

1 Be it enacted by the Legislature of Louisiana:

2 Section 1. R.S. 34:3451(2) and (3), 3455(A), 3471(1), (3) and (4), and 3475(A) are
3 hereby amended and reenacted, and R.S. 34:3455(C) and 3475(C) are hereby enacted to read
4 as follows:

5 §3451. Definitions

6 As used in this Chapter, unless the context clearly indicates otherwise, the
7 following definitions shall apply:

8 * * *

9 (2) "Department" means the Department of ~~Transportation and Development~~
10 **Commerce**.

11 (3) "Joint committee" means the House Committee on ~~Transportation,~~
12 ~~Highways and Public Works~~ **Commerce** and the Senate Committee on
13 ~~Transportation, Highways and Public Works~~ **Commerce, Consumer Protection**
14 **and International Affairs**, functioning as a joint legislative committee **meeting**
15 **jointly**.

16 * * *

17 §3455. Projects undertaken by the department

18 A. After adoption of the department's recommendations by the joint
19 committee, the approved list of projects shall be forwarded to the department for
20 implementation. The approved list shall be implemented by the department by the
21 use of funds appropriated, ~~funding obligation authority, or pursuant to the cash~~
22 ~~management program as provided by R.S. 48:251(D)~~. Funding or funding obligation
23 authority shall be allocated to projects in accordance with the prioritized list of
24 projects approved by the joint committee. Funding obligation authority may be
25 granted or authorized for a project from funds appropriated or obligated for another
26 project or projects within the Port Priority Construction and Development Program
27 provided that such authority does not impede such project or projects. Such funding
28 obligation authority shall be extinguished for a project at such time as funds are
29 made available for obligation for the project. The department shall not delete, add,

1 or substitute any projects for those approved by the joint committee, except as
2 provided in R.S. 34:3456; however, the secretary of the department may, at his
3 discretion, authorize projects to be undertaken and financed due to an emergency out
4 of the secretary's emergency fund.

5 * * *

6 C. The department shall adopt rules in accordance with the
7 Administrative Procedure Act to implement the provisions of this Section.

8 * * *

9 §3471. Definitions

10 As used in this Chapter, unless the context clearly indicates otherwise, the
11 following definitions shall apply:

12 (1) "Department" means the Department of ~~Transportation and Development~~
13 Commerce.

14 * * *

15 (3) "Joint committee" means the House Committee on ~~Transportation,~~
16 ~~Highways and Public Works~~ Commerce and the Senate Committee on
17 ~~Transportation, Highways and Public Works, functioning as a joint legislative~~
18 ~~committee~~ Commerce, Consumer Protection and International Affairs, meeting
19 jointly.

20 (4) "Office" means the office of multimodal commerce within the
21 Department of ~~Transportation and Development~~ Commerce.

22 * * *

23 §3475. Projects undertaken by the office

24 A. After adoption of the office's recommendations by the joint committee, the
25 approved list of projects shall be forwarded to the office for implementation. The
26 approved list shall be implemented by the office by the use of funds appropriated;
27 ~~funding obligation authority, or pursuant to the cash management program as~~
28 ~~provided by R.S. 48:251(D)~~. Funding or funding obligation authority shall be
29 allocated to projects in accordance with the prioritized list of projects approved by

1 the joint committee. Funding obligation authority may be granted or authorized for
 2 a project from funds appropriated or obligated for another project or projects within
 3 the Waterway Dredging and Deepening Priority Program provided that such
 4 authority does not impede such project or projects. Such funding obligation authority
 5 shall be extinguished for a project at such time as funds are made available for
 6 obligation for the project. The office shall not delete, add, or substitute any projects
 7 for those approved by the joint committee, except as provided in R.S. 34:3476.

