2019 Regular Session

HOUSE BILL NO. 137

1

BY REPRESENTATIVES ARMES AND PUGH

2	To amend and reenact R.S. 29:252(A), 253(C), 254, 255, 256, 257, 259, 261(A), and 385(C),
3	and to repeal R.S. 29:258 and R.S. 36:781(C)(2) and (3), relative to veterans' affairs;
4	to provide relative to the Louisiana Department of Veterans Affairs; to provide
5	relative to the organization of the department; to provide relative to the secretary of
6	the department; to provide relative to the duties and authority of the Veterans' Affairs
7	Commission; and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 29:252(A), 253(C), 254, 255, 256, 257, 259, 261(A), and 385(C) are
10	hereby amended and reenacted to read as follows:
11	§252. Department of veterans affairs Veterans Affairs
12	A. There is established in the state government a department Department of
13	veterans affairs Veterans Affairs, the administrative head of which is the state
14	director secretary of the department of veterans affairs.
15	* * *
16	§253. Veterans' Affairs Commission
17	* * *
18	C. The commission shall elect one of its members as chairman. It shall
19	maintain its principal office in Baton Rouge in space provided by state officials or
20	in rented offices if suitable space is not available in state buildings. It shall maintain
21	its records and its principal office in such space. It shall hold its regular meetings
22	there, unless in the discretion of the chairman it is necessary or convenient in the
23	performance of its duties to meet in some other city. At least one regular meeting

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shall be held in each quarter annual period. The commission shall not meet more than twelve days in any fiscal year, including any special meetings, which may be held at times and places specified by the call of the chairman. Written notice of the time and place of meetings shall be given by the director secretary, who shall call meetings whenever requested by a majority of the commission. A majority constitutes a quorum for the transaction of business. No action will be taken by the commission without the concurrence of at least five members personally present and voting. Voting by proxy, by representation, or by mail is prohibited. The secretary of the department director shall act as secretary of the commission and shall keep adequate records and minutes of its business and official actions.

§254. Duties of the commission

In addition to its other duties, the commission shall:

- (1) Adopt, amend, and promulgate rules and regulations.
- (2) Make and publish annual reports and whatever special reports it thinks desirable to the governor concerning the administration and general operation of the department.
- (3) Establish departmental divisions, when and if necessary, and adopt rules and regulations governing their operation.
- (4) Advise <u>advise</u> the <u>director</u> <u>secretary</u> in problems concerning the welfare of veterans, fix the <u>duties</u> of the <u>director</u>, and <u>determine</u> and <u>advise regarding the</u> what functions are necessary or desirable for him to perform in carrying out the purposes of this Part.
 - (5) Determine the general and administrative policies of the department.
- (6) Establish, discontinue, or consolidate service offices throughout the state, and in connection therewith, adopt and amend rules and regulations governing the qualifications and appointment of service officers and the conduct and operation of the service offices.

§255. Appointment Position of the director secretary

The position of the <u>director secretary</u> of <u>veterans' veterans</u> affairs as an officer of the state is established, as provided in R.S. 36:783 et seq.

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The director shall be appointed by the veterans' affairs commission to serve at its pleasure. At least three members of the commission shall concur in the appointment or removal of the director. The director shall be a veteran, a qualified voter, and a resident of the state for five years preceding his appointment. His salary shall be fixed by the commission.

§256. Duties of the director secretary

The <u>director secretary</u> shall be the executive and administrative head of the department and shall direct and supervise all of its administrative and technical activities, <u>subject</u>, however, to the authority of <u>with advice from</u> the commission. In addition to his other duties <u>as provided in R.S. 36:783 and 784</u>, the <u>director secretary</u> shall:

- (1) Attend all meetings of the commission and act as its secretary and keep minutes of its proceedings.
- (2) Appoint, with the consent of the commission and in accordance with the provisions of this Part, all parish service officers and whatever department employees, experts, and special assistants are necessary to carry out effectively the provisions of this Part.
- (3) Investigate from time to time the operation and effect of this Part and of the rules, and report his findings and recommendations to the commission.

§257. Departmental divisions

Departmental divisions shall be administered by division chiefs, who shall be appointed by the director secretary. with the consent of the commission. Their duties shall be fixed by the rules and regulations of the commission.

* * *

§259. Director Secretary; powers to qualify for federal aid

The director secretary may make, with the consent of the commission, the regulations necessary to receive the benefits of all acts of the congress of the United States of America pertaining to veterans' affairs, particularly the Servicemen's Readjustment Act of 1944, and on behalf of the state, may make contracts with the

1 United States of America for the purpose of receiving the benefits of the federal laws 2 pertaining to aid and benefits for veterans. 3 4 §261. Establishment of service offices; rules; contributions by department 5 A. With the approval of the commission, the director The secretary shall 6 establish service offices in the several parishes or consolidate service offices to serve 7 more than one parish and municipality when the parishes and municipalities affected 8 contribute to the maintenance of these offices in accordance with the authority 9 contained in R.S. 29:260. 10 11 §385. Deposit of residents' funds; disbursements; interest 12 13 C. Interest earned on funds deposited with the Department of Veterans 14 Affairs as provided in R.S. 29:385(A) Subsection A of this Section and any private 15 donations so designated shall be deposited in a resident's recreation and welfare fund 16 and shall be expended by the department for the recreation and general welfare of all 17 residents of its healthcare facilities. The Veterans' Affairs Commission shall 18 establish by rule appropriate guidelines and policies with respect to the expenditure 19 of such funds. 20 Section 2. R.S. 29:258 and R.S. 36:781(C)(2) and (3) are hereby repealed in their 21 entirety. SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

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APPROVED: __

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