

GREEN SHEET REDIGEST

HB 420

2022 Regular Session

Gregory Miller

LEGISLATION: Provides for continuing technical corrections and revision of provisions of Title 36 of the Louisiana Revised Statutes

DIGEST

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 repeal notations and renumbering the remainder of the Section.
(3) Updating citation references that refer to repealed or redesignated Sections of law.

Organizational Changes to Title 36

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. Within present law, there are six different categories of authority, which are known as "transfer types" or "transfer type authority". Present law, Title 36, uses a "double cross-referencing" system to grant agencies authority within the executive branch. In the present law double cross-referencing system, a Section placing an agency within the 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 statutory Sections under present law. These "exception sections" contain a reference to the general transfer type authority statute that the exception falls under. The Sections placing individual agencies with an exception to the general transfer type authority into its executive branch department will contain a reference to the exception Section, but not a reference to the general transfer type authority.

Proposed law removes the double cross-referencing system. Proposed law updates the individual agency statutes to always reference their general transfer type authority, if applicable. If an agency has an exception to the general transfer type authority, then proposed law lists the transfer type, if applicable, and the exception to the transfer type in the Section placing the agency within its executive branch department.

Proposed law renumbers and rearranges the provisions for agencies placed within the governor's office and the following departments: Civil Service, Environmental Quality, Health, Natural Resources, Public Safety and Corrections, Revenue, Children and Family Services, Wildlife and Fisheries, and Treasury. The following table indicates the present and proposed location of those agencies.

DISPOSITION TABLE

Table with 3 columns: Name of Agency, Present law citation, Proposed law citation. Rows include Governor's office, Division of administration, and Office of state procurement.

<b>Name of Agency</b>	<b>Present law citation</b>	<b>Proposed law citation</b>
Division of state buildings	(B)(1)(c)	(B)(1)(b)
Office of facility planning and control, division of administration	(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)	(B)(1)(h)
La. Tax Commission	(B)(18)	(B)(1)(i)
Bd. of Commissioners of Camp Moore Confederate Cemetery	(B)(16)	(B)(1)(j)
Office of the state Americans with Disabilities Act Coordinator	(B)(1)(o)	(B)(1)(k)
Occupational Forecasting Conference	(B)(1)(f)	(B)(2)
Governor's Office of Homeland Security and 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, state of La.	(B)(1)(n)	(B)(7)
Law Enforcement Executive Management Institute	(B)(1)(s)	(B)(8)
La. Stadium and Exposition District	(B)(1)(u)	(B)(9)
Mental Health Advocacy Service	(B)(1)(v)	(B)(10)
La. Commission on Law Enforcement and Administration of Criminal Justice	(B)(1)(z)	(B)(11)
Council on Peace Officer Standards and Training	(B)(1)(h)	(B)(11)(a)
Crime victims Reparations Bd.	(B)(1)(i)	(B)(11)(b)
La. Sentencing Commission	(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 civil rights	(B)(5)	(B)(14)
Office of elderly affairs and the La. Executive Bd. on Aging	(B)(6)	(B)(15)
Office of disability affairs	(B)(7)	(B)(16)

<b>Name of Agency</b>	<b>Present law citation</b>	<b>Proposed law citation</b>
Children's Cabinet, Children's Cabinet Advisory Bd., Children's Trust Dedicated Fund Account, and the Council on the Status of Grandparents Raising Grandchildren	(B)(8)	(B)(17)
Rural Water Infrastructure Committee	(BB)	(B)(18)
La. Commission on Human Rights	(B)(12)	(B)(19)
Office of the coordinator of faith-based programs	(B)(17)	(B)(20)
La. Public Defender Bd.	(D)	(B)(21)
Juvenile Justice Reform Act Implementation Commission	(E)	(B)(22)
Office on women's policy	(F)	(B)(23)
Governor's Office of Indian Affairs	(G)	(B)(24)
Intrastate Mutual Aid Subcommittee	(H)	(B)(25)
Office of the state inspector general	(I)	(B)(26)
Office of human trafficking prevention	(J)	(B)(27)
Drug Policy Bd.	(K)	(B)(28)
Office of rural development	(L)(1)	(B)(29)
La. State Interagency Coordinating Council for EarlySteps: La.'s Early Intervention Program for Infants and Toddlers with Disabilities and Their Families	(R)	(B)(30)
La. Council on the Success of Black Men and Boys	(X)	(B)(31)
Pet Overpopulation Advisory Council	(Y)	(B)(32)
Governor's Advisory Commission on Coastal Protection, Restoration and Conservation, the Coastal Protection and Restoration Authority Bd., and the Coastal Protection and Restoration Authority	(Z)	(B)(33)
Latino Commission	(AA)	(B)(34)
Office of Broadband and Connectivity	(CC)	(B)(35)
Public Buildings Bd.	(B)(2)(a)	(C)
Office of the lieutenant governor	(C)	(D)
Encore La. Commission	(U)	(D)(1)
Volunteer La. Commission	(N)	(D)(2)
<b>Dept. of State Civil Service</b>	<b>R.S. 36:53</b>	
State Examiner of municipal fire and police civil service	(A)	(A)(1)