* * *

9 **C. The office shall adopt rules in accordance with the Administrative**
 10 **Procedure Act to implement the provisions of this Section.**

11 Section 2 R.S. 36:4(A)(2), the section heading of 4.1, 8.1(C)(3), 101(A), (B), and
 12 (C)(1), 103, 104(A)(14), the introductory paragraph of (B)(1)(a), and (B)(1)(b) and (9), the
 13 introductory paragraph of 104.1(A) and 104.1(B)(4), 106(A) and (B), 107, 108(A) and the
 14 introductory paragraph of (B), 109, 501(C)(1), 502(A) and (B), and 957 are hereby amended
 15 and reenacted and R.S. 36:110 and 111 are hereby enacted to read as follows:

16 §4. Structure of executive branch of state government

17 A. In accordance with the provisions of Article IV, Section 1 and Article
 18 XIV, Section 6 of the Constitution of Louisiana, all offices, boards, commissions,
 19 agencies, and instrumentalities of the executive branch of state government, whether
 20 constitutional or statutory, and/or their functions, powers, duties, and responsibilities
 21 shall be allocated, either in the Act by which this Title was created or by legislation
 22 enacted subsequent thereto, within the departments listed in this Section, except as
 23 provided in Subsections B and C of this Section, and in order to comply with this
 24 constitutional mandate, the agencies of the executive branch of state government
 25 hereinafter enumerated, whether heretofore created by the constitution or by statute,
 26 and/or their functions, powers, duties, and responsibilities are allocated, in the
 27 manner hereinafter set forth in this Title, within the following designated
 28 departments:

* * *

1 (2) Department of ~~Economic Development~~ Commerce.

2 * * *

3 §4.1. Agencies transferred from the Department of ~~Economic Development~~
4 Commerce to the office of the governor; agencies placed within the
5 office of the governor

6 * * *

7 §8.1. Litigation oversight; reports to the legislature

8 * * *

9 C. The provisions of this Section shall apply to any civil action filed by the
10 following departments or offices, including offices and agencies thereof, collectively
11 referred to in this Section as "agency":

12 * * *

13 (3) Department of ~~Economic Development~~ Commerce.

14 * * *

15 CHAPTER 3. DEPARTMENT OF ~~ECONOMIC DEVELOPMENT~~ COMMERCE

16 §101. Department of ~~Economic Development~~ Commerce; creation; domicile;
17 composition; purposes and functions

18 A.(1) The Department of Economic Development is created and beginning
19 July 1, 2024, shall be renamed the Department of Commerce and shall be
20 restructured as provided in R.S. 36:110. The department shall be a body
21 corporate with the power to sue and be sued. The domicile of the department shall
22 be in Baton Rouge.

23 (2) Beginning July 1, 2024, any reference in this Chapter, this Title, or
24 any other Title of the Louisiana Revised Statutes of 1950 to the "Department of
25 Economic Development" shall mean the "Department of Commerce".

26 B. The Department of ~~Economic Development~~ Commerce, through its
27 offices and officers, shall be responsible for fostering the growth of industry and
28 other commercial enterprises and multimodal commerce in Louisiana that will
29 contribute to the overall improvement of the economy of the state. The department

1 shall promote the advantages of Louisiana to out-of-state business and industry,
 2 facilitate the expansion of existing enterprises, administer, provide for, plan, and
 3 facilitate multimodal transportation, aviation, railroad, public mass transit,
 4 public transportation, and water transportation systems, and coordinate with
 5 other state agencies and units of local government plans and programs aimed at
 6 developing optimum conditions for new and expanding industrial and commercial
 7 enterprises in Louisiana, including effective and efficient multimodal
 8 transportation systems for those enterprises.

9 C.(1) The Department of ~~Economic Development~~ Commerce shall be
 10 composed of the executive office of the secretary, the office of management and
 11 finance, the office of ~~business~~ economic development, the office of multimodal
 12 commerce, and such other offices as shall be created by law.

13 * * *

14 §103. Secretary of ~~economic development~~ commerce

15 There shall be a secretary of ~~economic development~~ commerce, who shall
 16 be appointed by the governor with consent of the Senate and who shall serve at the
 17 pleasure of the governor at a salary fixed by the governor, which salary shall not
 18 exceed the amount approved for such position by the legislature while in session.
 19 The secretary shall serve as the executive head and chief administrative officer of the
 20 Department of ~~Economic Development~~ Commerce and shall have the responsibility
 21 for the policies of the department, except as otherwise provided by this Title, and for
 22 the administration, control, and operation of the functions, programs, and affairs of
 23 the department; provided that the secretary shall perform his functions under the
 24 general control and supervision of the governor.

