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## DIGEST

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HB 612 Original

2020 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 repeals and re-numbering the remainder of the Section.
- (3) Updating citation references that refer to repealed or re-designated Sections of law.

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. Present law, Title 36, uses a "double cross-referencing" system to grant agencies authority within the executive branch. Within present law, there are six different categories of authority. These six different categories are known as "transfer types" or "transfer type authority". 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 provisions. These exception Sections contain a reference to the general transfer type authority that the exception falls under. The Sections placing individual agencies with an exception into its executive branch department will contain a reference to the exception Section.

Proposed law removes the double cross-referencing system. If an agency has an exception to the general transfer type, then proposed law lists the exception in the Section placing the agency within its executive branch department. In addition, proposed law removes references to specific agencies within the Sections governing transfer type authorities.

Proposed law repeals references to agencies that are no longer effective or no longer exist.

### **R.S. 36:209**

Present law includes references to museums placed within the Dept. of Culture, Recreation, and Tourism. Present law provides for a distinction between the museum facilities themselves and their governing boards or commissions. The boards or commissions are considered agencies which exercise powers, duties, functions, and responsibilities. Proposed law removes references to the museum facilities from Title 36 as the facilities are not considered agencies within the executive branch of state government.

### **R.S. 36:259**

Act 206 of the 2018 R.S. amended this Section and redesignated most of the provisions of law within this Section.

In prior law, the Commission on Perinatal Care and Prevention of Infant Mortality, the Governor's Council on Physical Fitness and Sports, the La. Commission for the Deaf, and the Water Supply and Sewerage Systems Certification Committee were all given transfer type authority under R.S. 36:802. Present law has no specific transfer type authority for these agencies. Proposed law redesignates these agencies and grants them authority under R.S. 36:802.

Present law provides that the La. Medical Disclosure Panel is granted authority under R.S. 36:802. Proposed law retains present law.

In prior law R.S. 36:259(T), the Traumatic Head and Spinal Injury Trust Fund Advisory Board was given authority under the provisions of R.S. 36:901. Present law R.S. 36:259 does not grant the board a specific type of authority. Present law R.S. 36:901 lists R.S. 36:259(T) as being a 901 transfer type. Proposed law places the Traumatic Head and Spinal Injury Trust Fund Advisory Board into its own Subsection and grants the board authority under 901.

In prior law R.S. 36:259(F), the La. State Board of Health, the La. Dept. of Health and all its subsidiary boards, the La. Narcotics Rehabilitation Commission, the Anatomical Board, the Board of Commissioners of the South La. Health Services District, and the Hospital Licensing Council were all abolished and their functions transferred to the secretary of the department under the provisions of R.S. 36:921. Present law groups these agencies into R.S. 36:259(B), and does not contain a reference to R.S. 36:921. However, present law R.S. 36:921 lists R.S. 36:259(F) as being 921 transfer types. Proposed law places these abolished agencies into a single Subsection and specifies that they are governed by the provisions of R.S. 36:921.

#### DISPOSITION TABLE

Name of Agency	<u>Present law</u> citation	<u>Proposed law</u> citation
<b>R.S. 36:4</b>		
division of administration	(B)(1)(a)	(B)(1)
Office of State Procurement	(B)(1)(b)	(B)(1)(a)
Division of State Buildings	(B)(1)(c)	(B)(1)(b)
Office of Facility Planning & Control	(B)(1)(d)	(B)(1)(c)
Office of Technology Services	(B)(1)(e)	(B)(1)(d)
Office of the State Register	(B)(1)(j)	(B)(1)(e)
Cash Management Review Bd	(B)(1)(r)	(B)(1)(f)
Patient's Compensation Fund Oversight Bd	(B)(1)(dd)	(B)(1)(g)
Office of Group Benefits	(B)(15)(a)	(B)(1)(h)

