

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 852 by Representative Smiley

BOARDS/COMMISSIONS: Abolishes boards and commissions and like entities

Synopsis of Senate Amendments

1. Removes certain technical, conforming changes in present law that were necessary because of the proposed abolition of the Archaeology Survey and Antiquities Commission, but does not remove provisions for abolition of the commission.
2. Adds provision for licensing certain previously licensed addiction counselors.
3. Adds provisions relative to membership on the boards of commissioners of "plaza districts" created by present law relative to tax increment financing.

Digest of Bill as Finally Passed by Senate

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

Educational Assessment Testing Commission: Present law creates the commission to study elementary and secondary education testing issues, indicators of student performance, and the results thereof and to serve as advisor to the State Board of Elementary and Secondary Education and recommend procedures for conducting, maintaining, and reporting reliable accountability measures of student performance. Proposed law abolishes the commission and its functions.

Interim school board for Central Community School System: Present law created the interim school board to govern the school system only until the initial elected members of the Central Community School Board took office. Proposed law abolishes the interim school board and its functions.

La. Home Instruction for Preschool Youngsters Advisory Board: Present law creates the advisory board to assist in developing standards for funding qualified HIPYPY programs and raising public awareness of such programs and to provide consultation and guidance to the HIPYPY coordinator and the Dept. of Education. Proposed law abolishes the board and its functions.

A. Z. Young Memorial Commission: Present law establishes the A. Z. Young Park on public lands formerly occupied by the state building known as the A. Z. Young Building in downtown Baton Rouge. Requires the division of administration to place a plaque and memorial honoring A. Z. Young at the park. Proposed law retains present law. Present law, which expires on Aug. 15, 2009, creates the A. Z. Young Memorial Commission to approve the design, content, and location of the plaque and memorial. Proposed law abolishes the commission

Archaeological Survey and Antiquities Commission: Present law creates the commission to promote the goals and objectives of the Dept. of Culture, Recreation and Tourism and to act in an advisory capacity to that department and its secretary in their administration of present law relative to protecting and preserving prehistoric and historic properties, artifacts, treasure troves, and objects of antiquity which have historical value or which are of interest to the public, and in other matters relating to

antiquities, archaeology, and other cultural resources. Proposed law abolishes the commission and its functions.

La. Unmarked Burial Sites Board: Present law creates the board within the Dept. of Culture, Recreation and Tourism to protect unmarked burial sites and human skeletal remains and burial artifacts in such sites. Authorizes the board to implement present law through the exercise of various powers and functions including: adoption of rules, institution of civil actions to restrain and prevent disturbance of unmarked burial sites and otherwise to enforce present law, to seek restitution and other monetary relief, and to issue permits for disinterment and scientific study of human remains and burial artifacts. Proposed law abolishes the board and transfers the powers, duties, and functions of the board to the secretary of the Dept. of Culture, Recreation and Tourism or his designee.

La. Medical Assistance Trust Fund Advisory Council: Present law authorizes the Dept. of Health and Hospitals to impose a fee for health care services provided by the Medicaid program. Provides for deposit of the proceeds of the fee into the La. Medical Assistance Trust Fund and the use of monies in the fund for the Medicaid program. Creates the advisory board to advise the secretary in the administration of the trust fund, advise on rules pertinent to the administration of the trust fund, and review the financial records and accounts of the fund and make recommendations to the secretary. Proposed law abolishes the advisory council and its functions.

La. Economic Development Council and Cabinet Advisory Group on Economic Development: Present law creates the council and provides that it is responsible for directing the economic development policymaking and strategic economic development planning of the state for recommendation to the governor and the legislature. Provides that the council shall formulate the State Master Plan for Economic Development. Also creates the cabinet advisory group and provides that the group shall advise, coordinate with, and provide research, information, and staff support to the La. Economic Development Council upon the request of the council. Proposed law abolishes the council and its functions. Also abolishes the cabinet advisory group.