25 §104. Powers and duties of the secretary of ~~economic development~~ commerce

26 A. In addition to the functions, powers, and duties otherwise vested in the
 27 secretary by law, he shall:

28 * * *

29 (14) Notwithstanding other provisions in this Subsection, the secretary of the

1 Department of ~~Economic Development~~ **Commerce** may provide targeted economic
 2 development efforts in priority economic development zones. ~~Such~~ **These** targeted
 3 programs shall be in addition to programs already in existence or any programs that
 4 may have been implemented in these areas by the department under normal
 5 circumstances. "Priority economic development zone" means any parish listed as one
 6 of the ten parishes with the highest unemployment rates in Louisiana and any
 7 municipality listed as one of the twenty-five municipalities with the highest
 8 unemployment rates in Louisiana as of July first of any given year and according to
 9 statistics compiled by the Louisiana Workforce Commission.

10 * * *

11 B. The secretary shall have the authority to:

12 (1)(a) Except as otherwise specifically provided in R.S. 36:110, 801, and 803:

13 * * *

14 (b) All of the above are to be accomplished in accordance with applicable
 15 civil service law, rules, and regulations, and with policies and rules of the
 16 Department of ~~Economic Development~~ **Commerce**, and all are subject to budgetary
 17 control and applicable laws.

18 * * *

19 (9) Establish and collect a verification report fee, as defined in R.S. 36:104.1,
 20 as required for a Department of ~~Economic Development~~ **Commerce** incentive
 21 program. The fee shall be established and collected as provided in R.S. 36:104.1, and
 22 as may be further provided by rule promulgated in accordance with the
 23 Administrative Procedure Act.

24 * * *

25 §104.1. Fee for independent certified public accountant or tax attorney verification
 26 reports required for certain Department of ~~Economic Development~~
 27 **Commerce** programs

28 A. In order to protect the integrity of its programs by ensuring that tax credits
 29 are certified only for eligible expenditures, and to provide for uniformity in

1 expenditure verification reporting, the Department of ~~Economic Development~~
 2 **Commerce** shall directly engage and assign an independent certified public
 3 accountant, hereinafter referred to as "CPA" or tax attorney to prepare for the
 4 department any required expense or expenditure verification report on a tax credit
 5 applicant's cost report of expenditures or claimed expenditures for all of the
 6 following programs:

7 * * *

8 B. For purposes of this Section, the term "certified public accountant", or
 9 "CPA", shall mean a person who meets all of the following qualifications:

10 * * *

11 (4) Completes eight hours of continuing professional education in approved
 12 Department of ~~Economic Development~~ **Commerce** tax credit attestation courses per
 13 reporting cycle.

14 * * *

15 §106. Undersecretary; functions; office of management and finance

16 A. There shall be an undersecretary of the Department of ~~Economic~~
 17 ~~Development~~ **Commerce** who shall be appointed by the governor with the consent
 18 of the Senate and who shall serve at the pleasure of the governor, at a salary fixed by
 19 the governor, which salary shall not exceed the amount approved for such position
 20 by the legislature while in session. The undersecretary shall be directly responsible
 21 to and shall perform his functions under the supervision and control of the secretary.

22 B. The undersecretary shall direct and be responsible for the functions of the
 23 office of management and finance within the Department of ~~Economic Development~~
 24 **Commerce**. In such capacity he shall be responsible for accounting and budget
 25 control, procurement and contract management, data processing, management and
 26 program analysis, personnel management, and grants management for the
 27 department and all of its offices, including all agencies transferred to the Department
 28 of ~~Economic Development~~ **Commerce**, except as otherwise specifically provided in
 29 this Title. He shall employ, appoint, remove, assign, and promote such personnel as

1 is necessary for the efficient administration of the office of management and finance
 2 and the performance of its powers, duties, functions, and responsibilities, in
 3 accordance with applicable civil service laws, rules, and regulations, and with
 4 policies and rules of the department, all subject to budgetary control and applicable
 5 laws. The undersecretary shall exercise all powers and authority granted to him in
 6 this Title subject to the overall direction and control of the secretary.