<b>Name of Agency</b>	<b>Present law citation</b>	<b>Proposed law citation</b>
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)
<b>Dept. of Environmental Quality</b>	<b>R.S. 36:239</b>	
Governor's Council on Environmental Quality	(B)(1)	(A)(1)
Citizen's Advisory Bd. to the Governor's Council on Environmental Quality	(B)(2)	(A)(2)
Environmental Control Commission	(B)(4)	(A)(3)
Motor Fuels Underground Storage Tank Trust Fund Advisory Bd.	(C)	(B)
Bd. of Certification and Training for Solid Waste Management System Operators	(E)	(C)
La. Small Business Compliance Advisory Panel	(H)	(D)
<b>La. Dept. of Health</b>	<b>R.S. 36:259</b>	
Medicaid Pharmaceutical and Therapeutics Committee	(B)(10)	(B)(9)
Advisory council for the program of early identification of deaf or hard of hearing infants	(B)(11)	(B)(10)
La. Obesity Prevention and Management Commission	(B)(12)	(B)(11)
La. Sickle Cell Commission	(B)(13)	(B)(12)
Physician Assistants Advisory Committee	(B)(14)	(B)(13)
Respiratory Care Advisory Committee	(B)(20)	(B)(14)
La. Advisory Committee on Populations and Geographic Regions With Excessive Cancer Rates	(B)(21)	(B)(15)
Medical Education Commission	(B)(22)	(B)(16)
La. Access to Better Care Medicaid Insurance Demonstration Project Oversight Bd.	(B)(23)	(B)(17)
La. Developmental Disabilities Council	(B)(25)	(B)(18)
La. Commission on HIV, AIDS, and Hepatitis C Education, Prevention, and Treatment	(B)(34)	(B)(19)

<b>Name of Agency</b>	<b>Present law citation</b>	<b>Proposed law citation</b>
Palliative Care Interdisciplinary Advisory Council	(B)(36)	(B)(20)
La. Toxic Mold Task Force	(B)(37)	(B)(21)
La. Rare Disease Advisory Council	(B)(38)	(D)(7)
Commission on Perinatal Care and Prevention of Infant Mortality	(B)(16)	(D)(1)
Governor's Council on Physical Fitness and Sports	(B)(15)	(D)(2)
Healthy Moms, Healthy Babies Advisory Council	(D)(1)	(D)(3)
La. Commission for the Deaf	(B)(18)	(D)(4)
La. Medical Disclosure Panel	(B)(19)	(D)(5)
Water Supply and Sewerage Systems Certification Committee	(B)(17)	(D)(6)
La. Emergency Response Network Bd.	(B)(24)	(E)
Traumatic Head and Spinal Cord Injury Trust Fund Advisory Bd.	(B)(30)	(F)(1)
Clinical Laboratory Personnel Committee	(B)(31)	(F)(2)
La. Emergency Medical Services Certification Commission	(B)(32)	(F)(3)
Anatomical Bd.	(B)(26)	(G)(1)
Bd. of Commissioners of the South La. Health Services District	(B)(27)	(G)(2)
Hospital Licensing Council	(B)(29)	(G)(3)
La. Narcotics Rehabilitation Commission	(B)(33)	(G)(4)
La. State Bd. of Health and the La. Dept. of Health	(B)(35)	(G)(5)
Nursing Home Advisory Committee	(B)(28)	(G)(6)
La. Domestic Abuse Fatality Review Panel	(B)(39)	(D)(8)
<b>Dept. of Natural Resources</b>	<b>R.S. 36:359</b>	
Oyster Lease Damage Evaluation Bd.	(B)	(A)(1)
Advisory Committee for the regulation and control of water well drillers	(C)	(A)(2)
Water Management Advisory Task Force	(L)	(A)(3)
State Dept. of Conservation	(D)	(B)(1)
State Mineral and Energy Bd.	(E)	(B)(2)
Water Resources Commission	(K)	(B)(3)

