 ~~transferred to and hereafter shall be within the Department of Agriculture and~~
6 ~~Forestry as provided in R.S. 36:802.~~

7 ~~F. H. The following agencies are placed within the Department of~~
8 ~~Agriculture and Forestry as provided in R.S. 36:802, except that the agencies, subject~~
9 ~~to the approval of the commissioner of agriculture and forestry, shall appoint their~~
10 ~~own directors and assistant directors:~~

11 ~~(1) The Louisiana Agricultural Commodities Commission (R.S. 3:3401 et~~
12 ~~seq.) hereafter shall be within the Department of Agriculture and Forestry as~~
13 ~~provided under R.S. 36:802.6.~~

14 ~~K. (2) The Louisiana Agricultural Finance Authority (R.S. 3:261 et seq.) is~~
15 ~~established within the Department of Agriculture and Forestry and hereafter shall~~
16 ~~exercise and perform its powers, duties, functions, and responsibilities in the manner~~
17 ~~provided for agencies transferred in accordance with R.S. 36:802.6.~~

18 ~~E. I. The Dairy Industry Promotion Board (R.S. 3:4151 et seq.) hereafter~~
19 ~~shall be within the Department of Agriculture and Forestry as provided in R.S.~~
20 ~~36:802.7. R.S. 36:802, except that the commissioner of agriculture shall return all~~
21 ~~funds that he collects for the agency, including proceeds from assessments and~~
22 ~~penalties, to the agency, less the actual cost of collecting the assessments or~~
23 ~~penalties. The board shall control its own funds subject to the budgetary review of~~
24 ~~the assistant commissioner for management and finance and the budgetary approval~~
25 ~~of the commissioner of agriculture. In addition, the board shall appoint its own~~
26 ~~director and assistant director, subject to the provisions of R.S. 3:4151 et seq.~~

27 ~~N. J. The Forestry Commission (Article IX, Section 8(B) and (C) of the~~
28 ~~Constitution of Louisiana and Chapter 28 of Title 3 of the Louisiana Revised Statutes~~
29 ~~of 1950) hereafter shall be within the Department of Agriculture and Forestry as~~

1 ~~provided in R.S. 36:802.10.~~ in accordance with the provisions of R.S. 36:802, except
2 as otherwise provided in this Subsection:

3 (1) The Forestry Commission shall appoint the state forester as provided in
4 Article IX, Section 8(C) of the Constitution of Louisiana and with the consent of the
5 Senate. He shall serve as the assistant commissioner for the office of forestry and
6 as secretary to the Forestry Commission.

7 (2) All employees of the office of forestry of the Department of Natural
8 Resources are transferred to the office of forestry of the Department of Agriculture
9 and Forestry.

10 (3) An appropriate percentage of the administrative employee positions, and
11 the employees holding those positions, of the Forestry Commission which were
12 transferred to the Department of Natural Resources are transferred to the Department
13 of Agriculture and Forestry. The secretary of natural resources and the
14 commissioner of agriculture and forestry shall jointly determine the appropriate
15 number of administrative positions and personnel to be transferred. This
16 determination and the resulting transfer shall be effected no later than the last day of
17 September of 1986.

18 (4) All funds appropriated to the Forestry Commission and the office of
19 forestry of the Department of Natural Resources shall be transferred to those entities
20 in the Department of Agriculture and Forestry.

21 (5) Any appropriation for Fiscal Year 1986-1987 to the Forestry
22 Commission or the office of forestry within the Department of Natural Resources
23 shall be deemed to be appropriated to those entities within the Department of
24 Agriculture and Forestry.

25 (6) All property and facilities owned and operated by, or leased by or for the
26 Forestry Commission or the office of forestry of the Department of Natural
27 Resources are transferred to those entities within the Department of Agriculture and
28 Forestry.

1 (7) The fleet of airplanes operated by the Forestry Commission and the
2 office of forestry of the Department of Natural Resources is specifically transferred
3 to the Department of Agriculture and Forestry. All airplanes operated by the
4 Department of Agriculture and Forestry shall be under the exclusive jurisdiction of
5 that department. Subject to the provisions of R.S. 2:1, et seq., the department may
6 provide guidelines and procedures for the use and operation of its aircraft.

7 (8) The office of forestry of the Department of Agriculture and Forestry shall
8 be the successor of the office of forestry of the Department of Natural Resources.
9 For purposes of the transfer of functions of the office of forestry from the
10 Department of Natural Resources to the Department of Agriculture and Forestry, the
11 Department of Agriculture and Forestry shall be the successor to the Department of
12 Natural Resources. All unfinished business of the former office and of the former
13 department related thereto shall be completed by, all references in laws and
14 documents to the former office and to the former department related thereto shall be
15 deemed to refer to, and all obligations of the former office and of the former
16 department related thereto shall be the obligations of the successor office and
17 department. All legal proceedings of the former office and of the former department
18 related thereto shall be continued in the name of such former office and department
19 and further proceedings shall be in the name of the successor office and department
20 without the necessity for amendment of any document.

21 ~~Θ. K.~~ The State Soil and Water Conservation Commission (R.S. 3:1204)
22 hereafter shall be within the Department of Agriculture and Forestry as provided in
23 ~~R.S. 36:802.12~~ R.S. 36:802, except that the director and assistant director of the
24 commission shall be employed as provided by law.

25 P. L. The following agencies are transferred to the Department of
26 Agriculture and Forestry and shall perform and exercise their powers, duties,
27 functions, and responsibilities as provided by law:

1 ~~(1) The Louisiana Boll Weevil Eradication Commission (R.S. 3:1601 et seq.)~~
2 ~~is placed within the Department of Agriculture and Forestry and shall perform and~~
3 ~~exercise its powers, duties, functions, and responsibilities as provided by law.~~

4 (2) The Agriculture Chemistry and Seed Commission (R.S. 3:1381 et seq.).

5 ~~Q. The Louisiana Aquatic Chelonian Research and Promotion Board (R.S.~~
6 ~~3:559.21 et seq.) is placed within the Department of Agriculture and Forestry and~~
7 ~~shall exercise and perform its powers, duties, functions, and responsibilities in the~~
8 ~~manner provided for agencies transferred in accordance with R.S. 36:802.3.~~

9 S. M. The Board of Veterinary Medicine (R.S. 37:1511 et seq.) is hereby
10 transferred to and placed within the Department of Agriculture and Forestry as
11 provided in R.S. 36:803.

12 * * *

13 §651. Transfer of boards, commissions, departments, and agencies to Department
14 of Education; boards, commissions, and agencies within Department of
15 Education

16 B: A. For purposes of this Chapter, references in Chapters 22 and 24 of this
17 Title to the "secretary" shall refer to the state superintendent of education, references
18 to the "undersecretary" shall refer to the deputy superintendent for the office of
19 management and finance, references to an "assistant secretary" shall refer to a deputy
20 superintendent.