Group Benefits Policy & Planning Bd	(B)(15)(b)	(B)(1)(h)
La. Tax Comm.	(B)(18)	(B)(1)(i)
Bd of Commissioners of Camp Moore Confederate Cemetery	(B)(16)	(B)(1)(j)
Occupational Forecasting Conference	(B)(1)(f)	(B)(2)
Governor's Office of Homeland Security & Emergency Preparedness	(B)(1)(g)	(B)(3)
La. Architects Selection Bd	(B)(1)(k)	(B)(4)
La. Engineers Selection Bd	(B)(1)(l)	(B)(5)
La. Landscape Architects Selection Bd	(B)(1)(m)	(B)(6)
Military Department	(B)(1)(n)	(B)(7)
Law Enforcement Executive Management Institute	(B)(1)(5)	(B)(8)
La. Stadium & Exposition District	(B)(1)(u)	(B)(9)
Mental Health Advocacy Service	(B)(1)(v)	(B)(10)
La. Comm. on Law Enforcement & Administration of Criminal Justice	(B)(1)(z)	(B)(11)
Council on Peace Officers Standards & Training	(B)(1)(h)	(B)(11)(a)
Crime Victims Reparations Bd	(B)(1)(i)	(B)(11)(b)
La. Sentencing Comm.	(B)(1)(aa)	(B)(11)(c)
La. Sheriff's Executive Management Institute	(B)(1)(ff)	(B)(12)
Office of Life-Long Learning	(B)(4)	(B)(13)
Office of Elderly affairs ad La. Executive Bd on Aging	(B)(6)(a)	(B)(15)
Office of Disability Affairs	(B)(7)	(B)(16)
Children's Cabinet, Children's Cabinet Advisory Bd, & Children's Trust Fund	(B)(8)	(B)(17)
La. Comm. on Human Rights	(B)(12)	(B)(18)
Office of the Coordinator of Faith-based Programs	(B)(17)	(B)(19)
La. Public Defender Bd	(D)	(B)(20)
Juvenile Justice Reform Act Implementation Comm.	(E)	(B)(21)
Office on Women's Policy	(F)	(B)(22)
La. Women's Policy & Research Comm.	(F)	(B)(22)
Governor's Office of Indian Affairs	(G)	(B)(23)
Intrastate Mutual Aid Subcommittee	(H)	(B)(24)
Office of State Inspector General	(I)	(B)(25)
Drug Policy Bd	(K)	(B)(26)
Office of Rural Development	(L)	(B)(27)

La. State Interagency Coordinating Council for EarlySteps: La.'s Early Intervention Program for Infants & Toddlers with Disabilities & Their Families	(R)	(B)(28)
La. Council on the Success of Black Men & Boys	(X)	(B)(29)
Pet Overpopulation Advisory Council	(Y)	(B)(30)
Governor's Advisory Comm. on Coastal Protection, Restoration, & Conservation, The CPRA Bd & CPRA	(Z)(1)	(B)(31)(a)
Atchafalaya Basin Program	(Z)(2)	(B)(31)(b)
Latino Comm.	(AA)	(B)(32)
Rural Water Infrastructure Committee	(BB)	(B)(33)
Public Buildings Bd	(B)(2)(a)	(C)
Office of Lieutenant Governor	(C)	(D)
Encore La. Comm.	(U)	(D)(1)
Volunteer La. Comm.	(N)	(D)(2)
<b>R.S. 36:4.1</b>		
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 & 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)
<b>R.S. 36:53</b>		