<b>Name of Agency</b>	<b>Present law citation</b>	<b>Proposed law citation</b>
Oilfield Site Restoration Commission	(I)	(C)
<b>Dept. of Public Safety and Corrections</b>	<b>R.S. 36:409</b>	
The Reentry Advisory Council	(P)	(A)(1)
Task force to develop and implement an electronic media system for lien recordation and motor vehicle title information	(Q)	(A)(2)
La. State Uniform Construction Code Council	(R)	(A)(3)
Fire Prevention Bd. of Review	(C)(1)	(C)(1)
Fireman's Supplemental Pay Bd.	(C)(2)	(C)(2)
Bd. of Review for extra compensation for municipal police officers	(C)(3)	(C)(3)
Committee on Parole	(C)(4)	(C)(4)
Bd. of Pardons	(C)(5)	(C)(5)
Volunteer Firefighters Tuition Reimbursement Bd.	(C)(6)	(C)(6)
Weights and Standards Police Force	(C)(8)	(C)(7)
Office of the La. oil spill coordinator	(C)(10)	(C)(8)
Liquefied Petroleum Gas Commission	(H)	(C)(9)
La. State Bd. of Private Security Examiners	(D)	(D)(1)
La. State Bd. of Private Investigator Examiners	(L)	(D)(2)
La. Medical Advisory Bd.	(E)	(E)(1)
Prison Enterprises Bd.	(G)	(E)(2)
Advisory board to the Liquefied Petroleum Gas Commission	(I)	(E)(3)
La. Life Safety and Property Protection Education Bd.	(M)	(E)(4)
La. Manufactured Housing Commission	(J)	(G)
Emergency Response Commission	(K)	(H)
La. Gaming Control Bd.	(N)(1)	(I)(1)
La. Gaming Control Bd. Hearing Office	(N)(2)	(I)(2)
La. Truck Center	(O)	(J)
<b>Dept. of Revenue</b>	<b>R.S. 36:459</b>	
La. Sales and Use Tax Commission for Remote Sellers	(A)	(A)

<b>Name of Agency</b>	<b>Present law citation</b>	<b>Proposed law citation</b>
Dept. of Revenue	(C)	(C)
La. Tax Free Shopping Commission	(E)	(D)
Office of alcoholic beverage control	(F)	(E)
Division of charitable gaming control	(G)	(F)
Uniform Electronic Local Return and Remittance Advisory Committee	(H)	(G)
<b>Dept. of Children and Family Services</b>	<b>R.S. 36:478</b>	
La. Health and Human Resources Administration	(H)(1)	(A)(1)
State Youth Planning Advisory Commission	(H)(2)	(A)(2)
State Dept. of Public Welfare	(H)(3)	(A)(3)
State Bd. of Public Welfare	(H)(4)	(A)(4)
<b>Dept. of Wildlife and Fisheries</b>	<b>R.S. 36:610</b>	
Wildlife and Fisheries Commission	(B)(1)	(A)(1)
Gulf States Marine Fisheries Commission	(B)(2)	(A)(2)
Northwest La. Game and Fish Preserve	(B)(3)	(A)(3)
Iatt Lake State Game and Fish Preserve	(B)(4)	(A)(4)
Saline Lake Game and Fish Preserve	(B)(5)	(A)(5)
Nantachie Lake State Game and Fish Preserve	(B)(6)	(A)(6)
Oyster Task Force	(B)(7)	(A)(7)
Crab Task Force	(B)(8)	(A)(8)
La. Shrimp Task Force	(B)(11)	(A)(9)
La. Finfish Task Force	(B)(12)	(A)(10)
Bayou Bonne Idee Game and Fish Commission	(C)(2)	(B)(1)(a)
Bayou Pierre State Game and Fish Commission	(C)(3)	(B)(1)(b)
Beauregard Old River Game and Fish Preserve Commission	(C)(4)	(B)(1)(c)
Bundicks Game and Fish Commission	(C)(5)	(B)(1)(d)
Cocodrie lake Game and Fish Commission	(C)(6)	(B)(1)(e)
Lake Fields Game and Fish Management Commission	(C)(7)	(B)(1)(f)