21 ~~C. B.~~ The following agencies are hereby transferred to the Department of
22 Education and shall exercise and perform their powers, duties, functions, and
23 responsibilities as provided in R.S. 36:801:

24 (1) The Louisiana Educational Television Authority (R.S. 17:2501 et seq.)
25 ~~is transferred to and hereafter shall be within the Department of Education as~~
26 ~~provided in R.S. 36:801.~~

27 (2) The office of instructional technology (R.S. 17:3921 et seq.).

28 D: C. The following agencies, ~~as defined by R.S. 36:3,~~ are transferred to and
29 hereafter shall be within the Department of Education as provided in R.S. 36:801.1:

1 (1) The Board of Supervisors for the University of Louisiana System (Article
2 VIII, Section 6 of the Constitution of Louisiana of 1974; R.S. 17:1831 et seq. and
3 3201 et seq. and other provisions of Title 17 of the Louisiana Revised Statutes of
4 1950 that apply to the board).

5 (2) Board of Regents (Article VIII, Section 5 of the Constitution of
6 Louisiana of 1974; R.S. 17:3121 et seq. and other provisions of Title 17 of the
7 Louisiana Revised Statutes that apply to the board).

8 (3) Board of Supervisors of Louisiana State University and Agricultural and
9 Mechanical College (Article VIII, Section 7 of the Constitution of Louisiana of
10 1974; R.S. 17:1453 et seq. and 3201 et seq. and other provisions of the Louisiana
11 Revised Statutes that apply to the board).

12 (4) Board of Supervisors of Southern University and Agricultural and
13 Mechanical College (Article VIII, Section 7 of the Constitution of Louisiana of
14 1974; R.S. 17:1851 et seq. and 3201 et seq. and other provisions of Title 17 of the
15 Louisiana Revised Statutes of 1950 that apply to the board).

16 (5) The Board of Supervisors of Community and Technical Colleges (Article
17 VIII, Section 7.1 of the Constitution of Louisiana of 1974; R.S. 17:1871 et seq. and
18 3201 et seq. and other provisions of Title 17 of the Louisiana Revised Statutes of
19 1950 that apply to the board).

20 ~~(8)~~ (6) The board of directors for the New Orleans Center for Creative Arts
21 ~~and its board of directors~~ (R.S. 17:1970.21 et seq.).

22 ~~(9)~~ (7) The board of directors of Thrive Academy (R.S. 17:1971 et seq.).

23 ~~(10)~~ (8) The Health Education Authority of Louisiana (R.S. 17:3051 et seq.).

24 (9) The board of directors for the Jimmy D. Long, Sr. Louisiana School for
25 Math, Science, and the Arts (R.S. 17:1961 et seq.).

26 (10) The Quality Science and Mathematics Council (R.S. 17:371 et seq.).

27 (11) The Governor's Program for Gifted Children (R.S. 17:1989.1 et seq.).

28 E. D. The State Board of Elementary and Secondary Education (Article VIII,
29 Section 3 of the Constitution of Louisiana of 1974; R.S. 17:1 et seq. and other

1 provisions of Title 17 of the Louisiana Revised Statutes of 1950 that apply to the
 2 board) is hereby transferred to and hereafter shall be within the Department of
 3 Education as provided in ~~R.S. 36:801.2~~ R.S. 36:801, except that the board shall be
 4 authorized to employ, appoint, remove, assign, and promote such personnel as are
 5 necessary for the board to perform its functions as provided by law and by the
 6 Constitution of Louisiana and the superintendent shall administer and implement all
 7 programs provided or authorized for the board, except as otherwise provided by law
 8 or by the Constitution of Louisiana, in accordance with the policies, rules, and
 9 regulations established by the board in accordance with the provisions of the
 10 Constitution of Louisiana and applicable laws.

11 F. E. The following agencies are placed within the Department of Education
 12 and shall exercise and perform their powers, duties, functions, and responsibilities
 13 in accordance with the provisions of R.S. 36:802:

14 (1) The Recovery School District (R.S. 17:1990) is placed within the
 15 Department of Education and shall exercise and perform its powers, duties,
 16 functions, and responsibilities in accordance with the provisions of R.S. 36:802.

17 (2) The Louisiana Environmental Education Commission (R.S. 17:202).

18 G. F. The following agencies, as defined by R.S. 36:3, are transferred to and
 19 hereafter shall be within the Department of Education as provided in Part III of
 20 Chapter 22 of this Title R.S. 36:901 et seq.:

21 ~~(2)~~ (1) The College and Career Readiness Commission (R.S. 17:3951).

22 ~~(4)~~ (2) The Agricultural Education Commission (R.S. 17:185.4).

23 ~~(5)~~ (3) The ABLE Account Advisory Council (R.S. 17:3089).

24 (4) The task force on student proficiency (R.S. 17:24.4(I)).

25 ~~(8)~~ (5) The Early Childhood Care and Education Commission (R.S.
 26 17:407.101).

27 ~~(9)~~ (6) The Cybersecurity Education Management Council (R.S. 17:3138.9).

28 H. G. The State Department of Education (R.S. 17:24 as provided in Acts
 29 1975, No. 274) is hereby abolished and its powers, duties, functions, and

1 responsibilities are transferred to the superintendent of education of the Department
2 of Education and hereafter shall be exercised and performed as provided in ~~Part IV~~
3 ~~of Chapter 22 of this Title~~ R.S. 36:921 et seq.

4 ¶ H. The public colleges and universities, the vocational-technical schools
5 of the state and all special schools under the jurisdiction of any agency transferred
6 to the department are hereby transferred into the Department of Education and shall
7 be governed as provided by the constitution and laws of this state.

8 ¶ I. The advisory councils to postsecondary vocational-technical schools
9 (R.S. 17:1998) are transferred to and hereafter shall be within the Department of
10 Education but shall retain their function of advising the Board of Supervisors of
11 Community and Technical Colleges.

12 ¶ J. The Advisory Commission on Proprietary Schools (R.S. 17:3140.1 et
13 seq.) is placed within the Department of Education and shall exercise and perform
14 its powers, duties, functions, and responsibilities in the manner provided in R.S.
15 ~~36:801.5~~ 36:801. However, the commission shall exercise all powers, duties,
16 functions, and responsibilities provided or authorized for the commission by the
17 Constitution of Louisiana and laws, and particularly the provisions of R.S. 17:3140.1
18 through 3140.17, and shall exercise all such powers, duties, functions, and
19 responsibilities in the manner and to the extent so provided or authorized. The
20 agency shall be under the jurisdiction of the Board of Regents, and the Board of
21 Regents shall have such powers, duties, functions, and responsibilities relative to the
22 agency as otherwise provided by law. All personnel employed or assigned to
23 administer and implement the powers, duties, functions, and responsibilities of the
24 agency shall be employees of the Board of Regents. Except as otherwise provided
25 by law, the Board of Regents shall perform and administer all functions of the
26 agency which are in the nature of accounting and budget control, procurement and
27 contract management, management and program analysis, data processing, personnel
28 management, and grants management.

