

Regular Session, 2009

SENATE BILL NO. 158

BY SENATOR B. GAUTREAUX AND REPRESENTATIVE HILL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CULT/REC/TOUR DEPARTMENT. Renames the Louisiana Retirement Development Commission to the Encore Louisiana Commission. (8/15/09)

1 AN ACT

2 To amend and reenact R.S. 36:4(U), R.S. 43:111(A)(9), and R.S. 51:1317, 1318(A) and (D),  
3 and 1319(A)(1), (2), (3), (4), and (B)(5), relative to the Louisiana Retirement  
4 Development Commission; to change the name of the commission to the Encore  
5 Louisiana Commission; to provide that the commission shall market Louisiana to  
6 persons fifty years old and above; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 36:4(U) is hereby amended and reenacted to read as follows:

9 §4. Structure of executive branch of state government

10 A. In accordance with the provisions of Article IV, Section 1 and Article  
11 XIV, Section 6 of the Constitution of Louisiana, all offices, boards, commissions,  
12 agencies, and instrumentalities of the executive branch of state government, whether  
13 constitutional or statutory, and/or their functions, powers, duties, and responsibilities  
14 shall be allocated, either in the Act by which this Title was created or by legislation  
15 enacted subsequent thereto, within the departments listed in this Section, except as  
16 provided in Subsections B and C of this Section, and in order to comply with this  
17 constitutional mandate, the agencies of the executive branch of state government

1 hereinafter enumerated, whether heretofore created by the constitution or by statute,  
2 and/or their functions, powers, duties, and responsibilities are allocated, in the  
3 manner hereinafter set forth in this Title, within the following designated  
4 departments:

5 \* \* \*

6 U. The ~~Louisiana Retirement Development~~ **Encore Louisiana** Commission,  
7 as provided for in R.S. 51:1317 through 1319, shall be placed within the office of the  
8 lieutenant governor and shall exercise its powers, duties, and functions as provided  
9 by law.

10 \* \* \*

11 Section 2. R.S. 43:111(A)(9) is hereby amended and reenacted to read as follows:  
12 §111. Advertising; when prohibited and when authorized

13 A. The state, or any department, officer, board or commission shall not  
14 expend any public funds for advertising in any newspaper, book, pamphlet,  
15 periodical, or radio and television stations except as follows:

16 \* \* \*

17 (9) Advertising by the ~~Louisiana Retirement Development~~ **Encore Louisiana**  
18 Commission that is designed specifically to both increase the number of Louisianians  
19 who remain in the state and to authorize the commission to distribute advertising  
20 designed to promote Louisiana as a quality ~~retirement~~ state **for residents and**  
21 **tourists in the fifty year old and above demographic.**

22 \* \* \*

23 Section 3. R.S. 51:1317, 1318(A) and (D), and 1319(A)(1), (2), (3), (4), and (B)(5)  
24 is hereby amended and reenacted to read as follows:

25 §1317. Legislative findings and determinations

26 A. Because the legislature recognizes the existence of an emerging ~~retirement~~  
27 industry **with the fifty year old and above demographic**, it finds that the state has  
28 a role and responsibility in developing Louisiana as a ~~retirement community state~~  
29 **desirable place of residence for this age cohort**. The legislature also recognizes

1 that ~~retirees~~ **residents and tourists fifty years old and above** spend a  
 2 disproportionate amount of their disposable income on goods and services, which in  
 3 turn creates new jobs. In addition, tax dollars generated from ~~retirees'~~ **these** incomes  
 4 provide a boost to state and local economies. The legislature also finds that major  
 5 aspects of this emerging ~~retirement~~ industry are related directly to both tourism and  
 6 economic development and that there should be a concerted effort by the state to  
 7 focus on or serve the growing ~~retirement~~ **fifty year old and above** market.

8 B. Because the ~~retirement industry~~ **fifty year old and above demographic**  
 9 is a potential source of economic growth for Louisiana, the legislature determines it  
 10 is necessary and essential to create the ~~Louisiana Retirement Development~~ **Encore**  
 11 **Louisiana** Commission to engage in developing, promoting, and marketing  
 12 Louisiana as a ~~retirement~~ destination **for residents and tourists fifty years old and**  
 13 **above.**

14 §1318. Creation of the ~~Louisiana Retirement Development~~ **Encore Louisiana**  
 15 Commission; domicile; composition; membership; officers; staff;  
 16 expenses; terms; quorum

17 A. The ~~Louisiana Retirement Development~~ **Encore Louisiana** Commission,  
 18 hereinafter referred to as the "commission", is hereby created as an agency of the  
 19 state in the office of the lieutenant governor. The commission shall be a body politic  
 20 and corporate entity with the power to sue and be sued. The commission shall be  
 21 domiciled in Baton Rouge.

22 \* \* \*

23 D. All members shall be knowledgeable, interested, and active in developing,  
 24 marketing, and promoting Louisiana as a ~~retirement community state~~ **desirable**  
 25 **place of residency for persons fifty years old and above.**

26 \* \* \*

27 §1319. Commission responsibilities and duties

28 A. The commission shall have the following responsibilities:

29 (1) Formulate, jointly with the office of the lieutenant governor, a strategic

1 plan, or any modifications thereto, ~~for retirement development~~ **attraction and**  
2 **retention of persons fifty years old and above.**

3 (2) Monitor and evaluate ~~program~~ guidelines **for a designation program**  
4 **that recognizes** ~~to award~~ Louisiana **assets and developments attractive to**  
5 **residents and tourists fifty years old and above** ~~communities with a "Livable~~  
6 Louisiana Retirement Ready" seal of approval.

7 (3) Approve a marketing or communication strategy to promote Louisiana as  
8 a ~~retirement~~ location or destination **for residents and tourists fifty years old and**  
9 **above.**

10 (4) Research, study, and develop plans and programs designed to assist state  
11 government, units of local government, private sector entities, and nonprofit entities  
12 in developing Louisiana as a ~~retirement~~ destination **for residents and tourists fifty**  
13 **years old and above.**

14 \* \* \*

15 B. The commission shall be authorized to do the following:

16 \* \* \*

17 (5) Purchase advertising, printed materials, promotional items, and  
18 informational publications and distribute such materials which assist in the  
19 promotion of Louisiana as a premier location for ~~retirees~~ **residents and tourists fifty**  
20 **years old and above.**

21 \* \* \*

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Christopher D. Adams.

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DIGEST

B. Gautreaux (SB 158)

Present law recognizes the retirement industry as an economic opportunity for the state.

Proposed law provides for recognition of the fifty year old and above demographic as an economic opportunity for the state.

Present law creates the Louisiana Retirement Development Commission within the office of the lieutenant governor.

Proposed law changes the name of the Louisiana Retirement Development Commission to

the Encore Louisiana Commission.

Proposed law charges the Encore Louisiana Commission with the duty to attract and develop residents and tourists in the age fifty years old and above demographic to the state.

Effective August 15, 2009.

(Amends R.S. 36:4(U), R.S. 43:111(A)(9), R.S. 51:1317, 1318(A) and (D), and 1319(A)(1), (2), (3), (4), and (B)(5))