Manufactured Housing State Administrative Agency: Present law establishes regulations of the manufactured housing industry, including manufacturing, retail, and sales facets of the industry. Present law provides for the state administrative agency and state administrative agent. Authorizes the agent to carry out and enforce the state plan on behalf of the U.S. Dept. of Housing and Urban Development. The state plan outlines effective handling of consumer complaints and other information that relates to noncompliance, defects, or imminent safety hazards involving manufactured housing. Proposed law provides that the state fire marshal is the state administrative agent and his office is the state administrative agency.

Economic Development Funding Board: Present law creates this board within the La. Stadium and Exposition District (the superdome commission). Provides that the board is responsible for promotional and economic activities of the district. Further provides that the board controls and manages certain surplus funds of the district, which are funds, tax proceeds, and otherwise, remaining after various obligations are met. Proposed law transfers these functions and duties to the La. Stadium and Exposition District.

Uniform Payroll Insurance Committee: Present law requires the governor to establish by executive order a uniform payroll study committee to study all issues related to the administration, availability, and purchase of certain insurance products by state employees through the state Uniform Payroll System. Proposed law repeals present law.

Proposed law removes references to the following previously abolished entities: the Adult

Learning Task Force, the Disability Services and Supports System Planning Group, the Statewide Health Coordinating Council, and the Minority Health Affairs Commission.

Present law creates the Board of Examiners of Certified Shorthand Reporters within the office of the governor for the purpose of encouraging proficiency in the practice of shorthand reporting as a profession, promoting efficiency in court and general reporting, and extending to the courts and to the public the protection afforded by a standardized profession by establishing a standard of competency for those persons engaged in it. Proposed law retains present law.

Present law provides that the governor appoints all nine members of the board, subject to Senate confirmation. Proposed law provides instead for appointment of the board as follows:

- (1) The state Supreme Court appoints four members, one of whom shall be a judge and three of whom shall be certified shorthand reporters.
- (2) The governor appoints three members, subject to Senate confirmation, each of whom shall be a certified shorthand reporter.
- (3) The speaker of the House and the president of the Senate each appoints one member, both of whom shall be attorneys.

Proposed law provides that current members continue to serve and initial vacancies be filled pursuant to proposed law in the following order: the Supreme Court fills the first four vacancies, the governor fills the next three vacancies, the speaker fills the next vacancy, and the president of the Senate fills the 9th initial vacancy.

Proposed law provides relative to the governing authority of a "plaza district" created by present law relative to tax increment financing. Adds a member appointed by the mayor and a member appointed jointly by the state senator and representative representing the area where the district is located. Authorizes the secretary of the Dept. of Economic Development, if he is a member, to designate someone to serve for him. Provides that an owner of property in the district shall appoint someone to serve rather than serving himself.

Proposed law adds requirement that persons who meet specified criteria, who were formerly licensed as addiction counselors, and who have returned to La. be again granted such a license.

(Amends R.S. 8:673, 676, 677, 678(A)(intro. para.), 679(A), (B)(intro. para.), (C), and (D), 680, and 681, R.S. 17:407.4(C), (D), and (E), R.S. 28:821(D), R.S. 36:3(2), 301(A), and 913(A), R.S. 37:2551 and 2552(A), R.S. 40:2109(C), R.S. 46:2623(B) and (D), R.S. 49:149.62(B), R.S. 51:912.51, 912.52, 935.1(A)(1)(a), (B)(1), and (D), 2452(A)(intro. para.), and 2453(2)(d), and Art. XIV, §47(P)(3) of the Constitution of 1921; Adds R.S. 33:9039 and R.S. 37:3388.3(C); Repeals R.S. 8:675, R.S. 17:24.4(J), 66.1, 407.1(4), 407.3, and 3951(B)(13), R.S. 36:4(Q) and (V), 209(C)(1) and (H)(3), 259(I)(2), (K), (R), and (T), 309(E) and (F), 651(V) and (W), and 805, R.S. 41:1602, R.S. 42:456.2, R.S. 46:2622(2) and 2624, R.S. 49:149.62(C), and R.S. 51:955.3(F) and 2375–2383)