7 * * *

8 §107. Assistant secretaries

9 A. Each office within the Department of ~~Economic Development~~ Commerce,
 10 except the office of management and finance ~~and~~, the office of entertainment
 11 industry development, the office of economic development, and the office of
 12 multimodal commerce, shall be under the immediate supervision and direction of
 13 an assistant secretary. The office of economic development shall be under the
 14 immediate supervision and direction of the executive director of the office of
 15 economic development. The office of multimodal commerce shall be under the
 16 immediate supervision and direction of a commissioner of multimodal
 17 commerce. The assistant secretary, executive director, and the commissioner of
 18 each such office shall be appointed by the governor with the consent of the Senate.
 19 Each shall serve at the pleasure of the governor and shall be paid a salary which shall
 20 be fixed by the governor, which salary shall not exceed the amount approved for
 21 such position by the legislature while in session.

22 B. Except as otherwise expressly provided in this Title, the duties and
 23 functions of each office and its assistant secretary, executive director, or
 24 commissioner shall be determined by the secretary, and all of such duties and
 25 functions shall be exercised under the direct supervision and control of the secretary.

26 C. Except as otherwise provided in R.S. 36:801, each assistant secretary,
 27 executive director, and commissioner shall employ, appoint, remove, assign, and
 28 promote such personnel as is necessary for the efficient administration of his office
 29 and its programs and the performance of its powers, duties, functions, and

1 responsibilities, in accordance with applicable civil service laws, rules, and
 2 regulations, and with policies and rules of the department, all subject to budgetary
 3 control and applicable laws.

4 D. Each assistant secretary, **executive director, and commissioner** shall
 5 exercise all powers and authority granted to him in this Title subject to the overall
 6 direction and control of the secretary.

7 §108. Offices; purposes and functions

8 A. The purposes for which the offices of the Department of **Economic**
 9 ~~Development~~ **Commerce** are created shall be as set forth in this Section.

10 B. The office of ~~business~~ **economic** development shall perform the following
 11 functions of the state:

12 * * *

13 §109. Transfer of boards, commissions, departments, and agencies to Department of

14 ~~Economic Development~~ **Commerce**

15 A. The Board of Commerce and Industry (Article XIV, Section 14(b.2) of the
 16 1921 Louisiana Constitution made statutory by Article XIV, Section 16(A)(10) of
 17 the 1974 Louisiana Constitution; R.S. 51:921 through 947; R.S. 47:3201 through
 18 3205) is transferred to and hereafter shall be within the Department of **Economic**
 19 ~~Development~~ **Commerce**, in accordance with the provisions of R.S. 36:901, except
 20 that the Board of Commerce and Industry shall continue to exercise those powers,
 21 duties, and functions with respect to the granting of tax exemptions for new
 22 manufacturing establishments or extensions thereof which it is authorized by the
 23 Constitution of Louisiana or by law to exercise.

24 B. The following agencies are placed within the Department of **Economic**
 25 ~~Development~~ **Commerce, office of economic development**, and shall perform and
 26 exercise their powers, duties, functions, and responsibilities as provided by law:

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

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

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

2 C. The Department of Commerce and Industry (R.S. 51:921 through 938) is
3 hereby abolished and its powers, duties, functions, and responsibilities are
4 transferred to the secretary of the Department of ~~Economic Development~~ **Commerce**
5 and hereafter shall be exercised and performed as provided in R.S. 36:921 et seq.

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

11 **§110. Office of multimodal commerce; functions; commissioner; deputy**
12 **commissioner; powers and duties; transition**

13 **A.(1) There is hereby created within the Department of Commerce, the**
14 **office of multimodal commerce, which shall administer the planning and**
15 **programming functions of the department related to strategic and intermodal**
16 **issues, aviation, commercial trucking, intercity public mass transit, railroad**
17 **expansion and development, port and water transportation systems, and related**
18 **matters, and any other special programs as may be directed by the governor.**

19 **(2) The office shall coordinate with Department of Transportation and**
20 **Development, office of planning on intermodal issues, and implement the master**
21 **plan as it relates to intermodal transportation.**

22 **(3) Notwithstanding Paragraph (1) of this Subsection, any powers, duties,**
23 **responsibilities and corresponding department employees, equipment, facilities,**
24 **and funding of the Department of Transportation and Development with**
25 **respect to federal programs on rail safety and the administration of federal rail**
26 **safety and hazard mitigation funds and the like shall remain with the office of**
27 **engineering of the Department of Transportation and Development.**

28 **B. The office of multimodal commerce shall be vested with the powers,**
29 **duties, responsibilities, budgetary authority, and department employees,**

1 equipment, facilities, and funding necessary to carry out the functions conferred
2 upon it by the provisions of Paragraphs (A)(1) and (2) of this Section.