1 ~~Ø. The Louisiana Hall of Fame for the Arts election board (R.S. 17:1815)~~
2 ~~is placed within the Department of Education and shall exercise and perform its~~
3 ~~powers, duties, functions, and responsibilities as provided by law.~~

4 ~~P. The Task Force on Student Proficiency (R.S. 17:24.4(I)) is placed within~~
5 ~~the Department of Education and shall exercise and perform its powers, duties,~~
6 ~~functions, and responsibilities in the manner provided for agencies transferred under~~
7 ~~the provisions of Part III of Chapter 22 of this Title.~~

8 ~~Q. The Jimmy D. Long, Sr. Louisiana School for Math, Science, and the Arts~~
9 ~~and its board of directors (R.S. 17:1961 et seq.) is placed within the Department of~~
10 ~~Education and shall exercise and perform its powers, duties, functions, and~~
11 ~~responsibilities in the manner provided for agencies transferred in accordance with~~
12 ~~the provisions of R.S. 36:801.1.~~

13 ~~S. The Louisiana Fire and Emergency Training Commission (R.S. 40:1541)~~
14 ~~shall be within the Department of Education as provided in R.S. 40:1541.~~

15 ~~F. K. The following agencies are placed within the Department of Education~~
16 ~~and shall perform and exercise their powers, duties, functions, and responsibilities~~
17 ~~as provided by law:~~

18 (1) Statewide Articulation and Transfer Council (R.S. 17:3162).

19 (2) Process Technology Advisory Board (R.S. 17:3398.2).

20 (3) Louisiana Tuition Trust Authority (R.S. ~~17:3091~~ 17:3093 et seq.).

21 (4) Governing board of the Louisiana Cancer Research Center of LSU
22 Health Sciences Center in New Orleans/Tulane Health Sciences Center (R.S.
23 17:1922 et seq.).

24 (5) Louisiana State University Health Sciences Center Health Maintenance
25 Organization (R.S. 22:2181 et seq.).

26 (6) The Louisiana Science, Technology, Engineering, and Mathematics
27 Advisory Council (R.S. 17:4071).

28 (7) The Advisory Council on Historically Black Colleges and Universities
29 (R.S. 17:3138.7).

1 ~~(8) The Louisiana Hall of Fame for the Arts election board (R.S. 17:1815).~~

2 ~~(9) The Louisiana Fire and Emergency Training Commission (R.S. 40:1541).~~

3 ~~U. The office of instructional technology (R.S. 17:3921 et seq.) is placed~~
4 ~~within the Department of Education and shall exercise and perform its powers,~~
5 ~~duties, functions, and responsibilities in accordance with the provisions of R.S.~~
6 ~~36:801.~~

7 ~~Y. The Quality Science and Mathematics Council (R.S. 17:371 et seq.) is~~
8 ~~placed within the Department of Education and shall exercise and perform its~~
9 ~~powers, duties, functions, and responsibilities in the manner provided for agencies~~
10 ~~transferred under the provisions of R.S. 36:801.1.~~

11 ~~Z. The Governor's Program for Gifted Children (R.S. 17:1989.1 et seq.) is~~
12 ~~placed within the Department of Education and shall exercise and perform its~~
13 ~~powers, duties, functions, and responsibilities in the manner provided for agencies~~
14 ~~transferred in accordance with the provisions of R.S. 36:801.1.~~

15 ~~AA. L.(1) The following agencies are placed within the Department of~~
16 ~~Education as provided by Paragraph (2) of this Subsection and shall exercise all~~
17 ~~powers, duties, functions, and responsibilities provided or authorized for such~~
18 ~~agencies by the Constitution of Louisiana and laws and shall exercise all such~~
19 ~~powers, duties, functions, and responsibilities in the manner and to the extent so~~
20 ~~provided or authorized:~~

21 ~~(1) (a) The Louisiana Health Works Commission (R.S. 17:2048.51) is placed~~
22 ~~within the Department of Education and shall exercise and perform its powers,~~
23 ~~duties, functions, and responsibilities in the manner provided for agencies transferred~~
24 ~~in accordance with the provisions of R.S. 36:801.5.~~

25 ~~(2) (b) The Nursing Supply and Demand Council (R.S. 37:1007) is placed~~
26 ~~within the Department of Education and shall exercise and perform its powers,~~
27 ~~duties, functions, and responsibilities in the manner provided for agencies transferred~~
28 ~~in accordance with the provisions of R.S. 36:801.5.~~

1 ~~(3) (c)~~ The Simulation Medical Training and Education Council for
 2 Louisiana (R.S. 17:2048.61) ~~is placed within the Department of Education under the~~
 3 ~~Louisiana Health Works Commission and shall exercise and perform its powers,~~
 4 ~~duties, functions, and responsibilities in the manner provided for agencies transferred~~
 5 ~~in accordance with the provisions of R.S. 36:801.5.~~

6 (2) The agencies transferred by this Subsection shall be under the jurisdiction
 7 of the Board of Regents, and the Board of Regents shall have such powers, duties,
 8 functions, and responsibilities relative to the agencies as otherwise provided by law.
 9 All personnel employed or assigned to administer and implement the powers, duties,
 10 functions, and responsibilities of the agencies shall be employees of the Board of
 11 Regents. Except as otherwise provided by law, the Board of Regents shall perform
 12 and administer all functions of the agencies which are in the nature of accounting and
 13 budget control, procurement and contract management, management and program
 14 analysis, data processing, personnel management, and grants management.

15 ~~BB- M.~~ The Louisiana Student Financial Assistance Commission (R.S.
 16 17:3021 et seq.) is hereby abolished and its powers, duties, functions, and
 17 responsibilities are hereby transferred to the Board of Regents. All reference in law
 18 to the Louisiana Student Financial Assistance Commission shall refer to the Board
 19 of Regents.

20 ~~CC- The Louisiana Environmental Education Commission is placed within~~
 21 ~~the Department of Education and shall exercise and perform its powers, duties,~~
 22 ~~functions, and responsibilities in accordance with the provisions of R.S. 36:802-~~

23 * * *

24 §686. Transfer of agencies to the Department of Insurance

25 A. The following agencies are transferred to the Department of Insurance
 26 and shall exercise their powers, duties, functions, and responsibilities in the manner
 27 provided in R.S. 36:801.1:

28 (1) The Board of Directors of the Property Insurance Association of
 29 Louisiana (R.S. 22:1460).

1 (2) The Governing Committee of the Louisiana Joint Reinsurance Plan (R.S.
2 22:2336-2347).

3 (3) The Governing Committee of the Louisiana Insurance Underwriting Plan
4 (R.S. 22:2322-2334).

5 (4) The Governing Committee of the Louisiana Automobile Insurance Plan
6 (R.S. 22:1475).

7 (5) The Board of Directors of the Louisiana Citizens Property Insurance
8 Corporation (R.S. 22:2291 et seq.).

