

SENATE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 136 by Senator Fred Mills

1 AMENDMENT NO. 1

2 On page 1, line 6, change "R.S. 49:953.1" to "R.S. 49:951(8) and 953.1"

3 AMENDMENT NO. 2

4 On page 8, line 7, change "R.S. 49:953.1 is" to "R.S. 49:951(8) and 953.1 are"

5 AMENDMENT NO. 3

6 On page 8, between lines 7 and 8 insert the following:

7 "§951. Definitions

8 As used in this Chapter:

9 * * *

10 **(8) "Preamble" means a brief explanation of the basis and**
11 **rationale for the intended administrative rulemaking action including a**
12 **summary of the information and data supporting the intended action.**

13 * * *

14 AMENDMENT NO. 4

15 On page 9, line 5, after "(2)" delete the remainder of the line, delete lines 6 through 8, and
16 on line 9, delete "**order to satisfy the criteria for an emergency rule.**"

17 AMENDMENT NO. 5

18 On page 9, line 24, change "**twenty**" to "**eighty**"

19 AMENDMENT NO. 6

20 On page 9, line 25, change "**may be repromulgated**" to "**shall be adopted**"

21 AMENDMENT NO. 7

22 On page 9, line 27, after "**disaster**" change "**or**" to a comma and after "**emergency**" insert
23 "**, or an ongoing emergency as authorized by the legislature, governor, or other**
24 **provision of law**"

25 AMENDMENT NO. 8

26 On page 9, delete lines 28 and 29 and insert the following:

27 **"the agency may concurrently proceed with the adoption of an identical**
28 **rule pursuant to the procedure provided for in R.S. 49:953(A).**

29 **B.(1) No later than five days after the adoption of an emergency**
30 **rule, the agency shall provide notice in writing of its emergency action**
31 **along with a copy of the emergency rule. The notice shall contain, at a**
32 **minimum, all of the following:**

33 **(a) A preamble which states the specific provision or provisions**
34 **of Paragraph (A)(1) of this Section the agency is citing as cause for**
35 **emergency rulemaking and the specific facts and detailed reasoning for**

1 emergency rulemaking in order to satisfy the criteria for an emergency
2 rule.

3 (b) The name of the person within the agency who has the
4 responsibility for responding to inquiries about the action.

5 (c) A statement that the intended action complies with the
6 statutory law administered by the agency, including a citation of the
7 enabling legislation."

8 AMENDMENT NO. 9

9 On page 10, delete line 1, and insert "(2)(a) The notice required in Paragraph (1) of this
10 Subsection"

11 AMENDMENT NO. 10

12 On page 10, line 2, change "submitted" to "transmitted"

13 AMENDMENT NO. 11

14 On page 10, line 4, after "Register" delete the remainder of the line and delete lines 5
15 through 9 and insert "in accordance with each entity's transmittal policy."

16 AMENDMENT NO. 12

17 On page 10, line 10, change "(2) Within five days of" to "(b) No later than five days after
18 the"

19 AMENDMENT NO. 13

20 On page 10, line 11, change "mail" to "transmit" and change "emergency rule" to "notice
21 required in Paragraph (1) of this Subsection"

22 AMENDMENT NO. 14

23 On page 11, line 1, change "Paragraph (A)(1)" to "Subsection A"

24 AMENDMENT NO. 15

25 On page 11, line 8, change "statement" to "notice" and change "Paragraph (A)(2)" to
26 "Subsection B"

27 AMENDMENT NO. 16

28 On page 11, line 12, change "Paragraph (A)(1)" to "Subsection A"

29 AMENDMENT NO. 17

30 On page 11, line 13, after "also" delete the remainder of the line and delete line 14 and insert
31 "make the following determinations:"

32 AMENDMENT NO. 18

33 On page 11, line 23, change "statement" to "notice" and change "Paragraph (A)(2)" to
34 "Subsection B"

35 AMENDMENT NO. 19

36 On page 11, at the end of line 28, insert a period and delete line 29