3 C.(1) The office of multimodal commerce shall be under the supervision
4 of a commissioner of multimodal commerce, who shall administer all
5 department functions and duties for which the office of multimodal commerce
6 is responsible. The commissioner shall be appointed by the governor, subject to
7 Senate confirmation, and shall serve at the pleasure of the governor.

8 (2) The commissioner shall have authority, in accordance with applicable
9 rules and regulations of the civil service commission, to employ, appoint,
10 transfer, assign, and promote such personnel as is necessary for the efficient
11 administration of the office of multimodal commerce.

12 (3) The commissioner shall receive an annual salary fixed by the
13 governor, which salary shall not exceed the amount approved for such position
14 by the legislature while in session, and shall be allowed his actual and necessary
15 traveling expenses incurred in the discharge of his official duties.

16 D. The powers, duties, responsibilities, budgetary authority, employees,
17 equipment, facilities, and funding of the office of multimodal commerce shall
18 be allocated among the following divisions of the office:

19 (1) Commercial trucking.

20 (2) Ports and waterways.

21 (3) Aviation.

22 (4) Freight and passenger rail development.

23 E.(1) Except as provided in Paragraph (2) of this Subsection, the powers,
24 duties, responsibilities and corresponding department employees, equipment,
25 facilities, and funding of the Department of Transportation and Development
26 with respect to the function of administering, managing, providing for,
27 planning, and facilitating multimodal transportation, aviation, railroads, public
28 mass transit, public transportation, and water transportation systems, and
29 related statutory entities made a part of such department, shall be transferred

1 to the office of multimodal commerce of the Department of Commerce, effective
2 July 1, 2024.

3 (2)(a) In order to avoid duplication and extra expense to government,
4 and in order to efficiently use existing expertise:

5 (i) The transfer of function provided for in Paragraph (1) of this
6 Subsection shall not include those employees, equipment, and facilities of the
7 Department of Transportation and Development which are concerned with
8 engineering and construction of projects, permitting, or the funding necessary
9 for costs related to such employees, equipment, and facilities, as determined by
10 the division of administration. However, the Department of Transportation and
11 Development shall provide the services and expertise of such employees,
12 equipment, and facilities upon the request of the office of multimodal commerce
13 of the Department of Commerce.

14 (ii) The initial level of funding for the employees, equipment, facilities,
15 and funding transferred pursuant to this Subsection shall not exceed an amount
16 equal to the percentage that such funding bears to the total funding of the
17 Department of Transportation and Development in the fiscal year prior to the
18 transfer.

19 (b) Any powers, duties, responsibilities and corresponding department
20 employees, equipment, facilities, and funding of the Department of
21 Transportation and Development with respect to federal programs on rail
22 safety and the administration of federal rail safety and hazard mitigation funds
23 and the like shall remain with the Department of Transportation and
24 Development.

25 §111. Multimodal Commerce Advisory Commission

26 A. The Multimodal Commerce Advisory Commission is hereby
27 established within the office of multimodal commerce. It shall be composed of
28 the following:

29 (1) The commissioner of multimodal commerce, who shall be chair of the

1 commission.

2 (2) The secretary of the Department of Commerce, or his designee.

3 (3) The secretary of the Department of Transportation and Development,
4 or his designee.

5 (4) The chairs of the Senate and House committees on transportation,
6 highways, and public works, or their designees.

7 (5) The chairs of the Senate Committee on Commerce, Consumer
8 Protection and International Affairs and the House Committee on Commerce,
9 or their designees.

10 (6) A representative of the Ports Association of Louisiana selected by its
11 board of directors.