9 B. The following agencies are transferred to the Department of Insurance
10 and shall exercise their powers, duties, functions, and responsibilities in the manner
11 provided in R.S. 36:801:

12 (1) The Board of Directors of the Louisiana Consortium of Insurance and
13 Financial Services (R.S. 22:2141 et seq.).

14 (2) The Advisory Committee of the Louisiana Consortium of Insurance and
15 Financial Services (R.S. 22:2141 et seq.).

16 C. The following agencies are transferred to the Department of Insurance
17 and shall exercise their powers, duties, functions, and responsibilities in the manner
18 provided in R.S. 36:802:

19 ~~(2)~~ (1) The Louisiana Property and Casualty Insurance Commission (R.S.
20 22:2171).

21 (2) The Louisiana Mandated Health Benefits Commission (R.S. 22:2187).

22 D. The Louisiana Health Care Commission (R.S. 22:2161) is transferred to
23 the Department of Insurance and shall exercise its powers, duties, functions, and
24 responsibilities in the manner provided in ~~R.S. 36:802.16~~ R.S. 36:802, except that
25 the commission shall continue to appoint its own director and assistant director
26 subject to the approval of the commissioner of insurance.

27 E. The Board of Directors of the Louisiana Automobile Theft and Insurance
28 Fraud Prevention Authority (R.S. 22:2131 et seq.) is transferred to the Department
29 of Insurance and shall exercise its powers, duties, functions, and responsibilities in

1 the manner provided in ~~R.S. 36:802.21~~ R.S. 36:802, except that the commission shall
2 continue to appoint its own director and assistant director who shall serve at the
3 pleasure of the commissioner of insurance.

4 ~~F. The Louisiana Mandated Health Benefits Commission (R.S. 22:2187) is~~
5 ~~hereby placed within the Department of Insurance and shall exercise its powers,~~
6 ~~duties, functions, and responsibilities in the same manner as agencies transferred in~~
7 ~~the manner provided in R.S. 36:802.~~

8 ~~G. F.~~ The board of review for public fire protection grading (R.S. 22:1461)
9 is hereby placed within the Department of Insurance and shall exercise its powers,
10 duties, functions, and responsibilities in the manner provided by law.

11 * * *

12 §744. Transfer of boards, commissions, and agencies to the Department of State

13 ~~B. A.~~ For purposes of this Chapter, references in Chapters 22 and 24 of this
14 Title to the "secretary", the "undersecretary" or an "assistant secretary" shall refer to
15 the secretary of state.

16 ~~C. B.~~ The State Board of Election Supervisors (R.S. 18:23-27) shall be
17 within the Department of State, as provided in R.S. 36:802.

18 ~~D. C.~~ The following agencies are placed within the Department of State in
19 accordance with the provisions of R.S. 36:901 et seq. except as otherwise provided
20 by this Subsection:

21 (1) The Louisiana Historical Records Advisory Board (R.S. 44:501-503) is
22 hereby transferred to and hereafter shall be within the Department of State as
23 provided in Part III of Chapter 22 of this Title.

24 (2) The Advisory Board of the Old State Capitol (R.S. 25:371 et seq.). The
25 board may solicit and accept gifts and donations for the purposes of the Old State
26 Capitol. Any funds accepted as a gift or donation may be expended by the
27 department as otherwise provided by law.

28 (3) The Eddie G. Robinson Museum Commission (R.S. 25:1241 et seq.).
29 The commission may solicit and accept gifts and donations for the purposes of the

1 museum. Any funds accepted as a gift or donation may be expended by the
2 department as otherwise provided by law.

3 (4) The Advisory Board of the Louisiana State Archives (R.S. 44:427).

4 E. D. The following agencies are abolished and their powers, duties,
5 functions, and responsibilities are hereby transferred to the secretary of state in
6 accordance with the provisions of R.S. 36:921 et seq.:

7 (1) The State Archives and Records Commission and the State Archives and
8 Records Service (R.S. 25:127 and R.S. 44:404 et seq.) are hereby abolished and their
9 powers, duties, functions, and responsibilities are transferred to the secretary of state
10 and hereafter shall be exercised and performed as provided in Part IV of Chapter 22
11 of this Title.

12 F. The Advisory Board of the Old State Capitol (R.S. 25:371 et seq.) is
13 placed within the Department of State and shall perform and exercise its powers,
14 duties, functions, and responsibilities in the manner provided for agencies transferred
15 in accordance with the provisions of R.S. 36:919.1.

16 G. (2) The Old State Capitol Memorial Commission (Act 250 of 1948; Act
17 233 of 1954; Act 154 of 1965) is hereby abolished and its powers, duties, functions,
18 and responsibilities are transferred to the secretary of state and hereafter shall be
19 exercised and performed as provided in Part IV of Chapter 22 of this Title.

20 H. The Old State Capitol and the Advisory Board of the Old State Capitol
21 are transferred to and placed within the Department of State as provided in R.S.
22 25:371 et seq. and R.S. 36:919.1.

23 I. The Regional Museum Governing Board of the Louisiana State Exhibit
24 Museum (R.S. 25:379 et seq.) is placed within the Department of State and shall
25 perform and exercise its powers, duties, functions, and responsibilities in the manner
26 provided for agencies transferred in accordance with the provisions of R.S. 36:801.6.

27 J. The Louisiana State Exhibit Museum (R.S. 25:379 et seq.) is transferred
28 to and placed within the Department of State as provided in R.S. 36:801.6.

1 ~~L. The Louisiana State Cotton Museum (R.S. 25:380 et seq.) is placed within~~
2 ~~the Department of State as provided in R.S. 36:801.7.~~

3 ~~N. The Louisiana State Oil and Gas Museum (R.S. 25:380.21 et seq.) is~~
4 ~~placed within the Department of State as provided in R.S. 36:801.9.~~

5 ~~Q. The Eddie G. Robinson Museum Commission (R.S. 25:1241 et seq.) is~~
6 ~~placed in the Department of State as provided in R.S. 36:919.6.~~

7 R. E. The office of commissioner of elections is merged and consolidated
8 with the office of secretary of state, and the Department of Elections and Registration
9 is merged and consolidated with the Department of State pursuant to the authority
10 of Article IV, Section 20 of the Constitution of Louisiana. In order to accomplish
11 the merger and consolidation of the office of commissioner of elections with the
12 office of secretary of state, the office of commissioner of elections shall be
13 continued, but the office of commissioner of elections is transferred to the
14 Department of State in the manner provided for agencies transferred pursuant to ~~Part~~
15 ~~H of Chapter 22 of this Title~~ R.S. 36:851 et seq. and, for purposes of such transfer,
16 the office of commissioner of elections shall be considered a transferred agency as
17 provided in ~~Part H of Chapter 22~~ R.S. 36:851 et seq. However, the commissioner of
18 elections shall be an agent for service of process as provided in R.S. 18:44(B)(7).
19 To accomplish the merger and consolidation of the Department of Elections and
20 Registration with the Department of State, the Department of Elections and
21 Registration and its powers, duties, functions, and responsibilities are transferred to
22 the Department of State as provided in ~~Part H of Chapter 22 of this Title~~ R.S. 36:851
23 et seq.