State examiner of municipal fire & police civil service & the office of the state examiner	(A)	(A)(1)
Bd of Ethics	(C)	(A)(2)
Division of Administrative Law	(I)	(A)(3)
State Police Service	(H)	(B)(1)
Bd of Tax Appeals	(J)	(B)(2)
Advisory Bd on Inservice Training & Education	(G)(1)	(C)
<b>R.S. 36:109</b>		
Bd of Commerce & 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)	(C)
La. Economic Development Corporation	(N)	(D)
<b>R.S. 36:209</b>		
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)
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)(6)
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)
Edward Douglass White Historic Site	(V)	(D)
La. Byways Comm.	(X)	(E)
La. Seafood Promotion & Marketing Bd	(Y)	(F)
State Bd of Library Examiners	(D)	(G)
Atchafalaya Trace Comm.	(M)(1)	(H)
<b>R.S. 36:259</b>		
Respiratory Care Advisory Committee	(B)(20)	(B)(15)
La. Advisory Committee on Populations & Geographic Regions with Excessive Cancer Rates	(B)(21)	(B)(16)
Medical Education Comm.	(B)(22)	(B)(17)
La. Access to Better Care Medicaid Insurance Demonstration Project Oversight Bd	(B)(23)	(B)(18)
La. Developmental Disabilities Council	(B)(25)(a)	(B)(19)(a)
Regional & State Advisory Councils for the Community & Family Support System	(B)(25)(b)	(B)(19)(b)
La. Emergency Medical Services Certification Comm.	(B)(32)	(B)(20)
La. Comm. on HIV, AIDS, & Hepatitis C Education, Prevention, & Treatment	(B)(34)	(B)(21)
Palliative Care Interdisciplinary Advisory Council	(B)(36)	(B)(22)
Comm. on Perinatal Care & Prevention of Infant Mortality	(B)(16)	(D)(1)
Governor's Council on Physical Fitness & Sports	(B)(15)	(D)(2)
Healthy Moms, Healthy Babies Advisory Council	(D)(1)	(D)(3)
La. Comm. for the Deaf	(B)(18)	(D)(4)
La. Medical Disclosure Panel	(B)(19)	(D)(5)
Water Supply & Sewerage Systems Certification Committee	(B)(17)	(D)(6)
La. Emergency Response Network Bd	(B)(24)	(E)(1)
Traumatic Head & Spinal Injury Trust Fund Advisory Bd	(B)(30)	(F)(1)
Clinical Laboratory Personnel Committee	(B)(31)	(F)(2)

La. State Bd of Health & the La. Department of Health & all its subsidiary boards	(B)(35)	(G)(1)
La. Narcotics Rehabilitation Comm.	(B)(33)	(G)(2)
Anatomical Bd	(B)(26)	(G)(3)
Bd of Commissioners of the South La. Health Services District	(B)(27)	(G)(4)
Nursing Home Advisory Committee	(B)(28)	(G)(5)
Hospital Licensing Council	(B)(29)	(G)(6)
<b>R.S. 36:478</b>		
La. Health & Human Resources Administration	(H)(1)	(A)(1)
State Youth Planning Advisory Comm.	(H)(2)	(A)(2)
State Department of Public Welfare	(H)(3)	(A)(3)
State Bd of Public Welfare	(H)(4)	(A)(4)
La. Advisor Council on Child Care & Early Education	(M)	(B)
<b>R.S. 36:651</b>		
La. Educational Television Authority	(C)	(B)(1)
Office of instructional technology	(U)	(B)(2)
Bd of Supervisors for the University of La. System	(D)(1)	(C)(1)
Bd of Regents	(D)(2)	(C)(2)
Bd of Supervisors of La. State University & A&M College	(D)(3)	(C)(3)
Bd of Supervisors of Southern University & A&M College	(D)(4)	(C)(4)
Bd of Supervisors of Community & Technical Colleges	(D)(5)	(C)(5)
New Orleans Center for Creative Arts & its board of directors	(D)(8)	(C)(6)
Bd of Directors of Thrive Academy	(D)(9)	(C)(7)
Health Education Authority of La.	(D)(10)	(C)(8)
Jimmy D. Long, Sr. La. School for Math, Science, & the Arts & its board of directors	(Q)	(C)(9)
Quality Science & Mathematics Council	(Y)	(C)(10)
Governor's Program for Gifted Children	(Z)	(C)(11)
State Bd of Elementary & Secondary Education	(E)	(D)
Recovery School District	(F)	(E)(1)
La. Environmental Education Comm.	(CC)	(E)(2)