12 (7) A representative of the Louisiana Association of Waterway Operators
13 and Shipyards selected by its board of directors.

14 (8) The president of the Louisiana Airport Managers and Associates, or
15 his designee.

16 (9) A representative of the Louisiana Motor Transport Association
17 selected by its board of directors.

18 (10) A representative of the Louisiana Railroad Association selected by
19 its board of directors.

20 (11) The chairman of the Louisiana Board of International Commerce,
21 or his designee.

22 (12) The chairman of the board of the Offshore Marine Service
23 Association, or his designee.

24 (13) A Louisiana representative of the Southern Rail Commission
25 appointed by the governor.

26 (14) A representative at-large selected by the president of the Senate.

27 (15) A representative at-large selected by the speaker of the House of
28 Representatives.

29 B. The Multimodal Commerce Advisory Commission shall serve in an

1 advisory capacity to the commissioner.

2 C. A majority of the members of the commission shall constitute a
3 quorum for the purpose of taking any action, and actions of the commission
4 may be taken by an affirmative vote of the members of the commission present.

5 D. Members of the commission shall serve without compensation, except
6 per diem or expenses reimbursement to which they may be individually entitled
7 as members of the constituent organizations.

8 * * *

9 §501. Department of Transportation and Development; creation; domicile;
10 composition; purposes and functions

11 * * *

12 C.(1) The Department of Transportation and Development shall be composed
13 of the executive office of the secretary, the office of management and finance, the
14 office of engineering, the office of planning, the office of operations, ~~the office of~~
15 ~~multimodal commerce~~, and such other offices as shall be created by law.

16 * * *

17 §502. Officers of the department; compensation for one office only

18 A.(1) The officers of the department shall be the secretary, undersecretary,
19 deputy secretary, chief engineer, assistant secretary of planning, ~~commissioner of~~
20 ~~multimodal commerce~~, and assistant secretary of operations, each of whom shall be
21 selected and shall perform functions as provided in this Title.

22 (2) The secretary, undersecretary, deputy secretary, assistant secretary of
23 planning, assistant secretary of operations, executive director of the Offshore
24 Terminal Authority, ~~commissioner of multimodal commerce~~, and such other
25 positions which may be authorized by the State Civil Service Commission or the
26 state constitution shall be the only unclassified positions in the Department of
27 Transportation and Development. All other positions in the department shall be in
28 the classified state service. The secretary shall fill such positions as in his opinion
29 and judgment are necessary to the operation of the department in accordance with

1 applicable rules and regulations of the State Civil Service Commission and
2 applicable law.

3 B. No person serving as a secretary, undersecretary, deputy secretary, chief
4 engineer, assistant secretary of planning, assistant secretary of operations,
5 ~~commissioner of multimodal commerce~~, or in any other office in the department
6 shall receive any additional salary from the state other than that salary which he
7 receives by virtue of serving in any one of such offices. Any statewide elected
8 official appointed to serve as a secretary or deputy secretary shall not receive any
9 additional salary from the state other than that salary which he receives as a
10 statewide elected official.

11 * * *

12 §957. Effective date of certain transfers and abolitions; continued merger and
13 consolidation within departments

14 A. The transfer or abolition of each agency transferred or abolished by this
15 Title, which agency or the functions thereof are transferred to one of the following
16 departments, shall be effective upon the effective date of this Part: the Department
17 of State Civil Service, the Department of ~~Economic Development~~ **Commerce**, the
18 Department of Culture, Recreation and Tourism, the Louisiana Workforce
19 Commission, the Department of Natural Resources, the Department of Public Safety
20 and Corrections, the Department of Revenue, the Department of Transportation and
21 Development, and the Department of Wildlife and Fisheries.

22 * * *

23 Section 3. R.S. 51:3136(A)(9) is hereby amended and reenacted to read as follows:
24 §3136. Membership of board

25 A. The board shall consist of the following members:

26 * * *

27 (9) The commissioner of the office of multimodal commerce in the
28 Department of ~~Transportation and Development~~ **Commerce** or his designee.