24 F.(1) The following agencies are placed within the Department of State and
25 shall perform and exercise their powers, duties, functions, and responsibilities in
26 accordance with the provisions of this Subsection and as otherwise provided by law:

27 S: (a) The governing board of the Louisiana Delta Music Museum (R.S.
28 25:380.51 et seq.) and its governing board are placed within the Department of State
29 as provided in R.S. 36:801.12.

1 ~~V. (b) The governing board of the~~ Tioga Heritage Park and Museum (R.S.
2 25:380.81 et seq.) ~~and its governing board are placed within the Department of State~~
3 ~~as provided in R.S. 36:801.15.~~

4 ~~W. (c) The governing board of the~~ Mansfield Female College Museum (R.S.
5 25:380.91 et seq.) ~~and its governing board are placed within the Department of State~~
6 ~~as provided in R.S. 36:801.16.~~

7 ~~BB. (d) The governing board of the~~ Germantown Colony Museum (R.S.
8 25:380.151 et seq.) ~~and its governing board are placed within the Department of~~
9 ~~State as provided in R.S. 36:801.22.~~

10 (e) The Regional Museum Governing Board of the Louisiana State Exhibit
11 Museum (R.S. 25:379 et seq.).

12 (f) The governing board of the Louisiana State Cotton Museum (R.S. 25:380
13 et seq.).

14 (g) The governing board of the Louisiana State Oil and Gas Museum (R.S.
15 25:380.21 et seq.).

16 (2)(a) The governing board of any museum transferred pursuant to this
17 Subsection may solicit and accept gifts and donations for the purposes of the
18 museum. Any funds so accepted may be expended by the boards or by the
19 Department of State as otherwise provided by law.

20 (b) The governing boards placed within the Department of State in
21 accordance with the provisions of this Subsection shall exercise all powers, duties,
22 functions, and responsibilities provided or authorized by law which are in the nature
23 of regulation, enforcement, or adjudication. The boards shall exercise all advisory
24 powers, duties, and functions provided by law. The boards shall administer and
25 implement all programs provided or authorized by law. The boards shall be
26 responsible for the performance and administration of their day-to-day operations,
27 except that the secretary of the department shall be responsible for those matters
28 which are in the nature of accounting, payroll, budget control, procurement, data

1 processing, and personnel management, and shall have the authority to transfer or
2 implement any or all of said functions through the secretary and the department.

3 (c) The provision of R.S. 36:810 and 811 are applicable to each board placed
4 within the department by this Subsection.

5 (d) No records, books, or papers stored in the museum vault or on museum
6 premises shall be removed or transferred from the museum without approval of the
7 governing board.

8 ~~DD. The Advisory Board of the Louisiana State Archives (R.S. 44:427) is~~
9 ~~placed within the Department of State and shall perform and exercise its powers,~~
10 ~~duties, functions, and responsibilities in the manner provided for agencies transferred~~
11 ~~in accordance with R.S. 36:901 et seq.~~

12 * * *

13 §801. Transfer; retention of functions

14 The agencies transferred by the provisions of R.S. 36:53(A), ~~409(U)~~, 409(B),
15 478(K), ~~509(K)~~, and 610(K), ~~and 651(C)~~ shall continue to be composed and selected
16 as provided by law; each agency shall continue to exercise all powers, duties,
17 functions, and responsibilities provided or authorized for each by the constitution or
18 laws which are in the nature of policymaking, rulemaking, licensing, regulation,
19 enforcement, or adjudication and also shall continue to exercise all advisory powers,
20 duties, and functions provided by law; each agency shall continue to administer and
21 implement all programs provided or authorized for each by law which relate to
22 rulemaking, licensing, regulation, enforcement, and adjudication; each agency shall
23 continue to be governed by the Administrative Procedure Act, in its entirety,
24 including provisions relative to adjudication proceedings, unless otherwise
25 specifically provided by law; the executive head of each such agency shall employ,
26 appoint, remove, assign, and promote such personnel as is necessary for the efficient
27 administration of such powers, duties, functions, and responsibilities and for the
28 administration and implementation of such programs, in accordance with applicable
29 civil service laws, rules, and regulations, and with policies and rules of the

1 department to which the agency is transferred, and subject to budgetary control and
2 applicable laws; except as specifically provided in Paragraphs (1), (2), and (3) of this
3 Section. The agencies transferred as provided in this Section shall exercise the
4 powers, duties, functions, and responsibilities and shall administer and implement
5 the programs authorized in this Section independently of the secretary, the
6 undersecretary, and any assistant secretary, except that:

7 * * *

8 §801.1. Transfer; retention of all functions

9 A. The agencies transferred in accordance with this Section, including those
10 transferred by the provisions of R.S. 36:4(B)(1)(dd) and (18) and (D), ~~4.1(C) and~~
11 ~~(G)~~, 53(H) and (J), ~~209(R)~~, 259(B)(24), 409(N), ~~509(O)~~, ~~651(D)~~, and 725(A)₂ shall
12 continue to be comprised and selected as provided by law.

13 * * *

14 §802. Transfer; retention of policymaking and rulemaking functions

15 The agencies transferred in accordance with this Section, including those
16 transferred by the provisions of ~~R.S. 36:209(Q) and (Y)~~, R.S. 36:259(B)(19), ~~309(B)~~,
17 409(C), 459(B), 610(B), ~~629(F)~~, ~~651(CC)~~, and 769(C)₂ shall continue to be composed
18 and selected as provided by law, and each shall continue to exercise all of the
19 powers, duties, functions, and responsibilities provided or authorized for each by the
20 constitution or laws which are in the nature of policymaking, rulemaking, licensing,
21 regulation, enforcement, or adjudication and also shall continue to exercise all
22 advisory powers, duties, functions, and responsibilities provided by law. Such
23 powers, duties, functions, and responsibilities shall be exercised independently of the
24 secretary and any assistant secretary, except that:

25 * * *

26 §803. Transfer; licensing agencies

27 A.(1) Each of the agencies transferred in accordance with this Section,
28 including those transferred by the provisions of ~~R.S. 36:4.1(D)~~, ~~209(D)~~, R.S.
29 36:259(A), ~~309(D)~~, and 409(D), ~~and~~ ~~509(C)~~, all of which are charged by law with

1 the responsibility for the regulation, examination, certification, and licensing of
 2 persons in this state, and the enforcement of the laws relating thereto, shall continue
 3 to be composed and selected as provided by law, and each shall continue to exercise
 4 all of the powers, duties, functions, and responsibilities provided or authorized for
 5 each by the constitution or laws which are in the nature of policymaking,
 6 rulemaking, certification, licensing, regulation, enforcement, or adjudication and also
 7 shall continue to exercise all advisory powers, duties, functions, and responsibilities
 8 provided by law.