College & Career Readiness Comm.	(G)(2)	(F)(1)
Agricultural Education Comm.	(G)(4)	(F)(2)
ABLE Account Advisory Council	(G)(5)	(F)(3)
Early Childhood Care & Education Comm.	(G)(8)	(F)(4)
Task Force on Student Proficiency	(P)	(F)(5)
State Department of Education	(H)	(G)
The advisory councils to post-secondary vocational-technical schools	(J)	(I)
Advisory Comm. on Proprietary Schools	(L)	(J)
La. Fire & Emergency Training Comm.	(S)	(L)(9)
Statewide Articulation & Transfer Council	(T)(1)	(L)(1)
Process Technology Advisory Bd	(T)(2)	(L)(2)
La. Tuition Trust Authority	(T)(3)	(L)(3)
Governing Bd of the La. Cancer Research Center of LSU Health Sciences Center in New Orleans/Tulane Health Sciences Center	(T)(4)	(L)(4)
La. State University Health Sciences Center Health Maintenance Organization	(T)(5)	(L)(5)
La. Science, Technology, Engineering, & Mathematics Advisory Council	(T)(6)	(L)(6)
Advisory Council on Historically Black Colleges & Universities	(T)(7)	(L)(7)
La. Hall of Fame for the Arts Election Bd	(O)	(L)(8)
La. Health Works Comm.	(AA)(1)	(M)(1)(a)
Nursing Supply & Demand Council	(AA)(2)	(M)(1)(b)
Simulation Medical Training & Education Council for La.	(AA)(3)	(M)(1)(c)
La. Student Financial Assistance Comm.	(BB)	(N)
<b>R.S. 36:744</b>		
State Bd of Election Supervisors	(C)	(B)
La. Historical Records Advisory Bd	(D)	(C)(1)
Advisory Bd of the Old State Capitol	(F)	(C)(2)
Eddie G. Robinson Museum Comm.	(Q)	(C)(3)
Advisory Bd of the La. State Archives	(DD)	(C)(4)
State Archives & Records Comm. & the State Archives & Records Service	(E)	(D)(1)
Old State Capitol Memorial Comm.	(G)	(D)(2)

office of commissioner of elections	(R)	(E)
La. Delta Music Museum	(S)	(F)(1)(a)
Tioga Heritage Park & Museum	(V)	(F)(1)(b)
Mansfield Female College Museum	(W)	(F)(1)(c)
La. Military Hall of Fame & Museum	(AA)	(F)(1)(d)
Germantown Colony Museum	(BB)	(F)(1)(e)
Regional Museum Governing Bd of the La. State Exhibit Museum & the La. State Exhibit Museum	(I), (J)	(F)(1)(f)
governing Bd of the La. State Cotton Museum & the La. State Cotton Museum	(L)	(F)(1)(g)
governing Bd of the La. State Oil & Gas Museum & the La. State Oil & Gas Museum	(N)	(F)(1)(h)

(Amends R.S. 17:2048.61(B), R.S. 25:379(A), 379.2(B)(5), 380(A), 380.2(B)(5), 380.21(A), 380.23(B)(7), 380.51(A), 380.53(B)(7), 380.81(A), 380.83(B)(7), 380.91(A), 380.93(B)(7), 380.131(A), 380.133(B)(6), 380.151(A), and 380.153(B)(7), R.S. 28:64(A)(1), R.S. 29:769(E), R.S. 36:4(B), (C), and (D), 4.1(C), (D), and (E), 53(A) and (C), 109, 209, 259(B)(intro. para.) and (15)-(22), (C)(intro. para.), and (D), 478, 651, 744, 801(intro. para.), 801.1(A), 802(intro. para.), 802.3, 803(A)(1), 851(A), 901(A), and 921(A), R.S. 42:808(A)(6), R.S. 46:2403(E), and R.S. 51:1253(3); Adds R.S. 36:4.1(B), 53(B) and (D), and 259(E), (F), and (G); Repeals R.S. 36:4(E)-(BB), 4.1(F) and (G), 53(F) - (J), 259(B)(23)-(36), 801.2, 801.5, 801.6, 801.7, 801.9, 801.12, 801.15, 801.16, 801.20, 801.22, 802.14, 802.19, 809, 851.1, 908, 909, 910, 911, 912, 913(B), 919.6, and 919.9)