29 * * *

1 Section 4. R.S. 36:108(B)(4), 508.3, 508.4, and 509(A)(3) are hereby repealed.

2 Section 5. The Louisiana State Law Institute is directed to change all references
3 necessary to reflect the renaming of the "Department of Economic Development" to the
4 "Department of Commerce" and the "secretary of economic development" to the "secretary
5 of commerce" throughout the Louisiana Revised Statutes of 1950, as provided by Section
6 1 of this Act.

7 Section 6. This Act shall become effective on July 1, 2024.

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

	DIGEST	
SB 214 Reengrossed	2023 Regular Session	McMath

Present law provides for the structure of state government and creates a Dept. of Economic Development (DED).

Proposed law renames the Dept. of Economic Development as the Department of Commerce (department).

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

Proposed law moves the office to the department.

Present law provides for an office of business development within the DED.

Proposed law renames the office of business development as the office of economic development within the department.

Present law provides for the office to administer the planning and programming functions of the department related to strategic and intermodal issues, aviation, commercial trucking, intercity public mass transit, railroad expansion and development, port and water transportation systems, and related matters, and any other special programs as may be directed by the governor.

Proposed law retains present law.

Present law provides for a commissioner of the office, who shall be appointed by the governor, subject to Senate confirmation, and serve at the pleasure of the governor.

Proposed law retains present law.

Present law provides for a Port Construction and Development Priority Program within the office in the DOTD.

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

Present law provides for legislative oversight for the Port Construction and Development

Priority Program to be performed by the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways and Public Works functioning as a joint legislative committee.

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

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

Proposed law moves the WDDPP to the department.

Present law provides for legislative oversight for the WDDPP to be performed by the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways and Public Works functioning as a joint legislative committee.

Proposed law provides for legislative oversight for the WDDPP to be performed by the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection and International Affairs functioning as a joint legislative committee.

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

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

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

Present law provides for implementation of projects as part of the WDDPP with funds appropriated for funding obligation authority, or pursuant to the cash management program as provided by present law.

Proposed law requires the office to adopt rules for implementation of projects as part of the WDDPP pursuant to the APA to implement provisions of proposed law.

Present law requires that the powers, duties, responsibilities, budgetary authority, employees, equipment, facilities, and funding of the office of multimodal commerce shall be allocated among the following divisions of such office:

- (1) Commercial trucking.
- (2) Ports and waterways.
- (3) Aviation.
- (4) Freight and passenger rail development.

Proposed law retains present law.

Proposed law requires that, except as provided in proposed law, the powers, duties, responsibilities and corresponding department employees, equipment, facilities, and funding of the DOTD with respect to the function of administering, managing, providing for, planning, and facilitating multimodal transportation, aviation, railroads, public mass transit, public transportation, and water transportation systems, and related statutory entities made

a part of such department, be transferred to the office of the department, on July 1, 2024.

Proposed law requires any powers, duties, responsibilities and corresponding department employees, equipment, facilities, and funding of the DOTD with respect to federal programs on rail safety and the administration of federal rail safety and hazard mitigation funds and the like remain with the DOTD.

Present law creates a Multimodal Commerce Advisory Commission to advise the commissioner.

Proposed law retains present law.

Proposed law directs the La. State Law Institute to change all references necessary to reflect the renaming of the "Department of Economic Development" to the "Department of Commerce" and the "secretary of economic development" to the "secretary of commerce" throughout the Louisiana Revised Statutes of 1950.

Effective July 1, 2024.

(Amends R.S. 34:3451(2) and (3), 3455(A), 3471(1), (3) and (4), and 3475(A), R.S. 36:4(A)(2), 4.1(section heading), 8.1(C)(3), 101(A), (B), and (C)(1), 103, 104(A)(14), (B)(1)(a)(intro para) and (b) and (9), 104.1(A)(intro para) and (B)(4), 106(A) and (B), 107, 108(A) and (B) (intro para), 109, 501(C)(1), 502(A) and (B), 957, and R.S. 51:3136(A)(9); adds R.S. 34:3455(C) and 3475(C) and R.S. 36:110 and 111; repeals R.S. 36:108(B)(4), 508.3, 508.4, and 509(A)(3))

Summary of Amendments Adopted by Senate

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

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

Senate Floor Amendments to engrossed bill

1. Makes technical amendments.