9 * * *

10 §851. Transfer; merger and consolidation of functions

11 A. The powers, duties, functions, responsibilities, programs, and operations
 12 as vested by the constitution and laws of this state, of each of the agencies transferred
 13 in accordance with this Part, including those transferred by the provisions of ~~R.S.~~
 14 ~~36:209(B)~~, R.S. 36:259(C), 409(O), and 610(D), upon and after the date of each such
 15 transfer shall be exercised by and be under the administration and control of the
 16 secretary of the department to which each is transferred, except for those functions
 17 of each which are required to be performed and administered by the undersecretary
 18 of each department, as heretofore provided for each by this Title.

19 * * *

20 §901. Transfer; merger and consolidation of functions; advisory agency

21 A. The functions, powers, duties, responsibilities, programs, and operations
 22 of each of the agencies transferred in accordance with this Part, including those
 23 transferred by the provisions of ~~R.S. 36:209(C)~~, R.S.36:259(T), ~~309(C)~~, and 409(E),
 24 ~~651(G)~~, and 744(D) on the date of each such transfer shall vest in and thereafter be
 25 the responsibility of the secretary of the department to which the transfer is made and
 26 shall be administered by the secretary in accordance with the powers vested in him
 27 by this Title and the applicable laws pertaining to each agency, except for those
 28 functions of each which are required to be performed and administered by the
 29 undersecretary of the department as heretofore provided for each by this Title. Each

1 agency thus transferred shall continue in existence, the members thereof shall
2 continue in office and hereafter shall be selected in the manner provided by law for
3 each, and each agency hereafter shall serve solely in an advisory capacity to the
4 secretary with respect to policies concerning matters within the purview of each as
5 originally created.

6 * * *

7 §921. Transfer, merger and consolidation of functions

8 A. The powers, duties, functions, responsibilities, programs, and operations
9 as vested by the constitution and laws of the state of each of the agencies abolished,
10 including those abolished by the provisions of ~~R.S. 36:4.1(E), 109(G), 209(H),~~
11 R.S.36:259(F), 409(F), 459(C), 509(F), and 610(C), 651(H) and (K), 744(E), and
12 769(E), upon and after the date of each such abolition shall be exercised and
13 performed by and be under the administration and control of the secretary of the
14 department to which such powers, duties, functions, and responsibilities are
15 transferred. The secretary shall assign those functions of each which are required to
16 be performed and administered by the undersecretary of each department, as
17 heretofore provided for each department by this Title, to the undersecretary.

18 * * *

19 Section 6. R.S. 42:808(A)(6) is hereby amended and reenacted to read as follows:

20 §808. Eligibility in group programs

21 A. For the purposes of participating in life, health, or other programs
22 sponsored by the Office of Group Benefits, an employee is defined as:

23 * * *

24 (6) Notwithstanding any provision of this Chapter to the contrary, any
25 employee of the New Orleans City Park Improvement Association, which is within
26 the Department of Culture, Recreation and Tourism pursuant to the provisions of
27 ~~R.S. 36:209(O)~~ R.S. 36:209(C), who is a participant in a program or programs
28 administered by the Office of Group Benefits and who is transferred to a non-profit
29 corporation recognized as a 501(c)(3) entity under the Internal Revenue Code of

1 1954, as amended, which transfer is made pursuant to a cooperative endeavor
2 agreement which provides for the non-profit corporation to provide certain
3 maintenance, administration, and operating functions on behalf of the New Orleans
4 City Park Improvement Association.

5 * * *

6 Section 7. R.S. 51:1253(3) is hereby amended and reenacted to read as follows:

7 §1253. Definition of terms

8 For the purposes of this Subpart, the terms used herein shall have the
9 following meanings unless the context clearly indicates otherwise:

10 * * *

11 (3) "Commission" means the Louisiana Tourism Development Commission
12 created by R.S. 51:1256 and transferred into the department by ~~R.S. 36:209(P)~~ R.S.
13 36:209(A).

14 * * *

15 Section 8. Section 3 of Act No. 180 of the 2020 Regular Session of the Legislature
16 is hereby amended and reenacted to read as follows:

17 Section 3. R.S. 17:407.23(D)(3), Part X-F of Chapter 1 of Title 17 of the Louisiana
18 Revised Statutes of 1950, comprised of R.S. 17:407.101, and ~~R.S. 36:651(G)(8)~~ R.S.
19 36:651(F)(5) are hereby repealed in their entirety.

20 Section 9. R.S. 36:4.1(F) and (G), 801.2, 801.5, 801.6, 801.7, 801.9, 801.12, 801.15,
21 801.16, 801.22, 802.1, 802.2, 802.3, 802.6, 802.7, 802.10, 802.12, 802.16, 802.19, 802.21,
22 851.1, 908, 909, 910, 911, 912, 913, 919.1, 919.6, and 919.9 are hereby repealed in their
23 entirety.

24 Section 10. The provisions of this Act are intended to be technical in nature, and the
25 Louisiana State Law Institute is hereby authorized to update any citation references in
26 Louisiana Law to conform with the changes made by this Act.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 260 Original

2021 Regular Session

Gregory Miller

Abstract: Makes technical corrections to provisions of law in Title 36 of the La. Revised Statutes of 1950, and makes structural changes to the organization of Title 36.

Proposed law provides for technical corrections to provisions of law in Title 36 of the La. Revised Statutes of 1950. Examples of such technical corrections in proposed law are:

- (1) Standardizes internal citations within Title 36 of the La. Revised Statutes of 1950.
- (2) Removal of placeholder repeal notations and renumbering the remainder of the Section.
- (3) Updating citation references that refer to repealed or re-designated Sections of law.

Organizational Changes to Title 36

When creating or placing an agency within one of the departments in the executive branch of the state government, present law defines the authority of that agency. Within present law, there are six different categories of authority, which are known as "transfer types" or "transfer type authority". Present law, Title 36, uses a "double cross-referencing" system to grant agencies authority within the executive branch. In the present law double cross-referencing system, a Section placing an agency within an executive branch department will contain a reference to the specific transfer type authority. Then, in the present law Sections governing the transfer types, there will be a reference to some, but not all, of the agencies that fall under this type.

Exceptions to the general transfer type authorities are governed by specific statutory Sections under present law. These "exception Sections" contain a reference to the general transfer type authority statute that the exception falls under. The Sections placing individual agencies with an exception to the general transfer type authority into its executive branch department will contain a reference to the exception Section, but not a reference to the general transfer type authority.

Proposed law removes the double cross-referencing system. Proposed law updates the individual agency statutes to always reference their general transfer type authority. If an agency has an exception to the general transfer type authority, then proposed law lists the exception in the Section placing the agency within its executive branch department.

Present law can grant authority to an agency that is not within the transfer type system. These agencies will have authority "as provided by law", and will have their own Sections granting the agency individualized powers, duties, functions, and responsibilities within their respective Titles. Proposed law retains present law.