<b>Name of Agency</b>	<b>Present law citation</b>	<b>Proposed law citation</b>
Spanish Lake State Game and Fish Commission	(C)(9)	(B)(1)(g)
St. Martine-Lafayette Game and Fish Preserve	(C)(8)	(B)(2)(a)
Cornie Lake Game and Fish Preserve	(C)(11)	(B)(2)(b)
Turkey Creek Game and Fish Preserve	(C)(12)	(B)(2)(c)
West Atchafalaya Floodway Game and Fish Management Preserve	(C)(13)	(B)(2)(d)
Hard Water Lake State Game and Fish Preserve	(C)(14)	(B)(2)(e)
Lake Catherine and Lake Pontchartrain Sanctuary	(D)(1)	(B)(3)(a)
Catahoula Lake Game and Fish Preserve	(D)(2)	(B)(3)(b)
Lake Bistineau State Game and Fish Preserve	(D)(3)	(B)(3)(c)
Black Bayou Game and Fish Preserve	(D)(4)	(B)(3)(d)
Cheniere Brake Fish Preserve	(D)(5)	(B)(3)(e)
Lake Fausse Point, Lake Dauterive, and Grande Avoille Cove Advisory Bd.	(F)	(C)(1)
Hunting and Fishing Advisory Education Council	(G)(2)	(C)(2)
La. Artificial Reef Development Council	(H)	(C)(3)
La. Fur Advisory Council	(I)	(C)(4)
La. Alligator Advisory Council	(L)	(C)(5)
<b>Dept. of the Treasury</b>	<b>R.S. 36:769</b>	
State Bond Commission	(C)(1)	(B)(1)
Interim Emergency Bd.	(C)(2)	(B)(2)
State Medical Disability Bd.	(H)	(B)(3)
La. State Employee's Retirement System	(D)(1)	(C)(1)(a)
La. State Police Retirement System	(D)(2)	(C)(1)(b)
La. School Employee's Retirement System	(D)(4)	(C)(1)(c)
Teacher's Retirement System of La.	(D)(6)	(C)(1)(d)
State Bond and Tax Bd.	(F)(2)	(D)
La. Deferred Compensation Commission	(I)	(E)

(Amends R.S. 27:32(A), R.S. 28:64(A)(1), R.S. 29:769(E), R.S. 36:3(intro. para.), 4(B)–(D), 53, 239, 259(A)(intro. para.), (B)(intro. para.) and (10)–(21), (C)(intro. para.), and (D), 359, 409(C), (D), (E), (F)(intro. para.), (G), (H), (I), and (J), 459, 478, 610(B) and (C), 769,

801(intro. para.), 801.1(A), 802(intro. para.), 803(A)(1) and 851(A), 901(A), and 921(A), R.S. 40:1081.8(D) and 1664.11(A)(intro. para.), and R.S. 46:2403(E); Adds R.S. 36:4(B)(35), 259(B)(9) and (D)(8), (E), (F), and (G), 409(A), and 610(A); Repeals R.S. 36:4(E)–(BB), 259(B)(23)–(38), 409(K)–(R), 610(D)–(N), 801.3, 802.14, 802.15, 802.18, 803.1, 806, 807, 809, 914, 915, 917, 918, 919, 919.2, 919.3, and 919.4)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Remove obsolete provisions, which are provided for or superseded by other provisions of law, relative to management of state-owned aircraft, responsibilities for the Atchafalaya Basin Program, and responsibilities of the state treasurer with respect to the state retirement systems.
2. Add provisions specifying the statutory effects of other legislation accounting for the rearrangement of statutory provisions by proposed law.

The House Floor Amendments to the engrossed bill:

1. Make only technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the reengrossed bill

1. Make technical changes contingent upon passage of other legislation.