R.S. 36:744 and Museum Facilities

Present law (R.S. 36:744) places certain museum facilities and their governing boards under the control of the Dept. of State, and defines the general powers, duties, functions, and responsibilities of the governing boards. The present law Sections defining these powers are located in the Chapter governing transfer type authority; however, the museum boards do not have authority derived from a transfer type or transfer type exception.

Present law (Title 25 generally) places certain museum facilities and their governing boards within the control of the Dept. of State. Present law (Title 25 generally) further defines the individual powers, duties, functions, and responsibilities of the individual governing boards.

Proposed law removes the references to the museum facilities from R.S. 36:744. Proposed law additionally removes the authority granting Sections from the Chapter on transfer type authority and adds it to the provision in R.S. 36:744 which defines the general powers, duties, functions, and responsibilities of the governing boards.

Proposed law retains present law individualized powers, duties, functions, and responsibilities found in Title 25.

DISPOSITION TABLE

Name of Agency	<u>Present law</u> citation	<u>Proposed law</u> citation
Governor's office	R.S. 36:4.1	
Office of Financial Institutions	(C)(1)	(B)(1)
La. State Racing Comm.	(G)	(B)(2)
La. Cemetery Bd	(D)(1)	(C)(1)
State Bd of Certified Public Accountants of La.	(D)(2)	(C)(2)
State Bd of Architectural Examiners	(D)(3)	(C)(3)
La. Real Estate Comm.	(D)(4)	(C)(4)
La. State Bd of Home Inspectors	(D)(5)	(C)(5)
State Licensing Bd for Contractors	(D)(6)	(C)(6)
Bd of Examiners of Certified Shorthand Reporters	(D)(8)	(C)(7)
La. Auctioneers Licensing Bd	(D)(9)	(C)(8)
State Bd of Examiners of interior Designers	(D)(10)	(C)(9)
La. Real Estate Appraisers Bd	(D)(11)	(C)(10)
State Boxing and Wrestling Comm.	(D)(12)	(C)(11)
La. Motor Vehicle Comm.	(D)(13)	(C)(12)
La. Used Motor Vehicle Comm.	(D)(14)	(C)(13)
La. State Polygraph Bd	(D)(15)	(C)(14)

La. Bd of Cosmetology	(D)(16)	(C)(15)
Department of Occupational Standards	(E)	(D)
Economic Development	R.S. 36:109	
Bd of Commerce and Industry	(F)	(A)
Office of entertainment industry development	(J)	(B)(1)
Office of international commerce & the La. Bd of International Commerce	(V)	(B)(2)
La. Military Advisory Council	(W)	(B)(3)
Department of Commerce & Industry	(G)(1)	(C)
La. Economic Development Corporation	(N)	(D)
Culture, Recreation & Tourism	R.S. 36:209	
La. Archaeological Survey & Antiquities Comm.	(C)(1)	(A)(1)
State Parks & Recreation Comm.	(C)(2)	(A)(2)
Bd of Directors of the La. State Museum	(E)	(A)(3)
Bd of Commissioners of the State Library of La.	(F)	(A)(4)
La. State Arts Council	(G)	(A)(5)
La. National Register Review Committee	(J)	(A)(6)
La. Folklife Comm	(L)	(A)(7)
La. Tourism Development Comm.	(P)	(A)(8)
La. Civil Rights Museum Advisory Bd	(Z)	(A)(9)
State Art, Historical & Cultural Preservation Agency	(H)(1)	(B)(1)
Toledo Bend Forest Scenic Drive Comm.	(H)(5)	(B)(2)
La. Art Comm.	(H)(6)	(B)(3)

La. Historical Preservation & Cultural Comm.	(H)(10)	(B)(4)
Orleans Parish Landmarks Comm.	(H)(13)	(B)(5)
La. Naval War Memorial Comm.	(K)	(C)(1)
Kenner Naval Museum Comm.	(N)	(C)(2)
New Orleans City Park Improvement Association & its board of commissioners	(O)	(C)(3)
Council for the Development of French in La.	(R)	(C)(4)
La. Byways Comm.	(X)	(D)(1)
La. Seafood Promotion & Marketing Bd	(Y)	(D)(2)
Atchafalaya Trace Comm.	(M)(1)	(D)(3)
State Board of Library Examiners	(D)	(E)
Workforce Commission	R.S. 36:309	
Employment Security Board of Review	(B)(1)	(A)(1)
Louisiana Worker's Compensation Second Injury Board	(B)(2)	(A)(2)
The Louisiana Workforce Investment Council	(B)(3)	(A)(3)
Apprenticeship Council	(C)(1)	(B)(1)
Workers' Compensation Advisory Council	(C)(4)	(B)(2)
Board of Barber Examiners	(D)(1)	(C)(1)
State Plumbing Board	(D)(2)	(C)(2)
Louisiana Rehabilitation Services	(E)	(D)
Worker's compensation medical advisory council	(F)	(E)(1)
Blind Vendors Trust Fund Advisory Board	(G)	(E)(2)

Transportation & Development	R.S. 36:509	
The Flood Control Project Evaluation Committee	(B)	(A)(1)
The Offshore Terminal Authority	(L)	(A)(2)
The Coastal Port Advisory Authority	(U)	(A)(3)
The Louisiana Professional Engineering and Land Surveying Board	(C)	(B)
The Department of Highways	(F)(2)	(C)(1)
Department of Public Works	(F)(3)	(C)(2)
The Board of Public Works	(F)(4)	(C)(3)
The State Board of Highways	(F)(5)	(C)(4)
Louisiana Expressway Authority	(F)(8)	(C)(5)
Larose-Lafitte Toll Road Authority	(F)(9)	(C)(6)
South Central Louisiana Toll Road Authority	(F)(10)	(C)(7)
The Mississippi River Bridge Authority	(F)(11)	(C)(8)
The Mississippi River Parkway Commission of Louisiana	(H)	(D)
The Louisiana Transportation Authority	(K)	(E)
The Sabine River Authority	(O)	(F)(1)
The Poverty Point Reservoir District	(Q)	(F)(2)
Agriculture & Forestry	R.S. 36:629	
Structural Pest Control Commission	(C)(3)	(B)(1)
Louisiana Board of Animal Health	(C)(5)	(B)(2)
Louisiana Commission of Weights and Measures	(C)(8)	(B)(3)

The Louisiana Animal Control Advisory Task Force	(C)(9)	(B)(4)
The Louisiana Aquatic Chelonian Research and Promotion Board	(Q)	(B)(5)
Livestock Brand Commission	(D)(1)	(C)(1)
Louisiana Advisory Commission on Pesticides	(D)(2)	(C)(2)
Louisiana Egg Commission	(E)(1)	(D)(1)
Louisiana Rice Promotion Board	(E)(3)	(D)(2)
Louisiana Rice Research Board	(E)(4)	(D)(3)
Louisiana Soybean and Grain Research and Promotion Board	(E)(5)	(D)(4)
Louisiana Strawberry Marketing Board	(E)(6)	(D)(5)
Louisiana Beef Industry Council	(E)(7)	(D)(6)
Louisiana Crawfish Promotion and Research Board	(E)(8)	(D)(7)
The Louisiana Sweet Potato Advertising and Development Commission	(F)	(E)
The Dairy Stabilization Board	(G)	(F)
The Horticulture Commission of Louisiana	(I)	(G)
The Louisiana Agricultural Commodities Commission	(J)	(H)(1)
The Louisiana Agricultural Finance Authority	(K)	(H)(2)
The Dairy Industry Promotion Board	(L)	(I)
The Forestry Commission	(N)	(J)
The State Soil and Water Conservation Commission	(O)	(K)
The Louisiana Boll Weevil Eradication Commission	(P)	(L)(1)

The Agriculture Chemistry and Seed Commission	(H)	(L)(2)
The Board of Veterinary Medicine	(S)	(M)
Education	R.S. 36:651	
The La. Educational Television Authority	(C)	(B)(1)
The office of instructional technology	(U)	(B)(2)
The Board of Supervisors for the University of La. System	(D)(1)	(C)(1)
Board of Regents	(D)(2)	(C)(2)
Board of Supervisors of La. State University and Agricultural and Mechanical College	(D)(3)	(C)(3)
Board of Supervisors of Southern University and Agricultural and Mechanical College	(D)(4)	(C)(4)
Board of Supervisors of Community and Technical Colleges	(D)(5)	(C)(5)
Board of directors for the New Orleans Center for Creative Arts	(D)(8)	(C)(6)
Board of directors of Thrive Academy	(D)(9)	(C)(7)
Health Education Authority of Louisiana	(D)(10)	(C)(8)
Board of directors for the Jimmy D. Long, Sr. Louisiana School for Math, Science, and the Arts	(Q)	(C)(9)
Quality Science and Mathematics Council	(Y)	(C)(10)
Governor's Program for Gifted Children	(Z)	(C)(11)
State Board of Elementary and Secondary Education	(E)	(D)
Recovery School District	(F)	(E)(1)

La. Environmental Education Commission	(CC)	(E)(2)
College and Career Readiness Commission	(G)(2)	(F)(1)
Agricultural Education Commission	(G)(4)	(F)(2)
ABLE Account Advisory Council	(G)(5)	(F)(3)
Task Force on Student Proficiency	(P)	(F)(4)
Early Childhood Care and Education Commission	(G)(8)	(F)(5)
Cybersecurity Education Management Council	(G)(9)	(F)(6)
State Department of Education (abolished)	(H)	(G)
Advisory Commission on Proprietary Schools	(L)	(J)
Statewide Articulation and Transfer Council	(T)(1)	(K)(1)
Process Technology Advisory Board	(T)(2)	(K)(2)
Louisiana Tuition Trust Authority	(T)(3)	(K)(3)
Governing board of the Louisiana Cancer Research Center of LSU Health Sciences Center in New Orleans/Tulane Health Science Center	(T)(4)	(K)(4)
Louisiana State University Health Sciences Center Health Maintenance Organization	(T)(5)	(K)(5)
La. STEM Advisory Council	(T)(6)	(K)(6)
Advisory Council on HBCUs	(T)(7)	(K)(7)
La. Hall of Fame for the Arts election board	(O)	(K)(8)
La. Fire and Emergency Training Commission	(S)	(K)(9)
La. Health Works Commission	(AA)(1)	(L)(1)(a)

Nursing Supply and Demand Council	(AA)(2)	(L)(1)(b)
Simulation Medical Training and Education Council for La.	(AA)(3)	(L)(1)(c)
La. Student Financial Assistance Commission (abolished)	(BB)	(M)
Insurance	R.S. 36:686	
Board of Directors of the Property Insurance Association of La.	(A)(1)	(A)(1)
Governing Committee of the La. Joint Reinsurance Plan	(A)(2)	(A)(2)
Governing Committee of the La. Insurance Underwriting Plan	(A)(3)	(A)(3)
Governing Committee of the La. Automobile Insurance Plan	(A)(4)	(A)(4)
Board of Directors of the La. Citizens Property Insurance Corporation	(A)(5)	(A)(5)
Board of Directors of the La. Consortium of Insurance and Financial Services	(B)(1)	(B)(1)
Advisory Committee of the Louisiana Consortium of Insurance and Financial Services	(B)(2)	(B)(2)
The Louisiana Property and Casualty Insurance Commission	(C)(2)	(C)(1)
The Louisiana Mandated Health Benefits Commission	(F)	(C)(2)
The Louisiana Health Care Commission	(D)	(D)
The Board of Directors of the Louisiana Automobile Theft and Insurance Fraud Prevention Authority	(E)	(E)

The board of review for public fire protection grading	(G)	(F)
State	R.S. 36:744	
State Board of Election Supervisors	(C)	(B)
La. Historical Records Advisory Board	(D)	(C)(1)
Advisory Board of the Old State Capitol	(F)	(C)(2)
Eddie G. Robinson Museum Commission	(Q)	(C)(3)
Advisory Board of the La. State Archives	(DD)	(C)(4)
State Archives and Records Commission and the State Archives and Records Service	(E)	(D)(1)
Old State Capitol Memorial Commission	(G)	(D)(2)
Office of commissioner of elections	(R)	(E)
Governing board of the La. Delta Music Museum	(S)	(F)(1)(a)
Governing board of the Tioga Heritage Park and Museum	(V)	(F)(1)(b)
Governing board of the Mansfield Female College Museum	(W)	(F)(1)(c)
Governing board of the Germantown Colony Museum	(BB)	(F)(1)(d)
Regional Museum Governing Board of the Louisiana State Exhibit Museum	(I)	(F)(1)(e)
Governing Board of the La. State Cotton Museum	(L)	(F)(1)(f)
Governing Board of the La. State Oil and Gas Museum	(N)	(F)(1)(g)

(Amends R.S. 3:732(A) and 2054(A), R.S. 17:2048.61(B), R.S. 23:1294(A)(1), R.S. 25:379(A), 379.2(B)(4), 380(A), 380.2(B)(4), 380.21(A), 380.23(B)(6), 380.51(A),

380.53(B)(6), 380.81(A), 380.83(B)(6), 380.91(A), 380.93(B)(6), 380.151(A), 380.153(B)(6), R.S. 36:4.1(C), (D), and (E), 109, 209, 309, 509, 629, 651, 686, 744, 801(intro. para.), 801.1(A), 802(intro. para.), 803(A)(1), 851(A), 901(A), and 921(A), R.S. 42:808(A)(6), R.S. 51:1253(3), and §3 of Act No. 180 of the 2020 R.S.; Adds R.S. 36:4.1(B); Repeals R.S. 36:4.1(F) and (G), 801.2, 801.5, 801.6, 801.7, 801.9, 801.12, 801.15, 801.16, 801.22, 802.1, 802.2, 802.3, 802.6, 802.7, 802.10, 802.12, 802.16, 802.19, 802.21, 851.1, 908, 909, 910, 911, 912, 913, 919.1, 919.6, and 919.9)